

THE METROPOLITAN TRIBUNAL
9401 Biscayne Boulevard
Miami Shores, Florida 33138
(305) 762-1161

PRELIMINARY FORMAL PETITION FOR ANNULMENT

PLEASE TYPE OR PRINT

PETITIONER'S FULL NAME: _____

Petitioner's Maiden Name (if a woman): _____

Language of Petitioner: (please check one) English Spanish Both Other: _____

ACTUAL STREET ADDRESS: _____

CITY/STATE/ZIP CODE: _____

DAY TELEPHONE: _____ NIGHT TELEPHONE: _____

If your mail is to be sent to a P.O. Box or other address:

Street Address or P.O. Box: _____

City/State/Zip Code: _____

RESPONDENT'S FULL NAME: _____

Respondent's Maiden Name (if a woman): _____

Language of Petitioner: (please check one) English Spanish Both Other: _____

ACTUAL STREET ADDRESS: _____

CITY/STATE/ZIP CODE: _____

DAY TELEPHONE: _____ NIGHT TELEPHONE: _____

If his or her mail is to be sent to a P.O. Box or other address:

Street Address or P.O. Box: _____

City/State/Zip Code: _____

NOTICE REGARDING THE WHEREABOUTS OF THE RESPONDENT

The Tribunal is required to notify the Respondent of this petition. If the Petitioner has no way *furnishing the address of the Respondent, not even in care of Family or friends*, please attach a report of all efforts made to locate him or her. (Contact the Tribunal for a list of suggestions on how to locate a missing Respondent.)

THE MARRIAGE

When did the two of you first meet? _____

How long did you know each other before marriage? _____

What is the date of your marriage? _____

Where was the marriage celebrated (name of Church)? _____

In what City and State? _____

Who celebrated the marriage? (please check one): Catholic Priest Minister or Rabbi Civil Officer

Your date of birth: _____

Your Spouse's date of birth: _____

Your religion at marriage? _____

Baptized? Yes No

Your Spouse's religion? _____

Baptized? Yes No

If either party was Catholic at marriage and the marriage took place outside of the Catholic Church and was later blessed, provide the following:

Date of the Civil Marriage: _____

Place of the Civil Marriage: _____

City and State: _____

How many children were born from this marriage? _____

Were there any temporary separations? _____ If yes, how many? _____

When did the two of you cease living together? (Approximate date) _____

What is the date that the divorce became final? _____

Where was the divorce obtained? _____

(Court)

(City and State)

Was this the first marriage for you? Yes No

Was this the only marriage for you? Yes No

Please list all other marriages which you entered:

(Give the date of marriage, name and religion of spouse(s), how and date the marriage ended. Be sure to include documents of these marriages with your petition.)

Was this the first marriage for your former spouse? Yes No

Was this the only marriage for your former spouse? Yes No

Please list all other marriages which you entered:

(Give the date of marriage, name and religion of spouse(s), how and date the marriage ended. Be sure to include documents of these marriages with your petition.)

WITNESSES:

Two witnesses are required to substantiate the facts of the case. Usually, such persons would have known at least one of the parties before the marriage. Parents and siblings are acceptable as witnesses. Please be sure that these witnesses are willing to cooperate and complete the questionnaire which the Tribunal will furnish.

1. NAME: (give title, Mr., Mrs., etc) _____

Language of Witness: (please check one) English Spanish Both Other _____

ADDRESS: _____

CITY/STATE/ZIP CODE: _____

RELATIONSHIP TO PETITIONER: _____

2. NAME: (give title, MR., Mrs., etc) _____

ADDRESS: _____

CITY/STATE/ZIP CODE: _____

RELATIONSHIP TO PETITIONER: _____

PROFESSIONAL CONSULTATION:

If professional persons (Counselors, Psychologists, Psychiatrists) were consulted:

NAME: (give title, Mr., Mrs., etc.) _____

Language of Witness: (please check one) English Spanish Both Other _____

ADDRESS: _____

CITY/STATE/ZIP CODE: _____

REASON FOR CONSULTATION: _____

(Use separate sheet for information regarding additional professionals consulted.)

NECESSARY DOCUMENTS:

FOR A PETITION FOR ANNULMENT TO BE ACCEPTED, THE FOLLOWING DOCUMENTS MUST ACCOMPANY THIS PRELIMINARY PETITION:

- 1. Baptismal Certificate of the Petitioner (If Catholic)
- 2. Baptismal Certificate of the Respondent (If Catholic)
- 3. Civil Certificate of the Marriage (If NOT PERFORMED in the Catholic Church)
- 4. Church Marriage Certificate (If PERFORMED in the Catholic Church)
- 5. Final Decree of Divorce (Property settlements alone NOT acceptable)

IF ANY DOCUMENT IS UNATTAINABLE, PLEASE EXPLAIN WHY: _____

REASON FOR THE PETITION:

Briefly explain why you are seeking this annulment: _____

Have you re-married? Yes No

Is your future spouse free to marry? (If applicable) Yes No

Has this case been previously presented to another Church Tribunal for judgment?

Yes No

If yes, in what Tribunal? _____

CONCLUSION:

I, hereby, certify that all of the information presented in this petition is correct and true to the best of my ability. I intend to fully cooperate with the Tribunal of the Archdiocese of Miami in determining the facts of the case. I understand that no precise date can be given for a decision and that no plans can be made at this time for a new marriage in the Catholic Church.

