

Name _____ vs. _____

PETITION FOR THE DECLARATION OF NULLITY BY REASON OF AN EXISTING
PREVIOUS VALID BOND OF MARRIAGE

I.

I, the undersigned _____
(Married and maiden name if a woman)

a (Baptized) (Non-Baptized) (Catholic) (Non-Catholic), henceforth known as the Plaintiff, humbly present this petition

for a declaration of nullity of my marriage with _____
(Name of Petitioner's ex-husband/ex-wife),

which I contend was null and void from the beginning because of his/her existing previous valid marriage with

(Name of ex-husband's/ex-wife/s first spouse)

which marriage took place at _____
(City, Town, State)

on _____, before a _____
(Day, Month, Year) (Priest, Minister, Justice)

I present the following documents:

1. AN AUTHENTIC COPY OF THE MARRIAGE RECORD OF THE EX-SPOUSE'S PREVIOUS MARRIAGE.
2. AN AUTHENTIC COPY OF THE MARRIAGE RECORD OF THE PRESENT CONTESTED BOND OF MARRIAGE.
3. AN AUTHENTIC COPY OF THE DIVORCE DECREE OF THE EX-SPOUSE'S PREVIOUS BOND.
4. AN AUTHENTIC COPY OF THE DECREE OF CIVIL DIVORCE OF THE PRESENT CONTESTED MARRIAGE.

I respectfully submit the names of the following persons who might be called to testify under oath about my ex-husband's/ex-wife's life, religious education and previous marriage(s). (The names of the ex-spouse's parents, older brothers and sisters, close relatives and intimate friends are):

NAME	ADDRESS	RELATIONSHIP
------	---------	--------------

a. _____

b. _____

c. _____

d. _____

II. AFFIDAVIT AND STATEMENT OF THE PLAINTIFF

"I solemnly swear to tell the truth, the whole truth and nothing but the truth in answer to your questions. So help me God and these His Holy Gospels which I touch with my hand."

1. What is your full name (maiden name if a woman)?

2. What is your present address?

3. What are your parents' names (exact addresses, if living)?

4. Were your parents Catholics?

Did they actively practice their religion?

5. Please give the names and exact addresses of your brothers and sisters, or the names and addresses of close relatives or intimate friends who have known you before and after your marriage(s):

- a. _____
- b. _____
- c. _____
- d. _____

6. Where and when were you born?

7. If you were baptized, please state where, when, in what religion?

8. Were you ever a practical Catholic?

9. What religion do you now profess? Do you practice it?

10. Whom have you married, when and where?

11. Which was your first marriage?

12. Was this party, your first spouse, ever baptized? Where and when?

13. What religion did he/she profess at the time of your marriage?

14. Was he/she ever a Catholic?

15. Is this party still living (if so, please give exact name and address)?

16. Was your first spouse ever married before he/she married you (if so, please present certificates and list ALL marriages chronologically)?

17. Which was his/her first marriage?

How do you know that?

18. Was your first spouse's former husband/wife living at the time you married him/her?

How do you know that?

19. Was your first spouse's first husband/wife a Catholic?

How do you know that?

20. Where does your first spouse's first husband/wife now live?

21. Was this party ever married before?

How do you know that?

22. At the time of your marriage to your first spouse, did you know of his/her previous marriage(s)?

23. When did you learn this?

Who told you (please explain)?

24. Are you now married or dating anyone at the current time?

Is this party a Catholic?

Has this party been married before?

If yes and the marriage ended in divorce, has there been a declaration of nullity granted by a Tribunal for this marriage? Please explain.

25. (Here the testimony should be reread to the Plaintiff)

26. Do you wish to add or change any of the foregoing statements?

Signed _____
(Full and Complete name of Plaintiff)

(Address, City and State)

Sworn to and signed in my presence this _____ day of _____, 20____

at _____
(Address, City and State)

(Name of Priest Advocate)

(Parish) (Parish Seal)