



CHALDEAN DIOCESE
OF ST. THOMAS THE APOSTLE U.S.A.
TRIBUNAL OFFICE

CHALDEAN DIOCESE OF ST. THOMAS THE APOSTLE U.S.A.

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CHECKLIST FOR SUBMITTING YOUR APPLICATION FOR A FORMAL ANNULMENT CASE

Please use this checklist to ensure all materials required are properly submitted together.

1. Documents and Papers required signature of Petitioner

- Formal Petition
- Fact Sheets
- Appointment of Procurator/Advocate
- Witness Form
- Financial Agreement
- Preliminary Questionnaire (be sure to return the entire questionnaire)

2. Required Civil and Ecclesiastical (Church) Documents

- Baptismal certificate or proof of Profession of Faith for the Petitioner and/or Respondent if she/he was Catholic or joined the Catholic Church. When requesting this document from your parish of baptism, please ask to include notations.
- Civil Application for Marriage License (ask specifically for this form from the county where you obtained your marriage license) with attached Certificate of Marriage
- Catholic Marriage Certificate for anyone married in the Catholic Church
- Civil Divorce/Dissolution Decree (which must include the official stamp showing the filing date)
- Complete Separation Agreement
- Legal change of name if not documented in the civil termination papers
- Signed Advocate's Initial Intervention or deferral

If the marriage took place in your parish, please include a COPY of the Prenuptial File.

No case will be accepted until **all** required signatures and/or documents and forms have been submitted to the Tribunal. Return this checklist with your application. Be sure to duplicate any document you may be submitting for any other former marriage.

APPOINTMENT OF PROCURATOR/ADVOCATE FOR THE PETITIONER

This in an official document which affects your rights, please read carefully.

I, the undersigned Petitioner in the above captioned matter now pending before the Tribunal of the Chaldean Diocese of St. Thomas the Apostle, mandate the appointment of the Pastoral Minister whose name appears at the bottom of this form as my Procurator to represent me, with the full faculty of performing in my name all useful and necessary acts in the processing of my case before the Court of the First Grade, the Chaldean Diocese, and in all other grades of Trial.

I further certify that I have contacted all my witnesses and they have agreed to participate openly and objectively. I understand that I am not to discuss the facts of the case or the possible questions and answers with these witnesses or any others who might be called upon to testify. I understand, and have informed all witnesses, that my former spouse has the legal right to review anything they might have to say. I have kept a copy of all the materials I am submitting. I now swear before God to the truthfulness of everything I have written in my Petition and in response to the Preliminary Questionnaire.

Printed Name of Petitioner

Signature of Petitioner Date

ACCEPTANCE OF THE MANDATE OF THE PETITIONER

I, the undersigned pastoral Minister, have carefully and thoroughly reviewed the Petition and Preliminary Questionnaire with the Petitioner, and have explained the meaning and importance of each of the forms contained in the Formal Case packet. All required documents are enclosed. I have retained a copy of all materials and testimonies for my personal records so that I may faithfully discharge the obligations of the Procurator and Advocate.

I hereby accept the Mandate of the Petitioner and Appointment by the Tribunal to serve as Procurator for the Petitioner. In assuming this function, and agreeing to assist as Advocate, I understand that it is my obligation in Law to regularly contact the Tribunal on the progress of this case.

Printed Name of Procurator/Advocate

Signature of Procurator/Advocate Date

FACTS OF THE MARITAL CONSENT BEING EXAMINED

PLEASE NOTE: It is imperative that every item on this page be completed for both you and your former spouse. Be sure to include all names, maiden names and other required information. If you do not know, please mark "Unknown".

YOU		FORMER SPOUSE
	Complete Name	
	Maiden Name	
	Street Address*	
	City	
	State & Zip Code	
	Phone	
	Birth Date	
	Place of Employment	
	Position or type of Work	
	Religion when Married	
	Religion of Baptism	
	Parish of Baptism	
	Address of Church	
	City, State, Zip Code	
	Date of Baptism	
	Current Religion	
	Parish Now Attending	
	Complete Name of Father	
	His Current Address	
	City, State, Zip	
	Complete Name of Mother	
	Mother's Maiden Name	
	Her Current Address	

*This is absolutely required. If you are truly unsure where the Respondent lives, please see page labeled, "SUBSTANTIATION OF WHEREABOUTS UNKNOWN OR NO CONTACT".

