

LATIN CATHOLIC CHURCH *SUI IURIS*
DIOCESE OF HONOLULU
 TRIBUNAL AND CANONICAL AFFAIRS
 6301 PALI HWY, KANEOHE, HI 96744
 (808) 203-6766 • www.catholicahawaii.org/cic

**Cause for Marital Nullity: Defect of Consent
 Preliminary Investigation**

Petitioner

Respondent

_____ Name-in-full _____
 _____ Maiden last name (if applicable) _____
 _____ Address* _____
 _____ City* _____
 _____ State/Zip* _____
 _____ Occupation _____
 _____ Home phone _____
 _____ Work phone _____
 _____ Cell phone _____
 _____ Email address _____
 _____ Date of birth _____
 _____ Age at the time of marriage _____

***The current address of the respondent is required. You are not required to contact the respondent. The Tribunal will do this for you.**

Advocate's name _____ Parish/City _____

Include the following:

- If Catholic: Photocopy of baptism certificate (if you were originally baptized in a non-Catholic community, provide a certificate of reception into the full communion of the Catholic Church)
- Photocopy of marriage certificate (Catholic marriage certificate if a Catholic marriage or validation; otherwise, provide a copy of the civil marriage certificate)
- Photocopy of divorce decree (first and last/signature pages only)

Tribunal use only

Date received _____

Cause name _____ Prot. no. _____

Petitioner's Religion

What is your religion/denomination? _____

If you are Catholic: Date of Catholic baptism _____

OR If you were first baptized in another community before becoming Catholic: Date of reception into the full communion of the Catholic Church _____

Church of baptism (or reception into full communion) _____

City _____ State (or country) _____

If you are not Catholic, are you baptized? _____

Are you currently seeking Catholic baptism or to become Catholic? _____

Have you ever changed religions otherwise? _____

If so, explain _____

Respondent's Religion

What is the respondent's religion/denomination? _____

If the respondent is Catholic: Date of Catholic baptism _____

OR If the respondent was first baptized in another community before becoming Catholic: Date of reception into the full communion of the Catholic Church _____

Church of baptism (or reception into full communion) _____

City _____ State (or country) _____

If the respondent is not Catholic, is the respondent baptized? _____

Has the respondent ever changed religions? _____

If so, explain _____

Information on the Marriage

Date first met respondent (at least approximate) _____

How soon after you first met did you begin dating? _____

Date of engagement (at least approximate) _____

Wedding date _____

Officiant _____

Church/place _____

City _____ State (or country) _____

If you were married outside of the Catholic Church and later had your marriage validated ("blessed"):

Date of validation _____

Church of validation _____

City _____ State (or country) _____

Number of children from this relationship _____

Date(s) of birth of child(ren) _____

Date living together ended (at least approximate) _____

Date of divorce _____

Is there a possibility of reconciliation with the respondent? _____ Please make a statement:

Have you ever previously petitioned for a declaration of nullity for this marriage? _____

If so, when and where? _____

Your Current Status

Are you currently ...? remarried engaged dating no current relationship

Full (maiden) name of current spouse, fiancé(e), or dating partner

His/her religion _____

Has your current spouse, fiancé(e), or dating partner ever been married before? _____

Full (maiden) name of prior spouse of your spouse, fiancé(e), dating partner

Date of prior marriage _____ Place of prior marriage _____

Did that prior marriage end by death? _____

If not, has that prior marriage been declared invalid by the Catholic Church? _____

If not, has a petition been submitted to the Tribunal? _____

If your current spouse, fiancé(e), or dating partner has more than one prior marriage, list the same information on a separate sheet of paper.

Your Other Prior Marriages

Do you have any other prior marriages, besides the one contained in this petition? _____

Full (maiden) name of other prior spouse _____

His/her religion _____

Date of prior marriage _____ Place of prior marriage _____

Did that prior marriage end by death? _____

If not, has that prior marriage been declared invalid by the Catholic Church? _____

If not, has a petition been submitted to the Tribunal? _____

For additional prior marriages, list the same information on a separate sheet of paper.

Respondent's Prior Marriages

Was the respondent married before being married to you? _____

List all of his or her previous marriages with as much information as possible on a separate sheet of paper.

Note to advocate: If the respondent had prior marriages, check the possibility of petitioning on the basis of the impediment of prior bond, especially if both the respondent and former spouse were not Catholic.

