

Office Use Only

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 Lack of Form       Pauline Privilege      ✓# \_\_\_\_\_  
 Defect of Form      Boise Number \_\_\_\_\_  
 Ligamen      Reviewer \_\_\_\_\_

# ROMAN CATHOLIC DIOCESE OF BOISE MARRIAGE TRIBUNAL PETITION

CHECK HERE IF CASE INVOLVES RCIA

Questions about this application can be answered at any time by calling (208) 344-1344 between the hours of 9 AM and 5 PM, Monday through Friday (the Tribunal is closed over the lunch hour).

1. A civil dissolution/divorce must have already been finalized **before** this application can be accepted by the Tribunal.
2. The acceptance of this application will be delayed by missing information, especially the current address for your former spouse.
3. After this application has been reviewed, you will be contacted in writing regarding information/requirements concerning specific case types.

### SECTION A General Case Information

(Circle: Mr., Mrs., Miss, Ms., Dr.)

1. Legal Name: \_\_\_\_\_  
(First) (Middle) (Last)

Maiden Name: \_\_\_\_\_

2. Street Address: \_\_\_\_\_ Apt. No. \_\_\_\_\_

(City) (County) (State) (Zip Code)

Is this your permanent residence? \_\_\_\_\_ If NO, please explain: \_\_\_\_\_

Telephone (with area code): (home) \_\_\_\_\_ (work/cell) \_\_\_\_\_

Occupation: \_\_\_\_\_ May be called at work? \_\_\_\_\_

Date of birth: \_\_\_\_\_ Place of birth: \_\_\_\_\_

### 3. List ALL of your marriages:

(Please include all marriages. Also, be sure to list the Catholic Church convalidation, or 'blessing', of any of these marriages.)

NAME OF SPOUSE (Maiden)	DATE	NAME OF CHURCH, COURT, ETC.
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A. \_\_\_\_\_

(Church/Court Street Address) (County) (State) (Zip)

Convalidation? \_\_\_\_\_ If so, Date \_\_\_\_\_ Church/City \_\_\_\_\_

B. \_\_\_\_\_

(Church/Court Street Address) (County) (State) (Zip)

Convalidation? \_\_\_\_\_ If so, Date \_\_\_\_\_ Church/City \_\_\_\_\_

C. \_\_\_\_\_

(Church/Court Street Address) (County) (State) (Zip)

Convalidation? \_\_\_\_\_ If so, Date \_\_\_\_\_ Church/City \_\_\_\_\_

4. HOW, WHEN and WHERE did EACH marriage end?

Divorce, Death, Civil Annulment                      Date                      Place (County & State)

A. \_\_\_\_\_

B. \_\_\_\_\_

C. \_\_\_\_\_

5. To which marriage does **THIS APPLICATION** refer? (Circle One) A or B or C

6. If you or your former spouse were Catholic, did this marriage take place in a non-Catholic setting with the permission of the Catholic Church? \_\_\_\_\_

If YES, what parish has the Catholic records? \_\_\_\_\_

7. Have you EVER been baptized? \_\_\_\_\_

If YES, in what religion? \_\_\_\_\_ Approximately when? \_\_\_\_\_

Name and Address of Church: \_\_\_\_\_

What was your religion at the time of this marriage? \_\_\_\_\_

8. Are you related to your former spouse by blood, adoption or as an in-law? \_\_\_\_\_

If YES, how? \_\_\_\_\_

9. Ages at the time of the marriage to which this petition applies: Man: \_\_\_\_\_ Woman: \_\_\_\_\_

**FORMER SPOUSE INFORMATION**

10. PRESENT Legal Name of Your Former Spouse for the marriage being investigated:

*(Canon Law requires that the Respondent be afforded the opportunity to participate in the marriage case, if at all possible. Failure to provide a current address will delay the case, as additional information will be required of the Petitioner.)*

(Circle: Mr., Mrs., Miss, Ms., Dr.)

\_\_\_\_\_ (First) (Middle) (Last)

Maiden Name: \_\_\_\_\_

Street Address: \_\_\_\_\_ Apt. No. \_\_\_\_\_

\_\_\_\_\_ (City) (County) (State) (Zip Code)