THE RELATIONSHIP

1. Day of Marriage
 - Indicate the exact date of the marriage:
 - Church or place of the marriage:
 - Complete church address:
 - Witnessed by Priest/Deacon Other religious minister Civil Magistrate
 - If the ceremony was not in a Catholic Rite, was it ever blessed or validated by the Catholic Church? Yes No. If yes, where and when?

2. Marriage License
 - In what city, state and county did you obtain the license?
 - Please copy from the Application for Marriage License the file number (File number, volume and page, or other identifying number)

3. How long did you date/court before you married?

4. If you were engaged, how long was the engagement?

5. Once married, how long did you live together as husband and wife?

6. Divorce
 - Did you obtain a civil divorce dissolution?
 - Who obtained it? I did the respondent did
 - From the file stamp on the decree, give the date the decree was filed
 - From the decree, provide the file number:
 - In what country and state was the decree filed?

7. Children
 - How many children were born to the union? How many were adopted?
 - Give the FULL NAME and birth date of each child born and the birth date and date of adoption of any children adopted:

8. Who was awarded principal custody I was the former spouse other

9. Has child support assessed by the Court been fully met? Yes No (explain):

10. Who has primary custody now? I do former spouse the children are adults

11. Petitioner's Current Intention

● My present marital status is: Single Engaged Remarried

● If you are now engaged or remarried, please provide the following information:

To whom

Street address of this person

City, State and Zip

● Is this person a Catholic? Yes No

● If yes, to what parish does he/she belong?

● Was this person ever married before? Yes No

● If so, how did it end?

death of the spouse

civil divorce or dissolution

● If by civil termination, was a Catholic annulment ever sought?

Yes No

If you answered yes, please indicate the diocesan a tribunal, the case number, and the date a declaration of freedom (annulment) was granted.

OTHER MARRIAGES

Please indicate any other marriages contracted by either party, whether before or after the marriage in question. This does not include any current relationship which you may wish to maintain (see "Petitioner's Current Intentions"). If more space is needed, please include those marriages and all below information on another sheet.

Petitioner's Respondent's

Spouse's Full Name:

Date and Place of Marriage:

Religion/denomination of spouse:

Baptism date:

Was this marriage ever convalidated/sanated ("blessed") in the Catholic Church? Yes No

Check all that apply:

- If Catholic decree of nullity, diocese and prot. #:
- If former spouse is deceased, date of death:
- If civil divorce, date and place:

Very briefly, what made this marriage fail?

Petitioner's Respondent's

Spouse's Full Name:

Date and Place of Marriage:

Religion/denomination of spouse:

Baptism date:

Was this marriage ever convalidated/sanated ("blessed") in the Catholic Church? Yes No

Check all that apply:

- If Catholic decree of nullity, diocese and prot. #:
- If former spouse is deceased, date of death:
- If civil divorce, date and place:

Very briefly, what made this marriage fail?

PETITIONER'S WITNESSES

The examination of consent in a Formal Case requires the submission of witnesses who can vouch for the integrity of the parties and perhaps shed light in the period at and around the time of consent. Since it is consent that is being examined, think back to the time of the wedding and consider several names which come to mind. These can be the family of party, friends, members of the wedding party, coworkers with whom the wedding plans were discussed, etc. Contact at least four of those people, invite them to honestly and objectively share what they recall (please give them permission to speak their mind) and list the names of those who agree to assist. After providing the names, sign below.

WITNESS 1
Name: _____
Street Address: _____
City, State Zip: _____
Telephone: _____
Relationship: _____

WITNESS 2
Name: _____
Street Address: _____
City, State Zip: _____
Telephone: _____
Relationship: _____

WITNESS 3
Name: _____
Street Address: _____
City, State Zip: _____
Telephone: _____
Relationship: _____

WITNESS 4
Name: _____
Street Address: _____
City, State Zip: _____
Telephone: _____
Relationship: _____

I certify that I have personally contacted each of the above names witnesses and have obtained their agreement to assist in arguing my case. Each of them expects a short questionnaire and has agreed to return it promptly.

