Office Use Only

___ Formal

___ Ordinary Process ___ Briefer Process

Boise Number _____

Reviewer _____

ROMAN CATHOLIC DIOCESE OF BOISE
INTRODUCTION FORM & FORMAL NULLITY CASE PETITION

ROMAN CATHOLIC DIOCESE OF BOISE - MARRIAGE TRIBUNAL - 1501 S. Federal Way, Suite 400 - Boise, Idaho 83705
(208) 344-1344 – (208) 344-1772 (fax)

☐ CHECK HERE IF ASKING FOR THE "BRIEFER PROCESS" TO BE EMPLOYED.

To qualify for this process, there are two prerequisites – PLEASE READ

1. The Respondent (your former spouse) MUST consent, in writing, to the use of the "briefer process," AND that they agree to the nullity of the former union, should the Tribunal find sufficient grounds/cause according to Canon Law (Catholic Church Law). A form is included in this packet for them to provide their consent. Without their signed consent, this case will be adjudicated through the "Ordinary Process."
2. The circumstances surrounding the time of consent which support the nullity of the marriage must be manifest (i.e., obvious, clear, compelling, unmistakable, etc.,) and documented with the petition.

☐ CHECK HERE IF CASE INVOLVES OCIA

Questions about this application can be answered by your advocate or by calling the Marriage Tribunal at (208) 344-1344.

1. *A civil dissolution/divorce must have already been finalized **before** this application can be accepted by the Tribunal.*
2. *The acceptance of this application will be delayed by missing information, especially the current address for your former spouse.*
3. *After this application has been reviewed, you will be contacted in writing regarding information/requirements concerning specific case types.*

SECTION A
General Case Information

PETITIONER
(Circle: Mr., Mrs., Miss, Ms., Dr.)

1. Legal Name: _____
(First) (Middle) (Last)

Maiden Name: _____

2. Street Address: _____ Apt. No. _____

_____
(City) (County) (State) (Zip Code)

Is this your permanent residence?_____If NO, please explain: _____

Telephone (with area code): (home)_____(work/cell)_____

Occupation:_____May be called at work? _____

Date of birth:_____Place of birth: _____

3. List ALL of YOUR PRIOR marriages:
(Please include all marriages. Also, be sure to list the Catholic Church convalidation, or 'blessing', of any of these marriages.)

A. _____ _____ _____
NAME OF SPOUSE (Maiden) DATE NAME OF CHURCH, COURT, ETC.

_____
(Church/Court Street Address) (County) (City/State) (Zip)

_____
Convalidation? If so, Date Church/City

B. _____ _____ _____
NAME OF SPOUSE (Maiden) DATE NAME OF CHURCH, COURT, ETC.

_____
(Church/Court Street Address) (County) (City/State) (Zip)

_____
Convalidation? If so, Date Church/City

4. HOW, WHEN and WHERE did EACH marriage end?

	Divorce, Death, Civil Annulment	Date	Place (County & State)
A.	_____	_____	_____
B.	_____	_____	_____

5. To which marriage does THIS APPLICATION refer? (Circle One) A *or* B

6. If you or your former spouse were Catholic, did this marriage take place in a non-Catholic setting with the permission of the Catholic Church?

If YES, what parish has the Catholic records? _____

7. Have you EVER been baptized? _____

If YES, in what religion?_____Approximately when? _____

Name and Address of Church: _____

What was your religion at the time of this marriage? _____

8. Are you related to your former spouse by blood, adoption or as an in-law? _____

If YES, how? _____

9. Ages at the time of the marriage to which this petition applies: Man: _____ **Woman:** _____

FORMER SPOUSE (RESPONDENT) INFORMATION

10. PRESENT Legal Name of Your Former Spouse for the marriage being investigated:

Canon Law requires that the Respondent be afforded the opportunity to participate in the marriage case, if at all possible. Failure to provide a current address may delay the case. Please complete the form "Unlocatable Respondent" to document your attempts to find your former spouse.

(Circle: Mr., Mrs., Miss, Ms., Dr.)

