



DIOCESE OF COLORADO SPRINGS

228 N. Cascade Ave. | Colorado Springs, CO 8090

(719) 636-2345 | www.diocs.org

PETITION FOR A DECLARATION OF MARRIAGE NULLITY LACK OF FORM PROCESS

INSTRUCTIONS:

- A. Remember that this is an interview on paper.
- B. Please read the questionnaire before you proceed to answer each of the questions and sign* any of these documents.
(* Pages in this petition must be signed only in the presence of an ordained priest or deacon.)

Please print or type your responses. If you need more space for your answers, please use 8½” x 11” white paper. Write on one side only and number each of the pages on the bottom.

- C. Please answer all the questions as completely as possible.
- D. Do not discuss your answers with anyone; as this could jeopardize the case.
- E. Before you send this petition to our office, please make a copy of all the documents for your personal records retention. Submit original documents with your petition. All material will be returned to the Petitioner when the process has been concluded and the decision has been published.
- F. If you have any questions or need assistance, please contact your parish’s Pastor or Administrator.
- G. DOCUMENTS YOU MUST SEND TO OUR OFFICE FOR THIS PROCESS ARE:
- A completed Petitioner’s petition (pages 1 through 4);
 - A recently issued Baptismal Certificate for the Catholic party in this union. Be sure that the certificate was issued within the last six months of this petition’s submission. The Baptismal Certificate must indicate “notations” or “no notations” regarding any previous marriage(s).
(If both parties are Catholic, include both Baptismal Certificates);
 - A notarized or certified copy of the civil Marriage License or Marriage Certificate;
 - A notarized or certified copy of the court-ordered Divorce / Dissolution / Civil Annulment decree; and

A photocopy of the Petitioner's official identification (ID, Driver's license, passport)

PLEASE CHECK EACH BOX ABOVE AS YOU PREPARE TO SUBMIT YOUR PETITION

NOTE: A certified copy is the copy issued to you by the court/county clerk and recorder with their seal on the document. A notarized copy is a document, issued by these same governmental or church officials, and notarized by a Notary Public or your parish with the church's seal. These two types of documents are suitable for this application’s submittal.

THIS PETITION CANNOT PROCEED IF ANY OF THE ABOVE DOCUMENTS ARE MISSING

Date Received: _____

(for our office use only)

LACK OF FORM

Last Names of Parties (Petitioner first and Respondent second)

Protocol Number (for our office use only)

PETITIONER INFORMATION

RESPONDENT INFORMATION

If the whereabouts of the Respondent (the ex-spouse) are unknown - a list of reasonable efforts completed to find him or her MUST be attached

(Please include preference: Mr., Mrs., Ms., Miss., Dr., etc.)

_____	Full Name	_____
_____	Maiden Name	_____
_____	Address	_____
_____	City/State/Zip	_____
_____	Email	_____
_____	Phone	_____
_____	Date of Birth	_____
_____	Religion	_____
_____	Parent's Names	_____
_____	Parent's Address	_____
_____	City/State/Zip	_____
Date or Marriage _____	City/State of Marriage _____	

HISTORY OF MARRIAGE TO BE DECLARED NULL

1. *Was this the first marriage for both of you? _____ . If not, please explain in detail below.*

2. *Was a Catholic priest or deacon present at the wedding ceremony? _____. Did he participate by witnessing and receiving the vows of matrimony? _____. If so, please explain in detail below.*

3. *Was this marriage ever later convalidated in the Catholic Church? _____. If so, please explain in detail below.*

4. *Before the marriage took place, was the Catholic party dispensed from the Canonical Form of marriage? That is, was he/she given permission by a Bishop or his delegate to have: (a) the marriage witnessed by someone other than a Catholic priest or deacon; and/or (b) the marriage occurred in a place other than a Catholic Church. If so, please explain in detail below and submit a copy of the paperwork from the Bishop or his delegate giving dispensation with this petition paperwork.*

5. *Was a "Sanatio in Radice" or a Radical Sanation ever granted by the Catholic Church to this marriage? _____. If so, by what Diocese and when? Please submit a copy of the applicable paperwork, if available, from a Bishop or his delegate.*

6. *If the civil proceeding for this Dissolution of Marriage or Divorce indicated that there had to be either alimony, child support or other considerations, have these obligations been met? _____. If not, please explain in detail below.*

SWORN OR AFFIRMATION STATEMENT OF PETITIONER

- *I will provide the Diocese of Colorado Springs with all the required documents and information.*
- *I understand that no guarantee can be given to me about when the canonical process will be completed and that there is no guarantee that the final decision will be favorable to me.*
- *I agree that I am not to set a date for any future marriage in the Catholic Church until a final and favorable decision has been rendered in this case. Furthermore, I understand that no priest or deacon is to provide me with even a tentative date for a future marriage in the Catholic Church.*
- *I acknowledge that a decision depends wholly on the merits of this case, the evidence and the exact reason which the Church recognizes as grounds for nullity.*
- *I agree to cooperate fully with the Diocesan Tribunal and/or Office of the Chancellor staff and to be bound by its policies.*
- *I swear or affirm that the allegations which I submit with this petition are the whole truth.*
- *I, the undersigned Petitioner, hereby submit this request to the Diocese of Colorado Springs to investigate my marriage to the Respondent listed previously, based on the information provided with this petition, according to the Catholic Church Law. If the facts and law warrant such a decision, I ask that it be declared null from the very beginning on the ground of Lack of Canonical Form in accord with the Catholic Church's Code of Canon Law, canons 1059 and 1108 §1.*

Date

Petitioner's Signature

I, the undersigned priest/deacon, have reviewed this petition and attest that the petitioner has sworn or affirmed that the answers given are true.

Print Name of Priest/Deacon

Name of Parish Church

Parish Church Address (city, state and zip code)

Telephone Number

Signature of Priest/Deacon

(Church Seal)