Signature of Petitioner: _____

You may wish to submit any professional you consulted regarding the marriage. If you do, a release of confidentiality will be sent to you before we contact the professional(s) listed:

PROFESSIONAL 1
Name: _____
Street Address: _____
City, State Zip: _____
Telephone: _____
Date(s) of Consultation: _____
<input type="checkbox"/> Joint <input type="checkbox"/> Individual <input type="checkbox"/> Both

PROFESSIONAL 2
Name: _____
Street Address: _____
City, State Zip: _____
Telephone: _____
Date(s) of Consultation: _____
<input type="checkbox"/> Joint <input type="checkbox"/> Individual <input type="checkbox"/> Both

SUBSTANTIATION OF WHEREABOUTS UNKNOWN OR NO CONTACT

A declaration of freedom to marry affects two people, you as the Petitioner and your former spouse. Both of you have rights in the process and ought to be actively involved. If you do not know the whereabouts of your former spouse, please indicate here the steps you have taken to attempt to find that person.

On this date: I took this action: With this result:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Signature of Petitioner Date

Signature of Church Notary or Advocate Date

If you have a good cause that the former spouse not be contacted, proofs must be provided. Normally, these proofs are in the form of legal papers issued by a Court or some other civil magistrate (police or sheriff department) with the authority to require that no contact be made. If you have such orders, or such orders were issued by a public official, please submit them with this application or indicate the date of issuance, the civil jurisdiction (city, county or state) and the underlying reason the order was issued.

STATEMENT OF UNDERSTANDING MARRIAGE NULLITY:

ORDINARY PROCESS

Please sign and date the statement below:

I believe that the above-mentioned marriage may have been invalid according to the law of the Catholic Church based on the facts and proofs that are proposed herein, and I request that the Tribunal of the Diocese of St. Thomas the Apostle judge whether this marriage is proven to be invalid.

I recognize that the materials gathered for this judicial process are open to the officials of the Tribunal and are available for review by the Respondent and any psychological and other experts used by the Tribunal in the course of this process.

I understand that it is my duty to provide a viable address for the Respondent in my *libellus* (Formal Petition), and providing a wrong or incomplete address for the Respondent will cause serious delays in the case.

I understand that the burden of proof is on me to overturn the legal presumption that my marriage is valid.

I have read and understand the following points regarding my petition for an annulment:

1. No assurance can be given of an affirmative decision, that is, one which recognizes that consent was invalid.
2. No assurance can be given as to a definite time for the completion of the canonical process herein invoked.
3. Absolutely no arrangements can be made for a future Catholic marriage or convalidation unless and until I have received a final and favorable decision from the Chaldean Tribunal and any and all appeals Tribunals to which this matter may be directed; and
4. If the circumstances of the invalidity of consent so indicate, the Judge may require that I seek professional counseling before a marriage in the Catholic Church is permitted.
5. I recognize that this process is a purely ecclesiastical one and has no effect whatsoever on United States federal or state civil law.

I swear before God and my conscience that all of the above information provided in this application is true to the best of my knowledge and memory.

Signature of Petitioner

Date

PETITIONER'S PRELIMINARY QUESTIONNAIRE

Before beginning this form, be sure to thoroughly read all the directions. Please leave a 1.0 margin (the same as on this page) at the left so that these pages can be bound and be sure to return this entire questionnaire with your responses.

It is necessary that the Tribunal hear the truth. Do you promise, in the sight of God, to tell the truth and only provide true and objective answers as you complete this Preliminary Questionnaire? If yes, please sign your name here:

Signature of Petitioner

Date

**IT IS VERY IMPORTANT THAT YOU ANSWER ALL QUESTIONS IN
COMPLETE SENTENCE FORM**

*Example 1: "Where were you born?", do not merely write the city/state.
You should answer as, "I was born in Baghdad, Iraq."*

*Example 2: "History of mental illness? Diagnoses?", do not merely write Yes or No. You should
answer as: "No, I do not have a history of mental illness."*

1. Your Full Name (First, Middle and Surname) If women, please include your maiden name.

2. What is the full name (first, middle, surname) of your former spouse? If a woman, be sure to include the exact maiden name.

