

A TIME FOR HEALING

Information for The Formal Marriage Case

THE DIOCESE OF SAINT PETERSBURG



COURAGEOUSLY
Living the Gospel

Office of the Tribunal

P. O. Box 40200
St. Petersburg, FL 33743-0200

Divorce is unique among life experiences. There is no precedent that can prepare an individual for its trauma. Divorce is a process, not an event. The experience of divorce is the result of a long series of incidents which eventually erode the relationship between a husband and wife. The ending of any marriage is a traumatic experience. While the adjustment which follows can either be positive or negative; it is always difficult.

The Catholic Church reaches out to the divorced through her ministry. One of the ways the Church offers to help people achieve healing and closure is through a declaration of nullity, which states that the marriage was non-binding according to the laws of the Catholic Church. It is the hope of the Tribunal that this will be a "Time for Healing". This brochure is intended to help explain the process of petitioning for a declaration of nullity and we also hope that this will answer some of the question you might have about such a declaration.

The Catholic Church believes that marriage is an intimate partnership of life and love, arising from the irrevocable consent of husband and wife and geared to the giving and receiving of mutual love. The partnership or "community of life" is characterized by permanence and fidelity to one another and is ordained by God for the good of the spouses and the procreation and education of children. For the baptized, Christ raised the marital relationship to the dignity of a sacrament.

Furthermore, the Church presumes that every marriage between a man and a woman who are free to marry, (Catholic, Protestant, Jewish, Non-Believer, etc.) to be a valid marriage until the opposite is proven.

Therefore, anyone who is divorced, Catholic or non-Catholic, needs to obtain a Catholic declaration of nullity or dissolution before he/she is allowed to marry in the Catholic Church.

Important: Please note that this process has NO CIVIL EFFECT. It DOES NOT affect the validity of your civil union, legitimacy of children, custody, property, or other settlements. It does not seek to assign blame or guilt on anyone. It merely ascertains the status of the union according to the laws of the Church. The children are and remain legitimate.

It should be noted that the process for a declaration of nullity will not be initiated in this Diocese **until at least one year has passed** from the date of the final divorce decree. It is the experience of this Tribunal that time is a great healer. Not only will the passage of time indicate that the marital relationship is indeed over, and reconciliation is no longer possible, but it will allow for closure and healing.

How to Petition: Either spouse may petition by contacting a priest or deacon (preferably one in your parish). He will meet with you to determine the necessary form needed to petition the Church for a declaration of nullity. This person will be your Advocate when the petition is filed.

After you have completed the paperwork, have signed the appropriate forms, and written a detailed history of your former union, you should return them to the priest/deacon who will forward them to the Tribunal. Be sure you include a **recent** copy of your **baptismal certificate showing all notations** (if Catholic), your marriage certificate, and final decree of divorce. Many find it helpful to tell their children what they are doing so as to avoid potential misunderstandings. Know that all materials gathered are held in the strictest of confidence in accord with Church Law. All officials of the Tribunal, including office personnel, are bound by oath of office to keep materials relative to the annulment process confidential. The parties are also asked to keep information confidential

Your Former Spouse: The Church requires that your former spouse (called Respondent) be notified of your petition to the Tribunal. Therefore, be sure to provide a current address for him/her. Every reasonable effort must be made to locate your former spouse. It is often worthwhile to let your former spouse know that they will be contacted by the Tribunal. The Respondent has the same rights as the Petitioner in the annulment process and the participation of your former spouse is strongly encouraged. An affirmative decision frees both parties for a new marriage recognized by the Catholic Church if they should so desire. The cooperation of your former spouse is very helpful in assisting the Tribunal to reach a just and fair decision. However, should your

former spouse choose not to cooperate, the petition will continue to be processed.

Witnesses: The Church requires witnesses in order to provide a deeper understanding of you, your former spouse, and the union. Please name people who knew you, or preferably, both of you prior to and during the union and who have indicated they would be willing to answer a questionnaire from the Tribunal. (Parents, brothers, sisters, mutual friends, members of the wedding party, usually make excellent witnesses.) Do not name children of the union. Be sure to let the witnesses know that they will receive a questionnaire and that they should return it as soon as possible.

Interview: After all the testimony has been gathered, an appointment may be made if necessary. After reviewing all of the material, the judge or judges will render a decision.

What next? After a decision has been rendered by a Judge or Judges you will be notified.

How long? Since no two petitions presented to the Tribunal are the same, it is impossible to predict the length of time this process will take. **The average length of time is eight months to one year, if we have complete cooperation from all involved.**

NO DATE FOR A MARRIAGE IN THE CATHOLIC CHURCH CAN BE SET UNTIL A DECLARATION OF NULLITY IS RECEIVED.

Fee: The Tribunal charges **NO FEE**.

Questions? It is the sincere intention of the Tribunal that this entire process be, for you and all involved, a time for healing and insight, a healing of the pain and guilt that you may be experiencing as a result of the broken marriage, and an understanding of the real reasons for the breakdown of the marriage. If you have any questions or concerns, please contact your Advocate in the parish in order for the Tribunal to maintain confidentiality. You may also write:

Office of the Tribunal
P. O. Box 40200
St. Petersburg, FL 33743-0200