_____
(First) (Middle) (Last)

Maiden Name: _____

Street Address: _____ Apt. No. _____

_____
(City) (County) (State) (Zip Code)

Is this his/her only residence? _____ If NO, please explain: _____

Telephone (with area code): (home) _____ (work/cell) _____

Occupation: _____ May be called at work? _____

Date of birth: _____ Place of birth: _____

11. How long did the two of you date before becoming engaged? _____

How long were you engaged before you were married? _____

12. How many children were born or adopted into the marriage (Please include names and dates of birth)?

_____

_____

13. Approximate date when you & your former spouse finally separated (not the divorce date): _____

14. Was your former spouse EVER baptized? _____

If YES, in what religion? _____ Approximately when? _____

Name and Address of church: _____

If NO, how do you know? _____

What was the religion of your former spouse at the time of this marriage? _____

15. Have ANY of YOUR prior marriages ever been brought before a church Tribunal/Chancery Office?

YES/NO (circle one)

If YES, which one, when and where? _____

SECTION B

Information about your former spouse's prior marital history.
This section is to be completed ONLY IF your former spouse had a prior marriage; that is, if the answer to question 16 is YES.

16. Was your FORMER SPOUSE ever married to an other person BEFORE marrying you?
_____ - ***If NO, go to Section C.***

17. How many times was your former spouse married before marrying you? _____
If he/she was married more than once BEFORE marrying you,
Please answer questions 18-21 for each of these marriages on separate pages and attach.

18. Was your former spouse's PRIOR marital partner:

a) *alive* at the time you married your former spouse?_____***If NO, go to Section C.***

b) *alive* the entire duration of your marriage to your former spouse? _____

c) Was this marriage the FIRST for both parties?_____If NO, please explain:

_____

19. Was your former spouse's earlier marriage ever declared invalid by the Catholic Church?
_____

20. Please provide the following information and/or documentation if at all possible:

Name of your former spouse's prior spouse (including maiden name, if female): _____

Religion of his/her prior spouse: _____

Date and Place of your former spouse's prior marriage: _____

Date and Place of the divorce: _____

IF THE ABOVE MARRIAGE FOR YOUR FORMER SPOUSE WAS A FIRST MARRIAGE FOR BOTH PARTIES, PLEASE PROVIDE 1) A COPY OF THE CIVIL MARRIAGE LICENSE AND CERTIFICATE AND 2) A COPY OF THE FINAL DIVORCE DECREE FOR THAT MARRIAGE.

SECTION C
Future Marriage

21. Are you presently married (even if civilly)?_____OR are you planning marriage? _____

If both answers to this question are NO, proceed to the next section

22. LEGAL name (before marriage) of your *present/intended* marital partner:

_____

Maiden Name: _____

23. PRESENT religious affiliation of your *present/intended* partner: _____

24. If you are PRESENTLY married (even if civilly), please indicate:

Date of marriage:_____Place of marriage: _____
(Church/Court/etc.) (City/State)

25. Was your *present/intended* marital partner ever married to another person (even if civilly) BEFORE marrying you?_____IF NO, Proceed to the next section If YES, number of times? _____

26. Was (Were) the marriage(s) declared invalid by the Catholic Church? _____

NOTE: If no ecclesiastical annulment was received for any previous marriage of your present/intended spouse or they were not terminated by death, a Declaration of Nullity *by the Catholic Church WILL be needed. Please consult with your advocate.*

GROUNDS

The following information regarding grounds is intended to help you determine upon which grounds you are challenging the validity of your former marriage (as the Church would define marriage to be).

Please review the information and then choose the appropriate grounds on your formal petition below.

When you offer your written testimony, keep in mind you are offering evidence which may support these grounds.

Insufficient Use of Reason (Canon 1095 1°)

You or your spouse did not know what was happening during the marriage ceremony because of insanity, mental illness, or even a temporary incapacity caused by such things as drunkenness or being high on drugs at the time of consent (wedding ceremony).

Grave lack of discretionary judgment concerning essential matrimonial rights and duties (Canon 1095 2°)

You or your spouse was affected by some serious circumstances or factors that made you unable to judge or evaluate either the decision to marry or the ability to create a true marital relationship. These factors often include several of the following: Poor judgment, lack of proper preparation, peer pressure of an extraordinary type, acting against sound opinion of parents or friend, mere infatuation, impulsive decision to marry, pre-marital pregnancy, significant immaturity, young age (i.e., teenagers). The combination of factors can prove that a person was unable to make a mature, well thought-out and truly free decision to marry. One must make an informed decision to wed which includes forethought and reflection on such an important decision

Inability (or incapacity) to assume marital obligations because of a psychic (psychological) cause (Canon 1095 3°)

You or your spouse, at the time of consent, were unable to assume and fulfill the obligations of marriage because of a serious psychological or personality disorder, or other condition (such as a serious drug or alcohol addiction). At the time of the wedding was there really the possibility on the part of both partners for a permanent, exclusive and fruitful commitment to the other? Did either suffer from serious psychological or personality disorders that affected their ability to live out the commitment of marriage as a partnership of the whole of life? (e.g., narcissistic personality disorder, bi-polar disorder, schizophrenia). Were both stable and emotionally mature? Were both really able to cope with the ordinary stresses of marriage?