3. Please give Tribunal a profile of your family.

A) Where were you born? How many brothers and sisters do you have and where do you fit in the mix? Who was more dominant, your mother or father? How did your parents relate to one another as husbands and wives are called to live out an equal relationship? Did either parent seem more "in charge," and how did this shape the partnership they modeled to you and your siblings. Please describe how your parents recognized problems and then went on to resolve them. How did they get along with other family and friends and coworkers? What abnormal behavior was present while you were a child or young adolescent (for example, alcoholism, gambling, infidelity, any abuse(physical, emotional, mental, sexual). Did you experience divorce, which impacted the way you thought about yourself, other marriages) Describe the pattern and duration of such behavior. Were you shy, bashful, backward, or awkward as a child or young adolescent? If not born in the United States, when did you leave your country of origin?

B) To the best of your ability, answer the same questions about your former spouse and her/his family. If you do not know, why not?

C) Were you closer to anyone other than the immediate family that may have influenced you in a good or bad way? What was the general influence (good or bad), and why do you say that?

D) Answer the same question about your former spouse, and if you do not know, why not?

E) Did you experience an untimely death of a family member, friend, or classmate during your childhood and early adolescence whose death significantly changed your understanding of life and living or which impacted you in some particular way? Did that change your outlook on life?

F) Answer the same question about your former spouse.

4. The personality and character of a person can always be fleshed out by looking at the various developmental stages of his/her life. Please describe your later childhood and adolescence.

A) Describe your personality as you entered your teens by sharing with the Tribunal how you got along with parents, siblings, and extended family. How well did you interact with your peers, adults, teachers, employers? Please explain in detail.

B) Answer the same or your former spouse if you don't know, why not?

C) Tell the Tribunal a little about your academic progress from childhood to adulthood. Did you like school, find it difficult or too easy? Were there behavioral issues? While in school, were you diagnosed with or treated for a developmental disorder, and if so, what was it? Were you able to get along with boys and girls? Did you belong to a particular clique, gang, or group while in school?

D) Answer the same about your former spouse.

E) Where did you go to school, and what was your report card like? Were you pleased with your grades? What did you want to be when you grow up? Did you pursue further education? Did you get any degrees?

F) Answer the same about your former spouse.

5) Please tell the Tribunal about your dating/courting experience.

A) When did you begin to date? Until you met your former spouse, how many people did you date, and were any of those persons [eople] about whom you thought of as a potential partner? Had you ever discussed marriage with any of your boy/girlfriends? If so, were you ever engaged before your former spouse? What happened to end that relationship?

B) Answer the same about your former spouse.

C) Often, young people become sexually active before marriage. Did this occur in your dating experience, and if so, how old were you when you became sexually active? Prior to meeting your former wife, had you lived with anyone in a marriage-like relationship?

D) Answer the same questions about your former spouse.

E) What was the circumstance which led you and your former wife to meet, and what was it about that person that made you feel attracted and desirous to further the relationship? What was the date you first met, and how long did it take to become exclusive? Who pursued the relationship? Were you sexually active? If so, when did that begin? Who suggested it? Was there resistance or discussion about emotional bonding which occurs in sexual intimacy? Did you live with your former spouse before marriage, and if so, who suggested it?

F) while dating your former spouse, what sort of things did you do to enhance your capacity to learn more about the personality? What was your specific date like? Who chose the activity, and did the choice seed any resentment, lead to arguments?

G) Thinking back to the courtship, what problems do you now see which were present and never got addressed correctly or resolved and which carried over into the marital relationship? Did either of you break off the relationship, and if so, who departed, and how did the relationship rekindle? How were the underlying problems which led to the break up during courtship resolve?

6. Please describe the period leading to the engagement and wedding.

A) Did either the courtship or engagement meet with any objections, and if so, who opposed, why? Did anyone then apply any significant pressure on you or your former spouse to break off the relationship? As you look back, was their advice sound, and ought you or your former spouse to have taken it? If so, what prevented you from paying attention to some good advice?

B) After the engagement, to what extent did you and your former spouse discuss your expectations or hopes for the future? To what extent did the two of you understand and discuss marriage obligations regarding fidelity, permanence, and openness to children?

C) While courting, and even during the engagement, did either you or your former spouse also “date” others? If so, how did this lead to arguments, resentment, or separation which were never fully resolved? Were either of you flirtatious during the engagement, or did either of you wish you had the freedom to explore other relationships?

D) Who proposed, and what were the circumstances? Was the marriage proposal acceptance immediate, and if not, why?

