



# DIOCESE OF VICTORIA

## T R I B U N A L   O F F I C E

Post Office Box 4070 • Victoria, Texas 77903 • (361) 573-0760

Dear Petitioner:

The Catholic Church believes marriage is very important and bases her teachings on the words of Jesus Christ. Marriage is not just a private relationship between two spouses, but a personal relationship lived out in society. As a social reality, marriage is also a Church reality. When a marital relationship breaks down, the Catholic Church is very concerned about its impact on the couple, their children (if any) and family members, the people of God in society and the stability of the institution of marriage itself. The Diocese of Victoria thanks you for caring about marriage and for your desire to live in accord with Jesus' teachings.

Although people normally enter marriage with good intentions, it is also true that many marriages fail. We hope you have found within a community, whether Catholic or not, the spiritual and emotional assistance you needed when you were going through the painful process of separation and civil divorce. We hope you continue to find such support as you deal with the painful effects of a failed marital relationship. If reconciliation and resumption of marital life with your former spouse is a possibility, the Church encourages you to make every effort to reconcile (Canon 1676).

Although a civil divorce has given you the right to remarry in the civil realm, it does not grant you a similar right in the Catholic Church. The purpose of this nullity process is to determine if the marriage lacked one or more of the elements that the Catholic Church considers essential to form a valid, binding union until the death of either spouse. If this purpose can be substantiated, then the marriage would not be binding or valid in the Church's understanding. You then could marry in the Catholic Church. This process is for spiritual and ecclesiastical purposes only and has no effect whatsoever upon civil law. Any children born of this marriage remain as they have been—the legitimate and fruitful offspring of the marriage.

Whether you are a Catholic or not, undoubtedly you have many questions about the Catholic Church's teachings on marriage. The Catholic Church remains faithful to the words of Jesus Christ about marriage, divorce and remarriage (Mk. 10:2-12; Lk. 16:18; Mt. 5:31-32; Mt. 19:3-11; 1 Cor. 7:10-11, 39; Rom. 7:2-3). For a fuller understanding on the teachings of marriage, consult the *Catechism of the Catholic Church*, #1601-1666. We encourage you to read the enclosed, informational handout "Frequently Asked Questions about Annulments."

To assist you in this process, a Case Sponsor must work closely with you during the completion of this petition. A Case Sponsor may be a priest, deacon or lay person designated by the parish. Your Case Sponsor will serve as an informational resource, guide and emotional support for you throughout this process. If you have any questions, consult your Case Sponsor. (There is no fee associated with obtaining a petition form or for the services of a Case Sponsor.) If you submit the enclosed petition form without the assistance of a Case Sponsor, your petition will NOT be accepted by the Tribunal.

Since the Catholic Church values the sacredness of marriage, much is asked of you in this process. Take your time to review the material. It is divided into four parts. The first two parts include a letter of introduction (*pages i-ii*), and "Frequently Asked Questions about 'Annulments'" (*pages I-XII*). Both are solely for your education and information. The basic personal data section (*pages 1-14*) and guidelines and questions for your personal and marital history (*pages 15-23*) are to be completed and returned to the Tribunal.

We invite you to pray for God's assistance in responding to the questions about your previous marriage. Your willingness to share personal and intimate realities about yourself, your former spouse and your previous marital relationship will help the Tribunal to understand if your marital relationship was reflective of the Catholic Church's understanding of marriage. This process does not seek to place blame or find fault, but rather to understand the relationship.

Sometimes there is a tendency not to reveal the whole truth in order to avoid making anyone “look bad.” The truth may not always be complimentary to a person and/or situation, but this Metropolitan Tribunal still needs to know the complete truth of the relationship. Thus, it is not an issue of making anyone “look bad,” but an issue of revealing the complete truth. Please reveal the truth in a spirit of charity and love.

Allow yourself ample time. Reflection is absolutely necessary so as to complete this petition. The questions are an aid for you to share your story fully for the Metropolitan Tribunal to process your petition effectively. The material you share will be the determining factor if your petition will be accepted for a full review.

We realize that participating in this process can be a difficult and painful experience because of the memories it asks you to recall. However, many have found it to be quite helpful in their personal growth and spiritual life, since it can bring much needed closure if that has not yet occurred. Healing and closure from a previous marriage are so important before one attempts to enter a new relationship. If this process brings renewed pain or concern over unhealed issues or difficult memories, there are support groups for divorced persons, as well as professional assistance available to you from your parish, Catholic Charities and other professional social agencies.

As required by Canon Law, your petition is treated by the Tribunal in a professional manner with the utmost respect, maintaining a strict confidentiality with all information gathered. The information is shared with only the Petitioner (Yourself) and the Respondent (Your Former Spouse). Since we are processing numerous petitions at any given time and for confidentiality purposes, no telephone calls for status reports or questions will be accepted by this office. However, written requests are welcomed. Refer to Part 2 Declaration of the Petitioner #7 (page 2) on how to contact the Tribunal in writing. An “excessive” number of written requests to this office will only slow down the processing of every petition, including yours, since it takes time to answer each request.