Ignorance about the nature of marriage (Canon 1096 §1)

You or your spouse did not know that marriage is a permanent relationship between a man and a woman ordered toward the procreation of offspring by means of some sexual cooperation. Such grounds are rare in the United States.

Error of person (Canon 1097 §1)

You or your spouse intended to marry a specific individual who was not the individual with whom marriage was celebrated. (For example, mail order brides; otherwise, this rarely occurs in the United States.)

Error about a quality of a person (Canon 1097 §2)

You or your spouse intended to marry someone who either possessed or did not possess a certain quality, e.g., social status, marital status, education, religious conviction, freedom from disease, or arrest record. The quality must have been directly and principally intended. This means the *quality* present (or not present) in the person was so important to you (or your former spouse), that it outweighed *who* it was you were truly marrying. (i.e., "I don't care who I marry someday, so long as they are a devout Catholic, have a college degree, don't smoke, were never married before, etc.) That quality is more important than the person I marry." Another way to look at it is that you (or your former spouse) were wanting to marry the quality more than the specific person.

Fraud (Canon 1098)

You or your spouse was ***intentionally*** deceived about the presence or absence of a quality in the other. The reason for this deception was to obtain consent to marriage. For example, your intended spouse had been in prison at one time and knew that if *you* knew of their history, you would not have married them. As a result they intentionally hid this fact from you.

Error regarding marital unity that determined the will (Canon 1099)

You or your spouse married believing that marriage was not necessarily an exclusive relationship.

Error regarding marital indissolubility that determined the will (Canon 1099)

You or your spouse married believing that civil law had the power to dissolve marriage and that remarriage was acceptable after civil divorce. Often, persons who grow up in a society where divorce is common and an accepted way of life (including within their family of origin and those of close friends), may come to believe nothing is intended to be permanent, including marriage, and live their lives in such a way.

Error regarding marital sacramental dignity that determined the will (Canon 1099)

You and your spouse married believing that marriage is not a religious or sacred relationship but *merely* a civil contract or arrangement. Persons who grew up with a lack of faith in their family, or don't view marriage between the baptized as a sacrament, often are unable to see marriage as anything more than a civil institution.

Total simulation of marriage (Canon 1101 §2)

You or your spouse did not intend to contract marriage as the law of the Catholic Church understands marriage. Rather, the ceremony was observed solely as a means of obtaining something other than marriage itself, e.g., to obtain legal status in the country or to legitimize a child, obtain an inheritance, or to enter into a marriage by your own definition (free love), etc.

Total Simulation – Defective Convalidation (Canon, 1101, § 2) [Does not apply if neither party was Catholic when they wed].

Either you or your former spouse was Catholic at the time of marriage and first entered into a civil marriage. At some later time, a decision is made to go through with a Catholic wedding ceremony (known as a convalidation but is sometimes incorrectly called a "blessing"), perhaps because the couple wanted to have their child baptized or one party wished to return to the practice of their faith. The Church teaches that if at least one party is Catholic at the time of the wedding, they must go through a Catholic wedding ceremony for the Church to consider them validly married. Before the Catholic ceremony the Church did not consider the couple to be married at all. At the time of the convalidation (or "blessing") both parties must make an act of the will to consent to marry the other at the Church ceremony (as though this *was the very first wedding ceremony)*. However, sometimes one or both parties to the wedding believe they are already married, reject the notion that they are not, and do not offer this consent. They go through the Catholic ceremony and offer empty words. They look at the Catholic ceremony as being purely religious and nothing more than a blessing or a renewal of wedding vows for a marriage that already validly exists. By not recognizing the invalidity of the civil marriage and thus making an act of the will to offer marriage consent at the time of the Catholic ceremony, one "simulates" their marriage consent and the convalidation is invalid.

Partial Simulation - exclusion of children (Canon 1101 §2)

You or your spouse married intending, either explicitly or implicitly, to deny the other's right to sexual acts open to procreation. You or your former spouse were not open to children in the marriage and took active steps to prevent their conception. Sometimes one party wants to have a child and the other refuses to have a child. This intention must have been present *before* you married. Examples of this would be a belief that having children would impede ones career aspirations, or would cost too much money or would prevent a person from doing what they wanted in life. Therefore steps were taken to prevent pregnancy such as the continual use of artificial contraception or undergoing a surgery to prevent a pregnancy from occurring.