E) Between the marriage and wedding, did either of you entertain serious “second thoughts” about the upcoming marriage or discuss with your former spouse or anyone else the possibility of or desire for calling off the forthcoming wedding. Did you have a thought that this union may not work out? If you had such an idea, did you discuss it with anyone?. Did this make you think that you may have a potential divorce in the future? While you were engaged, did any family or friends go through a divorce?

F) Was there any significant pressure from the outside to get married? Perhaps the pressure of parents who wanted to be grandparents, friends all getting married, alleviating loneliness in a new location, or even an unexpected pregnancy? How did any pressure make you fearful of delaying or calling off the marriage?

G) Were you involved in pre-material counseling? Did you have discussions about the classes you attended? What problems, if any, did the classes reveal which did not “go away” before or during the marriage?

7. Consider how your marriage came into being and whether it rose to the plateau of genuine partnership or equal sharing all of life and love. You may find the following points helpful.

A) One more time, please note the dates you and your former spouse met and the date of your engagement, and the date of your marriage. Looking back at the period, was it adequate to “get to know” one another well enough to spend and a lifetime with this person? What is it

about your former spouse you wish you knew before your wedding date that would have helped you make a more precise decision?

- B) Who planned the wedding ceremony? Was there an unusual circumstance at the wedding rehearsal? What was the wedding day like? Were there problems, or did either of you tell anyone, seriously or not, that the wedding was a mistake? Did any family or friends not attend the wedding because they thought it was a mistake?
- C) Where did you go on your honeymoon? Who chose the location? Did anything unusual happen that made you or your former spouse think they ought not to be married regular sexual intercourse consummate the marriage?
- D) As you settled into marriage, please explain in detail the marriage union from the beginning to end. This part of the application should be the longest. How long were you happy? Where did you begin to live? Did you have children? Please list names and dates of birth. When did the issues arise, and please list and explain? Were there any separations? If so, how many? Who would try to reconcile each time? How well did you communicate both as speakers and listeners? What was the cause of the final separation?
- E) What “ little problems” were never resolved during the courtship and then got carried over into the marriage? What particular skill was missing which prevented you from openly solve the problem?
- F) When did the possibility of divorce, even if not severe arise? Who mentioned it first?
- G) What were the high points and the low points of the marriage?
- H) Was there any abuse (verbal, emotional, mental, physical) or the abuse of drugs and alcohol? Were there any behavioral problems, and to what extent? If so, was there ever a diagnosis made?
- I) What was the place of children in the marital relationship? Were there children from any other relationship? Were both excellent parents? What were the difficulties?
- J) Were the both of you faithful to one another during your marriage? If so, how did you find out? Briefly outline the occasions of infidelity as to why they began, who started them, how long they occurred and how they ended.

8. The end of a marriage is traumatic and painful. Please make clear your final days together around these issues.

- A) Was there any counseling during or following any separations? Did you see the counselor together or separately?
- B) What convinced you or your former spouse that your marriage was irreconcilable? How did having children affect your decision to end the marriage? Who got custody? Did you argue about who should have custody?
- C) Looking back, if either of you thought the marriage might fail on the day of the wedding, did you reserve the right to leave it “Just in case”? Are there any reasons a couple ought to have the right to divorce and move on? What might these reasons be, and did they apply to your marriage?

- D) As you think back, was there something you or your former spouse wanted from the marriage that either spouse never could give, or some expectations that went unfulfilled?

9. If you are Catholic who married initially “outside” the Church, please respond to these three brief points.

- A) How Long was it between your original marriage and the subsequent blessing in the Catholic Church?
- B) Who suggests the marriage ought to be blessed and why? Was this in any way an attempt to repair some problem that you were unable to resolve?
- C) Did both parties believe that such a blessing was necessary, and did both participate in the ceremony's religious aspects, or did one or the other openly state that it was not required?

10. If you are now planing to remarry or are engaged,

- A) please give the full legal name of that person:
- B) Has this person ever been married before, and if so, provide the previous spouse's name, when married occurred, why it ended and when the civil termination occurred?
- C) Has the freedom to marry in the Catholic Church been addressed and, if so, where and when?

11. An annulment means the consent to marriage was faulty, and it applies to both parties. Have you either given the current name and address of the former spouse? If not, please provide reasons why the name and address of your former spouse were not given.