Is this his/her only residence? \_\_\_\_\_ If NO, please explain: \_\_\_\_\_

Telephone (with area code): (home) \_\_\_\_\_ (work/cell) \_\_\_\_\_

Occupation: \_\_\_\_\_ May be called at work? \_\_\_\_\_

Date of birth: \_\_\_\_\_ Place of birth: \_\_\_\_\_

11. How long did the two of you date before becoming engaged? \_\_\_\_\_

How long were you engaged before you were married? \_\_\_\_\_

12. How many children were born or adopted into the marriage (Please include names and dates of birth)? \_\_\_\_\_

3. Approximate date when you & your former spouse finally separated (not the divorce date): \_\_\_\_\_

14. Was your former spouse EVER baptized? \_\_\_\_\_

If YES, in what religion? \_\_\_\_\_ Approximately when? \_\_\_\_\_

Name and Address of church: \_\_\_\_\_

If NO, how do you know? \_\_\_\_\_

What was the religion of your former spouse at the time of this marriage? \_\_\_\_\_

15. Have ANY of your prior marriages ever been brought before a church Tribunal/Chancery Office? \_\_\_\_\_

If YES, which one, when and where? \_\_\_\_\_

**SECTION B**

**Information about your former spouse's prior marital history.**  
*This section is to be completed ONLY IF your former spouse had a prior marriage; that is, if the answer to question 16 is YES.*

16. Was your FORMER SPOUSE ever married to another person BEFORE marrying you? \_\_\_\_\_

*If NO, go to Section C.*

17. How many times was your former spouse married before marrying you? \_\_\_\_\_

*If he/she was married more than once BEFORE marrying you, Please answer questions 18-21 for each of these marriages on separate pages and attach.*

18. Was your former spouse's PRIOR marital partner:

a) *alive* at the time you married your former spouse? \_\_\_\_\_ *If NO, go to Section C.*

b) *alive* the entire duration of your marriage to your former spouse? \_\_\_\_\_

c) Was this marriage the FIRST for both parties? \_\_\_\_\_ If NO, please explain: \_\_\_\_\_

19. Was your former spouse's earlier marriage ever declared invalid by the Catholic Church? \_\_\_\_\_

20. Please provide the following information and/or documentation if at all possible:

Name of your former spouse's prior spouse (including maiden name, if female): \_\_\_\_\_

Religion of his/her prior spouse: \_\_\_\_\_

Date and Place of your former spouse's prior marriage: \_\_\_\_\_

Date and Place of the divorce: \_\_\_\_\_

**IF THE ABOVE MARRIAGE FOR YOUR FORMER SPOUSE WAS A FIRST MARRIAGE FOR BOTH PARTIES, PLEASE PROVIDE 1) A COPY OF THE CIVIL MARRIAGE LICENSE AND CERTIFICATE AND 2) A COPY OF THE FINAL DIVORCE DECREE FOR THAT MARRIAGE.**

**SECTION C**  
Assessment of Marital Attitudes

21. *At the time of the wedding, people have different attitudes and beliefs about what marriage means, as well as various abilities. The following statements are designed to help the Tribunal gain a better understanding of the abilities, attitudes and beliefs of you and your former spouse. Please review each of the statements about your wedding and check the boxes that apply to you and/or your former spouse (FS). These items refer to **PRINCIPAL** or **MAJOR** traits that you and your former spouse brought into the marriage. In any given section, you may check one box, several boxes or no box. There are no 'right' or 'wrong' answers. Based on your responses, if it is determined that this is a "formal" case, you will be sent a specific questionnaire to guide you in writing out your testimony. As part of the Tribunal process, you may be asked to provide the names of witnesses who would be willing to complete and return questionnaires concerning the courtship, engagement, wedding and early years of the marriage.*

YOU FS

**A. At the time of our wedding, one or both of us:**

- was not mature enough to understand what a commitment entailed;
- was trying to get away from something unpleasant in our lives;
- believed we were committed to the marriage because of dating for so long;
- due to personality problems, did not seriously consider what it would mean to be married to each other;
- had serious doubts about whether this was a good decision;
- did not realistically consider whether our relationship was strong enough for us to be married;
- had little or no dating experience;
- ignored the significant opposition of family and/or friends.

**B. At the time of our wedding, one or both of us:**

- had personal or family involvement with physical abuse, sexual abuse, alcohol or drug abuse;
- had received or needed to receive counseling for a serious psychological disorder;
- was unable to establish stability in a job, education, lifestyle or a relationship;
- had a history of violence or other antisocial behavior;
- could not accept personal responsibility for actions committed;
- struggled with what would later be seen as an addiction (gambling, alcohol, controlled substance, etc.);
- expressed or experienced difficulties with sexual orientation.

**C. At the time of our wedding, one or both of us:**

- went through the marriage ceremony for a reason other than contracting marriage;
- felt that a career was more important than marriage;
- felt that the most important thing was personal happiness;
- felt that we were creating an 'open marriage';
- wanted to back out of the ceremony but could not do so;
- had no example of a stable marriage while growing up;
- did not intend to assume any permanent obligations toward the other person;
- did not intend a marriage to give any permanent rights to the other person;
- felt obliged to marry as a means to continue living together.

