



ARCHDIOCESE OF WASHINGTON

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INFORMATION FOR PETITIONERS

Please Read Carefully

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1. The Marriage Nullity Process: Once your petition (including your narrative statement) has been accepted by the Tribunal, the investigation of your petition for the declaration of nullity of your former marriage will be set in motion. There can be, however, no guarantee that a decree of nullity will necessarily be granted. The Tribunal begins with the assumption made in Canon Law (Church law) that every marriage is valid. The obligation to prove the contrary rests on the Petitioner (you), who must do so within the context of the procedural norms of the "marriage nullity process" under the guidance and assistance of Tribunal personnel (judges, canon/church lawyers, etc.). To help the Tribunal arrive to a just conclusion about the status of the marriage under review you will be asked to substantiate your arguments with proofs. These proofs include your own deposition, the testimony of witnesses and sometimes reports from experts like doctors, etc.
2. Setting a Date for a Future Marriage: In order to avoid any embarrassment or ill-will, the following is the Archdiocesan policy: **NO DATE SHOULD BE SCHEDULED FOR A FUTURE MARRIAGE** when an individual, who has a prior marital bond, approaches a member of the Parish Staff. **A DATE CAN BE SCHEDULED ONLY AFTER THE PRIOR MARRIAGE IN QUESTION HAS BEEN DECLARED NULL BY THE TRIBUNAL.**
3. Obligation to Locate the Respondent: Canon Law requires that every effort must be made by the Petitioner to discover and inform the Tribunal the current address of the former spouse to the impugned marriage (the Respondent) so that he/she may be invited to participate in the annulment proceedings. Canon Law recognizes that this is a matter justice and every person's right of defense. No case will be entertained if the Petitioner does not allow the Tribunal to do its best to contact the Respondent. Care should be taken to inform the Tribunal promptly of any change of name or address.
4. Introducing Witnesses: the law normally requires the testimony of trustworthy witnesses to corroborate statements made by parties to a case brought before the Tribunal. In marriage cases, both the Petitioner and the Respondent are expected to submit the name and contact information of witnesses, after obtaining the agreement of the witness to be interviewed. Witnesses can be of varying degrees: a) those who have known both parties from before the marriage; b) those who have known one of the parties before the marriage; c) those who have known the parties from the beginning of the marriage; d) those to whom the parties (or one of them) have spoken of the marriage; e) those who can testify to the character of the parties (or

one of them). Relatives and friends are potentially good witnesses. It is important a) not to speak about your marriage with a witness once he/she has agreed to serve; b) never ask a witness to say this, that or the other; but only to say what he/she knows to be the truth; c) the witnesses have to be contacted by you and asked to testify; remember to tell them, however, that their actual interview may not take place for a considerable time since much has to be done before the evidence is collected, and that the interview may take some time (up to 45 minutes). Please know that Canon Law requires that the name of the witnesses proposed by one of the parties be communicated to the other.

5. Possible Delays During the Process: Sometimes the complex nature of a case is a cause of delay. At other times a case may be held up because of lack of evidence as when a Petitioner has not presented the correct names and addresses, or because the proposed witnesses live in other parts of the country/world. Also, please keep in mind yours is not the only case being adjudicated. Our Tribunal judges hundreds of cases each year. Every case is urgent!
6. An Important Note About Confidentiality: Generally speaking, the process is confidential. However, it does not come under the sacramental seal of confession or the priest-penitent privilege recognized in some civil law jurisdictions. The tribunal is not exempt from moral and legal obligations to report the abuse of minors and other vulnerable persons.
7. DO NOT BE AFRAID of What You Are Undertaking: You will be guided step by step by our trained staff. We are well aware of the depth of suffering that is often the result of a marriage breakdown. The marriage nullity process does not seek to "assign" blame for the demise of the marriage. Our only interest is to discover the truth about the marriage under review and arrive thus to a just a sound and just decision. To that we are bound before God and our consciences. You and yours are constantly in the prayers of the members of the Tribunal.