Childhood and Teenage Years

Describe your childhood home life. Where did you grow up and what was your household like? Explain any instability or difficulties within your family while growing up. Describe your teen years.

Please describe your religious upbringing and practice.

Is there a history of divorce in your family? (Explain)

Describe the respondent's childhood and teenage home. Where did he/she grow up and what was the household like? Explain any instability or difficulties within his/her family while growing up. Describe his/her teen years.

Please describe the respondent's religious upbringing and practice.

Is there a history of divorce in the respondent's family? (Explain)

Dating Period

How well did you get to know each other's personalities before marriage? Did you both get to know the personal histories of each other while dating? (Explain)

What was the quality of your personal communication before the marriage? Could each of you talk about private, intimate matters? (Explain)

Did you or the respondent ever date anyone else while the two of you were dating? If so, explain.

Were you sexually intimate before marriage? If so, when did sexual intimacy begin? Who initiated it?

Did you live together before marriage? If so, why did you decide to do so? When did you begin to cohabit? Was it before or after you were engaged?

If you cohabited before marriage, did that fact in any way influence your decision to marry? (Explain)

Was there a pregnancy before marriage? If so, did it occur before or after you had decided to marry? Did it influence your decision to get married? (Explain)

Before you got married, describe the discussions you had about marriage and divorce. What beliefs about marriage did you agree on while dating and engaged? Which beliefs about marriage did you disagree on?

Before the marriage, did you discuss spending the rest of your life together and growing old together? (Explain)

Before the marriage, did the two of you ever discuss what would happen if there was infidelity? (Explain)

What problems, if any, occurred during the dating period? Was there any abuse that took place while you were dating or engaged? (Explain)

Describe any breakups that took place before the marriage. Were they before or after you were engaged?

What was your idea of marriage at the time you were dating and engaged? Have your ideas of marriage changed since then? (Explain)

Engagement

Describe how the engagement (or decision to get married) took place. Who proposed or first brought up the topic of marriage? Explain the discussions. If there was no engagement, explain how that was possible.

What discussions did you and the respondent have concerning children while you were dating or engaged? Did you discuss parenting roles and styles?

What discussions did you and the respondent have concerning finances while you were dating or engaged? What did you agree upon ahead of time?

What discussions did you and the respondent have concerning household responsibilities while you were dating or engaged? What did you agree upon ahead of time?

What discussions did you and the respondent have concerning religious practice before the marriage?

Please describe the use of alcohol or drugs by each of you during the dating and engagement period.

Were there periods of time while you were dating and engaged that you were separated due to work, school, military service, etc.? If so, explain.

What problems, if any, occurred during the engagement period? Describe any breakups that took place during the engagement.

Was there any infidelity by either of you while you were engaged? If so, explain.

Did anyone discourage you from getting married? If so, explain.

Did anyone encourage you or pressure you to get married? If so, explain.

Were there any immigration issues, deadlines due to military transfers or deployments, or other factors that influenced the timing of the marriage?

Did you have a prenuptial agreement? _____ (If so, please provide the Tribunal with a copy of it.)

Did anything unusual happen at the rehearsal or on the wedding day? If so, explain.

During the Marriage

What was the honeymoon like?

Did anything change about the respondent after the marriage took place? (Explain)

Did anything about the respondent come as a surprise after marriage? (Explain)

How soon did problems begin in the marriage? (Explain)

Describe the problems of the marriage. Give examples.

Were any children born of the marriage? If not, why did you not have children? What method of family planning was used during the marriage? (e.g., natural family planning, certain forms of artificial contraception) How consistently was it used?

Describe how each party fulfilled parental responsibilities toward your children.

How did each of you participate in the religious upbringing of your children?

Did either party have difficulty maintaining employment? If so, explain.

Did both parties share responsibilities in maintaining the household? (If not, explain.)

How were finances managed during the marriage? Were there any financial difficulties?

Was there any infidelity by either of you during the marriage? If so, when did it first occur?

Did either you or the respondent ever have trouble with the police? (Explain.) When did this occur?

Describe the breakup and any efforts at counseling and reconciliation.

Oath and Mandate

I, _____ (print your name), hereby swear that the answers which I have given on the attached sheets of paper are the whole truth and nothing but the truth. So help me God.