**D. At the time of our wedding, one or both of us:**

- never intended to have children, although this may not have been discovered until after the wedding;
- would not have sexual relations unless birth control was used;
- intended to delay, limit or exclude children until our situation was financially secure;
- intended to delay, limit or exclude children until the marriage proved successful;
- never intended to take any responsibility for the upbringing of children.

**E. At the time of our wedding, one or both of us:**

- believed sexual infidelity was acceptable for a reason (e.g./as long as there was no emotional involvement)
- believed occasional sexual infidelity was acceptable for a reason (e.g./as long as it remained hidden);
- believed sexual infidelity was acceptable as long as both parties agreed;
- was sexually unfaithful shortly before or shortly after the wedding.

**F. At the time of the wedding, one or both of us:**

- grew up with the belief that divorce was an acceptable alternative to unhappiness in marriage;
- felt that divorce was a tolerable alternative to a lifelong unhappy marriage;
- felt that we could divorce in certain circumstances, such as adultery;
- felt that we would remain married as long as our love lasted.

**G. At the time of our wedding, one or both of us:**

- intended to be married only for as long as we felt we would be fulfilled;
- intended to be married only as long as we would be financially provided for in the marriage;
- intended to be married only for as long as some condition was true (e.g./virginity, education, social status, family involvement, freedom from alcoholism, freedom from abuse, ability to have children, etc.);
- intended to be married only as long as there was no infidelity.

**H. At the time of our wedding, one or both of us:**

- believed that because of a pregnancy, there was no other option except marriage;
- believed that because we were sexually active with each other, marriage was inevitable;
- believed that because of parental objection(s) to our living together, marriage was the only alternative;
- was afraid NOT to get married, for one reason or another;
- decided to marry in order to avoid the displeasure of a person important to our situation.

**I. At the time of our wedding, one or both of us:**

- mistakenly believed that the other party was someone, or something, that he/she was not;
- did not understand that marriage could only be dissolved by the death of the spouse;
- did not understand that marriage imposed an obligation of absolute fidelity on both parties;
- did not understand that one of the primary purposes of marriage was the bearing and educating of children;
- did not understand that marriage involved the care of one's spouse;
- did not know or understand that marriage is not only a civil contract but also a spiritual union.

**J. At the time of our wedding, one or both of us:**

- deceived the other about the real reason for marrying;
- concealed something that the other had a right to know because there would have been no wedding if it were known;
- found out something vital about the other party after our wedding, which, if known before the wedding, would have stopped the wedding from taking place.
- kept something secret before the wedding that later became disruptive of married life.

**K. (The following only applies to the marriage under consideration if it was 'blessed', or convalidated, in the Catholic Church; that is, if your answer to question #6 was YES.) At the time of our marriage, one or both of us felt that our 'blessing of the marriage in the church' was:**

- Catholic confirmation of an already valid marriage ceremony that took place outside the Catholic Church;
- the first genuine and true marriage between myself and my former spouse;
- a blessing by the Catholic Church of an already genuine and true marriage by which the union became a sacrament or a spiritual covenant;
- a religious ceremony required by the Catholic Church for official recognition of the 'marital union' between myself and my former spouse for the purpose of restoring the Catholic party to full communion;
- something that was unnecessary, but that we went through for some other reason (e.g./to get a child baptized, to satisfy parents, etc.)

**L. Briefly state in your own words why the marriage under consideration ended: \_\_\_\_\_**

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**REQUIRED DOCUMENTS**  
 for the former marriage to which this petition applies

**CIVIL MARRIAGE LICENSE AND CIVIL MARRIAGE CERTIFICATE**  
 (Depending on the State, this/these can be one/two document(s);  
 most often obtained from the County.)

**COMPLETE COPY OF FINAL DIVORCE DECREE WITH DATE AND  
 JUDGE'S SIGNATURE OR STAMP**

**ROMAN CATHOLIC BAPTISMAL CERTIFICATE ISSUED WITHIN  
 THE PAST SIX MONTHS, WITH NOTATIONS (IF APPLICABLE)**

**SECTION D**  
**Future Marriage**

22. Are you presently married (even if civilly)? \_\_\_\_\_ OR are you planning marriage? \_\_\_\_\_  
*If both answers to this question are NO, go to Section E*