We in the Tribunal understand that you are eager for a final decision. However, to give you a prediction on how long it will take to reach a final decision is impossible. Since each petition is unique, it takes a different amount of time to process each petition. Also, it depends on how many canon lawyers are available at any given time to make the final decision. Even if all the information has been gathered, your petition will not necessarily be given an immediate decision. As required by Canon Law and in all fairness, petitions submitted prior to your petition with all the information gathered will be processed first. The Tribunal attempts to process each petition in a timely manner. The final decision, whether affirmative or negative, will be based solely on all the factual information gathered.

A final decision, whether affirmative or negative, does not cost anything. However, a fee is assessed to file and process a petition. These fees help to offset the expenses of running the Tribunal, such as office staff salaries, stationery, postage, etc. The total fee is \$250.00. The required, non-refundable \$50.00 filing fee is to be submitted with the petition. The \$200.00 processing fee may be paid in full or in installments. Monthly statements will be sent if there is a balance. The entire processing fee is to be paid prior to the conclusion of the case. If a counselor’s report or any additional fees are necessary, you will be responsible for the additional fees beyond the processing fee. The processing fee represents only a part of the true costs involved. The Diocese of Victoria subsidizes the difference through the Diocesan Services Appeal [DSA]. Thus, those who contribute to DSA are contributing to the costs associated with processing your petition.

If you are unable to pay the entire processing fee, the fee may be waived in part or in full. Submit a letter to the Tribunal indicating your inability to pay and the reason(s) why. No one is refused the services of the Church based upon an inability to pay. Be assured that your petition will receive the same consideration as any other.

May the Holy Spirit guide and support you in this effort. Be assured of the assistance and prayers of the Tribunal Staff, now and throughout this process.

Sincerely,

The Tribunal Staff

## THINGS THAT WILL SLOW DOWN THIS PROCESS

1. English is the preferred language for your responses and your witnesses' responses. The time to process your case will be lengthened if the Tribunal has to translate any responses into English.
2. No responses will be accepted by electronic mail or diskette since certain pages must have your signature and initials, your Case Sponsor's signature, dates of signatures and parish seal. Submit only a paper print out of your responses. All material must be submitted together at one time, including church and/or civil documents.
3. Not following all of the directions.
4. a) Not submitting full and accurate applicable information in PARTS 1-19 and all the required documents.  
b) Not submitting a written explanation on why you cannot provide certain information, and the steps you have taken to try to provide such information.
5. Not submitting the complete, current address for the Respondent (Your Former Spouse) and your witnesses. Secretarial work, forms, postage and valuable time are wasted when information is sent to inaccurate addresses.

Your former spouse has a right to know this process is occurring. He/she cannot prevent it from occurring. The Tribunal will contact your former spouse by mail, and he/she will be given three options: (1) To participate fully by completing a similar questionnaire and having the opportunity to submit or not submit witnesses; (2) To decline to participate fully; (3) To have no further contact with this Office. If your former spouse does not respond to our written requests, the petition continues without his/her participation.

6. Not submitting qualified witnesses as described in Part 16 on page 11 and/or lack of witness participation. It is your responsibility to ensure that your witnesses:
  - a) Have received their questionnaire in the mail within two weeks of your notification that the petition has been accepted for a full hearing. If your witnesses do not receive the questionnaire, you must contact this office in writing.
  - b) Respond to the questionnaire with the complete truth, without any "coaching" from you.
  - c) Abide by the deadline to complete and return their responses by mail to the Tribunal. You will be informed of the deadlines and if any of your witnesses have not responded by the deadline.
  - d) Keep a photocopy of their responses in the event that the original responses do not reach the Tribunal.
7. Your counselor(s), if applicable, has not responded by the given deadline. You will be informed if your counselor(s) has not responded by the deadline.
8. Difficulties with Part 20: Your Personal and Marital History.
  - a) Responses that are inaccurate and incomplete; failing to answer each and every question and each subpart (a, b, c, etc.) separately (do not combine any of your answers); and failing to use specific examples.
  - b) Responses that are only "yes" or "no." Some "yes" or "no" responses require an explanation.
  - c) Responses in all sections that fail to address both you and your former spouse. Be certain to answer all questions in Section B—Background of the Respondent (*Your Former Spouse*).
  - d) Brief responses to Sections A, B and C. All sections are important!  
The reason why Sections A, B and C are important is as follows. The growing up years of you and your former spouse helped form who you and your former spouse were when you met and eventually married. Healthy and unhealthy relationship patterns and other healthy and unhealthy events in your respective growing-up years had a significant impact on forming your relationship. Patterns that developed in your dating and engagement profoundly influenced your marital life. Also, secular society trends that do not always support the Catholic Church's understanding of marriage can influence the marital relationship.
  - e) A declaration of nullity states a radical defect was present at the time of consent during the marriage ceremony. Focusing only on what happened at the end of the marriage is not helpful.
9. Not responding to the Tribunal's written requests by the deadlines.