Wishing to pursue a petition for a declaration of nullity of my marriage to _____, hereby name _____ according to the prescriptions of canons 1481 and 1482 of the Code of Canon Law, to be my procurator and advocate in this cause.

If my procurator-advocate is a priest, I agree to automatically have his successor in office, if his transfer makes it necessary, to function as my procurator-advocate.

Your signature

Date

Signature of secretary/notary

Seal

Any secretary of a Catholic parish or a public notary is authorized to sign and seal this form.

Guide to Completing This Form

This form is available as a fillable PDF. Go to www.catholichawaii.org/cic to download. Print and give completed form and required documents to your advocate, who will complete the last page and mail it to the Tribunal.

Preliminary Investigation Questions

The purpose of the questions in this form is to help the judge identify possible grounds of nullity. After completing this form, next you will be asked to complete another questionnaire and/or have a hearing with the judge that focuses on the specific grounds that have been identified.

Credibility of Your Statements

Declarations of nullity are not granted because a person deserves it or not, but because of the facts of what happened in a relationship. If you honestly and accurately admit your own mistakes in the relationship, this can help establish your credibility.

It also helps establish your credibility if you point out objectively positive traits of the respondent insofar as possible. Petitioners who describe themselves in only positive terms and the respondent only in negative terms often hurt their own credibility because they do not seem realistic.

So please be as objective and factual as possible.

Witnesses

- On page 14, please list relatives and friends who were knowledgeable about you and the respondent before and during the marriage and who can testify to your and the respondent's character.
- **Witness no. 5:** Please also provide contact information for any counselor or doctor that you may have consulted concerning the marriage, with or without the respondent.
- The Tribunal prefers not to have children of the parties participate as witnesses out of concern for family harmony.
- **Contact the witnesses that you are naming and let them know that they will be contacted by the Tribunal for their testimony.** We will send them a questionnaire to complete either via email, if they have an email address, or via U.S. mail.
- Encourage the witnesses to be honest with regard to pointing out your mistakes and not just the mistakes of the respondent.

Why does this process take so long?

The process must take a certain amount of time simply because of the steps that are required by canon law.

However, the #1 reason why it takes so long is because witnesses do not submit their testimony in a timely fashion.

List of Witnesses – Petitioner

Please print

Use no. 5 for counselor/doctor

1. Miss Ms. Mrs. Mr. Dr. Rev. Deacon

Name _____

Address _____

City/State/Zip _____

Email address _____

Relationship to: Petitioner _____ Respondent _____

2. Miss Ms. Mrs. Mr. Dr. Rev. Deacon

Name _____

Address _____

City/State/Zip _____

Email address _____

Relationship to: Petitioner _____ Respondent _____

3. Miss Ms. Mrs. Mr. Dr. Rev. Deacon

Name _____

Address _____

City/State/Zip _____

E-mail address _____

Relationship to: Petitioner _____ Respondent _____

4. Miss Ms. Mrs. Mr. Dr. Rev. Deacon

Name _____

Address _____

City/State/Zip _____

E-mail address _____

Relationship to: Petitioner _____ Respondent _____

5. Miss Ms. Mrs. Mr. Dr. Rev. Deacon

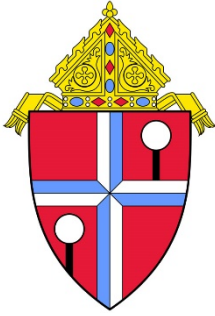
Name _____ This is a doctor/counselor who was seen.

Address _____

City/State/Zip _____

Email address _____

Relationship to: Petitioner _____ Respondent _____



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Cause for Marital Nullity: Petition
Completed by the Procurator-Advocate

I, _____ (print), procurator-advocate
of the parish of _____

Parish address _____

acting on behalf of petitioner _____,

hereby petition the Tribunal of the Diocese of Honolulu to declare null based on a defect of consent under
the provisions of the law of the Catholic Church the petitioner's marriage to

respondent _____.

I believe that this marriage is invalid because _____

_____.

The petitioner has claimed the right, under the provision of canon 1674 of the Code of Canon Law, to
impugn the validity of the union. The petitioner will attempt to prove the nullity of the marriage based upon
his/her declarations and the testimony of witnesses.

Signature of procurator-advocate

Date

Signature of secretary/notary

Date

Seal

Any secretary of a Catholic parish or a public notary is authorized to sign and seal this form.