Further, I request that the Metropolitan Tribunal of the Archdiocese of Miami investigate my former marriage to see whether an annulment may be granted.

Date

Petitioner's Signature

Date

Advocate's Signature

Parish or Agency

+ ARCHDIOCESE OF MIAMI

The Metropolitan Tribunal

FINANCIAL STATEMENT

The cost of operating the Tribunal is substantial. The Archdiocese of Miami is not able to solely absorb the total cost of its operation. Therefore, those who need to use the services of the Tribunal are expected to help subsidize part of the Tribunal expenditures. Consequently, everyone requesting the Tribunal to hear his/her case is requested to pay a fee in the amount of \$600.00. 650⁰⁰

If the petitioner cannot submit a check in the amount of \$600.00 at the introduction of the case, then a filing fee in the amount of \$200.00 should be submitted. The balance will be expected on a monthly basis in installments of \$50.00 until the balance has been paid. Monthly statements will be sent out.

If the petitioner cannot afford even the initial deposit of \$200.00, a case may still proceed with the payment of a lesser initial deposit and monthly payments, in the amount affordable to the petitioner, will be accepted. Monthly statements will be sent out. Kindly explain below why you need to make lower payments.

I have read the above financial statement.

Date

Petitioner's Signature

ARCHDIOCESE OF MIAMI
METROPOLITAN TRIBUNAL

POINTS OF UNDERSTANDING

PREFACE

The annulment process is to many petitioners, Catholic and non-Catholic alike a mysterious and confusing affair. Your advocate is there to assist you in navigating these foreign waters. Below you will find a list of points that we find are often not completely understood. We feel that it is important that you understand these items so that there will be no surprises or misunderstandings about the process.

Instruction: Please read each of the below points and then put your initials after each one. Then at the end sign your name in the presence of your advocate. Be sure to make a copy for your records.

1. I understand that the application for an annulment is no guarantee of a favorable decision. Every case runs separately due to its own circumstances hence no date can be given as to when a decision will be rendered. Therefore no dates for future weddings can be set until the decree of liberty to enter a new marriage has been issued. _____
2. I understand that the Church's position is that a marriage legitimately celebrated enjoys the presumption of validity and that the burden of proof otherwise is the responsibility of the petitioner. _____
3. I understand that the fee requested is to cover the costs of the Tribunal and that no refund is given for a negative decision, failure to pursue the case or renunciation of the case.

4. I understand that the Tribunal has a duty to contact the respondent and, even though after your own investigation you have not been able to determine an address, the Tribunal will conduct its own investigation and act on any information that it may have independently obtained. _____
5. I understand that when my ex-spouse is contacted in the introduction of this case, he/she will be given a copy of the libellus I signed requesting that the trial of annulment be conducted. I further understand that my ex-spouse has rights within these proceedings including the right to inspect all testimony collected: my marital history, my testimony, and the testimony of my witnesses. I further understand that my ex-spouse has the right to inspect the decision and has the right to appeal the decision and that the appeal will be handled by either the Tribunal of the Diocese of Pittsburgh or the Tribunal of the Roman

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Rota and that an appeal may be a lengthy process without prospect of a prompt decision. _____

- 6. I understand that if I have concerns about any part of my testimony or that of my witnesses being read by my ex-spouse it is my duty to alert the Tribunal with a description of the points of testimony and that the tribunal may rule either way about what may be excluded or not be excluded. _____
- 7. I understand that my ex-spouse will have access also to the names and address of myself and my witnesses unless specifically requested to sequester addresses but not the names of witnesses. _____
- 8. I understand that there are deadlines to be observed in the processing of a case and that if I am unable to meet them I need to request an extension with the reason and that failure to meet deadlines without so making a request for an extension may mean the case will be declared abated. _____
- 9. I understand that in addition to the questionnaires which I and my witnesses have completed it may be necessary to orally interview myself and my witnesses. I further understand that it may be necessary for me to bring forward the names of additional witnesses. _____
- 10. I understand that I am not to call the Tribunal about my case and that all concerns be directed to my advocate. If I have a problem with my advocate then I am to direct a letter to the Rev. Monsignor, Judicial Vicar, Tribunal Office, Archdiocese of Miami, 9401 Biscayne Blvd., Miami Shores, FL 33138, with my concern about my advocate. _____

DATE: _____

Signature of the Petitioner

Signature of Advocate

+ ARCHDIOCESE OF MIAMI

The Metropolitan Tribunal

MANDATE

PROCURATOR-ADVOCATE FOR THE PETITIONER

To the Tribunal of the Archdiocese of Miami

I, the undersigned petitioner _____,
(Name of Petitioner)

Hereby appoint _____
(Name of Procurator - Advocate)

to be my Procurator-Advocate for the purpose of representing me in the hearing and judgment of the case I am initiating before the Tribunal of Miami.

Signed at: _____
(City and State)

This _____ day of _____, 200_____
(Day) (Month)

Petitioner's Signature

I, the undersigned Advocate, accept the Appointment of procurator – advocate for the above named Petitioner.

Given at: _____
(City and State)

This _____ day of _____, 200_____
(Day) (Month)

Signature of Procurator-Advocate

Parish or Religious Agency