

Case: _____ v _____

Protocol Number: _____

TRIBUNAL
Diocese of Lubbock
4620 4th Street -- P.O. Box 98700
Lubbock, Texas 79499-8700
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A general principle of teaching and law of the Catholic Church is that a person is bound by a valid marriage until death. However, through the centuries the Catholic Church has had to deal with the practical question of the status of those whose marriages have failed. In most cases a failed previous marriage must be shown to have been invalid at the time of the original wedding. There are a number of ways in church law in which a marriage might be invalid.

This form is designed to help you present a petition for the Tribunal to the Diocese of Lubbock (the local church court) to begin an investigation of the validity of a now terminated marriage. This form also will assist the court in determining what type of case might be pursued. Therefore, it is critical for you and your case to provide complete information as applies to your situation. This information and certain required documents will form the foundation of your case.



I, the undersigned person, petition the Tribunal of the Diocese of Lubbock to declare invalid the marriage between my former spouse(s) and myself. For that purpose I submit the following information.

CONCERNING MYSELF (Petitioner):

Present last name (Maiden name) First name Middle name

Your Street Address or P0 Box City State Zip Code

Telephone number (Home) _____ (Work) _____

Occupation: _____ Date of Birth: _____

Religion: (Check one)

Catholic Eastern Orthodox Baptized Protestant Unbaptized Protestant

Unaffiliated Non-Baptized Non-Christian: _____

Date or age of your baptism _____

Church of your baptism City State

CONCERNING MY FORMER SPOUSE (Respondent)

Present last name (Maiden name) First name Middle name

Current or last known Mailing Address City State Zip Code

Telephone number (Home) _____ (Work) _____

Occupation: _____ Date of Birth: _____

Religion: (Check one)

Catholic Eastern Orthodox Baptized Protestant Unbaptized Protestant

Unaffiliated Non-Baptized Non-Christian: _____

Date or age of baptism _____

Church of your baptism City State

CONCERNING YOUR MARRIAGE(S) [from first to latest]

Former Spouse Full Name	Wedding Date	Location	Minister
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

CONCERNING THE DIVORCE(S) [from first to last]

Former Spouse	Separation	Final Divorce Date	County and State
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

CONCERNING WHY MARRIAGE WAS INVALID (Please tell the Tribunal in your own words why you feel this marriage was invalid from the beginning, including any important facts or circumstances.)

DECLARATION OF THE PETITIONER

I, the undersigned petitioner, hereby indicate by my initials that I understand and agree with the articles noted below.

_____ I affirm that I understand that there is no guarantee that the Tribunal will hand down an affirmative decision simply because I have made a petition for a declaration of marriage invalidity.

_____ I affirm that I understand that the nature of this church process is such that a decision concerning my petition for a declaration of invalidity takes an indefinite amount of time to complete. I further agree that no date for a subsequent marriage in the Church can be set by any party until the Tribunal has granted the declaration of invalidity.

_____ I affirm that I understand that my former spouse and I, along with our respective Proxy-Advocates, have the right to review the acts of the case at the appropriate time and place, in order to exercise each one's rights before the church court. Furthermore, in accord with church law and at the direction of the church court only those court officials, including a court-appointed expert, will have access to the acts of this case. Due to the sensitive nature of the documents and testimonies, confidentiality will be retained in regard to all others.

_____ I affirm that I understand that sometimes the court may decide that some type of pre-marital evaluation or counseling is advisable prior to my entering a subsequent marriage or rectifying on a current marriage in the Catholic Church.

_____ I affirm that I understand it to be my sole responsibility to inform the Tribunal of change of address and telephone numbers as quickly as possible and that mail returned to sender as undeliverable will in effect abate the progress of the case.

_____ I affirm that I understand that telephone inquires about the status of the case generally will not be accepted. Instead, inquiries about my case will be made through my pastor/deacon or appointed Advocate.

Therefore, I attest that the above initials are my own by my signature and that I fully intend to abide by the stipulations laid down in these above articles.

Petitioner's Signature

Pastor, Deacon, or Parish Case worker

Date

Place

AGREEMENT TO DEFRAY EXPENSES
(Formal Case)

I, the undersigned petitioner, hereby acknowledge that I have been informed of the \$350 litigation fee* and the options available to me to defray the expenses incurred to process my case. By my initials I agree to do the following:

(INSTRUCTIONS: Please indicate your option by writing your initials in the appropriate blank, fill in necessary information, and sign the Agreement to Defray Expenses. Checks are to be made payable to the Diocese of Lubbock.)

_____ 1. I am able to meet the entire litigation fee and agree to do so by attaching my \$350 personal check to my petition.

_____ 2. I am able to meet the entire litigation fee and agree to do so by monthly installments of \$_____ I understand that I will not receive my decree of invalidity, until the full amount is paid.

_____ 3. I am not able to meet the entire litigation fee and request the Tribunal send to my pastor the necessary forms in making arrangements to satisfy these fees. I further understand that I will not receive my decree of invalidity until all litigation fees are satisfied.

* The \$350 litigation fee covers about 20% of the actual costs of the Diocese of Lubbock to process your case.

Petitioner's Signature

Pastor, Deacon, or Parish Case worker

Date: _____

EXTENUATING FINANCIAL CIRCUMSTANCES

If the Petitioner is not a member of the parish/mission/ministry through which this case is being introduced, the Pastor must give permission to encumber the parish for the litigation fee. When the Petitioner is a non-Catholic, the pastor supervising his/her RCIA or the pastor of the interested Catholic party must give permission to encumber the parish for the litigation fee.

Petitioner's pastor (or agent)

Date

REQUIRED DOCUMENTS

I submit with this petition the following documents as partial proofs for my case(s):

_____ Marriage License(s) for the union(s) under investigation [May be obtained from the county clerk from where the license was issued.]

_____ Divorce Decree(s) for the union(s) under investigation [May be obtained from the district clerk where the divorce was granted.]

_____ My Baptismal certificate or record, if available.

_____ Respondent's (spouses') Baptismal certificate(s) or record(s), if available.

_____ Church Marriage Certificate(s), if available.

_____ Marriage License(s) of previous bond(s) of Respondent, if available. [Previous Bond case]

_____ Divorce Decree(s) of previous bond(s) of respondent, if available. [Previous Bond case]

Petitioner's Signature

Thank you for your cooperation in this matter. Please be assured that we will do everything we can in order to pursue to completion your case as soon as possible.

Matrimonial Tribunal
Diocese of Lubbock

(Revised 8-31-01)