23. LEGAL name (before marriage) of your *present/intended* marital partner:

\_\_\_\_\_

Maiden Name: \_\_\_\_\_

24. PRESENT religious affiliation of your *present/intended* partner: \_\_\_\_\_

25. If you are PRESENTLY married (even if civilly), please indicate:

Date of marriage: \_\_\_\_\_ Place of marriage: \_\_\_\_\_  
(Church/Court/etc.) (City/State)

26. Was your *present/intended* marital partner ever married to another person (even if civilly)

BEFORE marrying you? \_\_\_\_\_ IF NO, go to Section E If YES, number of time? \_\_\_\_\_

27. Was (Were) the marriage(s) declared invalid by the Catholic Church? \_\_\_\_\_

*NOTE: If no ecclesiastical annulment was received for any previous marriage of your present/intended spouse or they were not terminated by death, a Declaration of Nullity by the Catholic Church MAY be needed. Please consult with your advocate.*

**SECTION E**

29. Are there any exceptional circumstances or situations involved with this case of which you feel the Tribunal staff should be aware? If YES, briefly describe them:

\_\_\_\_\_

\_\_\_\_\_

**Formal Petition Appointment of Procurator-Advocate and Claimed Grounds of Nullity:**

I, \_\_\_\_\_ hereby Petition the Tribunal of the Diocese of Boise for a declaration of nullity regarding my marriage to the Respondent listed above. By my signature, I take an oath that the information presented is true.

I also hereby appoint \_\_\_\_\_ as my Procurator-Advocate in this case before the Tribunal of the Diocese of Boise in accord with the norms of Canon (Church) Law.

I understand my rights will be protected by my Procurator-Advocate and that only they or I may contact the Tribunal to discuss my case. I give my Procurator-Advocate the following mandate: To suggest the grounds of nullity or to accept new grounds if necessary; to inspect the acts (testimony) of the case; to renounce (Withdraw) my petition, if, after a careful investigation by the Tribunal, it appears there is no basis for a declaration of nullity; to assist me in preparing an appeal of the decision reached by the Court if I so wish to make an appeal to a higher Court. I am willing that if he or she should be unable to finish the case, because of illness or transfer or serious reason, the Judge may appoint a new Procurator-Advocate for me.

I give as reasons for nullity of my marriage in question the following (Check all that apply):  
Have your Advocate assist you in completing this section.

\_\_\_\_\_ **Lack of Form** – One or both parties to this marriage was/were Catholic at the time of the wedding, which occurred outside the Catholic Church (e.g. before a justice of the peace or another Christian minister) without a proper dispensation being obtained.

\_\_\_\_\_ **Defect of Form** – The priest or deacon witnessing the Catholic wedding did not have proper authority to officiate at the ceremony.

\_\_\_\_\_ **Ligamen** (bound by a prior bond) – i.e., My former (first) spouse was married previously to me. Our wedding was the second marriage for my former spouse. His/Her former marriage was a first for both parties.

**Defect of Consent**

\_\_\_\_\_ Because one or both parties did not intend marriage as the Church understands it regarding permanence, necessity of an openness to children, fidelity or the good of the spouses.

\_\_\_\_\_ Because one or both parties lacked the capacity or discretion of judgment necessary for a marriage.

\_\_\_\_\_ Other. Please describe: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Advocate

\_\_\_\_\_  
Type or Print Advocate's Name

\_\_\_\_\_  
Parish

**RETAIN A COPY OF THIS FORM**

<b>PLEASE RETURN TO:</b>	<b>CASE FEES (including filing fee):</b>
MARRIAGE TRIBUNAL	Lack of Form/Defect of Form \$35.00
1501 S. FEDERAL WAY, STE. 400	Ligamen/Pauline Privilege \$70.00
BOISE, ID 83705	Formal \$225.00
<b>A \$25 Filing Fee is requested at this time. Please make checks payable to: Diocese of Boise</b>	

**FOR FORMAL CASES ONLY**

For Petitioners presenting formal cases to the Tribunal, please list three (3) witnesses whom the Tribunal can contact to obtain their impressions of your relationship with your former spouse. Ideally, these witnesses should be able to address your youth, your relationship with the Respondent prior to marriage, as well as issues within the marriage itself. Typically, parents, siblings, other relatives and close friends make the best witnesses. It is advised that you contact these individuals before submitting their names to let them know they will be receiving a questionnaire from the Tribunal and that you truly do want them to be open and honest in their answers. Please note, children from the union in question may not be named as witnesses.

Witness #1

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 Name

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 Relationship to Petitioner

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 Mailing address

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 Phone Number

Witness #2

---

 Name

---

 Relationship to Petitioner

---

 Mailing address

---

 Phone Number

Witness #3

---

 Name

---

 Relationship to Petitioner

---

 Mailing address

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 Phone Number