Partial Simulation – exclusion of fidelity (Canon 1101 §2)

You or your spouse married intending, either explicitly or implicitly, not to remain faithful. This intention must have been present before you married. Typically cases with these grounds are proven most easily when a pattern of infidelity can be established which began before the couple wed and continued into the marital relationship. A person may have never verbalized such an intention. But often their actions are louder than their words.

Partial Simulation - exclusion of marital permanence (Canon 1101 §2)

You or your spouse married intending, either explicitly or implicitly, not to create a permanent relationship, and retaining an option to divorce. Sometimes persons enter into a marriage wondering if it is a good idea or not, so to protect themselves, decide that if the marriage is not a happy one or fulfill their expectations, they will simply divorce to be rid of the bond of marriage.

Partial Simulation - intention against the Good of the Spouses (Canon 1101 §2)

You or your spouse married intending, either explicitly or implicitly, not to mutually surrender to each other; for the good of the partners, of the children, and of society. This can arise from an erroneous belief that marriage is for self rather than as the blending of life as a whole and mutual interchange and sharing thereof. One way to consider this is that your former spouse (or yourself) considered the other a possession, not a partner and treated them with disrespect, control, abuse, abandonment, etc.

Future condition (Canon 1102 §2)

You or your spouse attached a future condition to your decision to marry, e.g., you will complete your education, your income will be at a certain level, you will remain living in this area, etc. In this case, if the future condition is not fulfilled, the spouse holding the condition abandons the marriage.

Past condition (Canon 1102 §2)

You or your spouse attached a past condition to your decision to marry, and that condition did not exist, e.g., I will marry you provided that you have never been married before, provided you have graduated from college.

Present condition (Canon 1102 §2)

You or your spouse attached a present condition to your decision to marry and that condition did not exist, e.g. I will marry you provided you do not have any debt, provided that you are a virgin etc.)

Force or Fear (Canon 1103)

You or your spouse married because of an external physical or moral force that you could not resist, or chose to marry because of fear that was grave and inescapable and caused by an outside source. In other words, the choice to marry was less severe than the consequences of not marrying (i.e., jail, physical harm or death, expulsion from family, etc.).

LIBELLUS – PETITION
PROCURATOR/ADVOCATE MANDATE

I,_____hereby Petition the Tribunal of the Roman Catholic Diocese of Boise for a declaration of nullity regarding my marriage to_____. By my signature below, I take an oath that the information presented is true.

I hereby appoint _____as my Procurator-Advocate in this case before the Tribunal of the Diocese of Boise in accord with the norms of Canon (Church) Law.

I understand my rights will be protected by my Procurator-Advocate and that only they or I may contact the Tribunal to discuss my case. I give my Procurator-Advocate the following mandate: To suggest the grounds of nullity or to accept new grounds if necessary; to inspect the acts (testimony) of the case; to renounce (Withdraw) my petition, if, after a careful investigation by the Tribunal, it appears there is no basis for a declaration of nullity; to assist me in preparing an appeal of the decision reached by the Court if I so wish to make an appeal to a higher Court. I am willing that if he or she should be unable to finish the case, because of illness or transfer or serious reason, the Judge may appoint a new Procurator-Advocate for me.

GROUNDS

I propose as grounds in this matter to be the following, but trust that either the Court or my Advocate may suggest other grounds for this case to be tried upon:

Petitioner=1 Respondent =2 Both=3

(Choose as many as you believe to be applicable):

___ Insufficient Use of Reason (Canon 1095 1°)

___ Grave lack of discretionary judgment concerning essential matrimonial rights and duties (Canon 1095 2°)

___ Inability (or incapacity) to assume marital obligations because of a psychic (psychological) cause (Canon 1095 3°)

___ Ignorance about the nature of marriage (Canon 1096 §1)

___ Error of person (Canon 1097 §1)

___ Error about a quality of a person (Canon 1097 §2)

___ Fraud (Canon 1098)

___Error regarding marital unity that determined the will (Canon 1099)

___Error regarding marital indissolubility that determined the will (Canon 1099)

___Error regarding marital sacramental dignity that determined the will (Canon 1099)

___ Total simulation of marriage (Canon 1101 §2)

___ Total Simulation – Defective Convalidation (Canon, 1101, § 2)

___Partial Simulation - exclusion of children (Canon 1101 §2)

___Partial Simulation – exclusion of fidelity (Canon 1101 §2)

___Partial Simulation - exclusion of marital permanence (Canon 1101 §2)

___Partial Simulation - intention against Good of the Spouses or Bonum Coniugum (Canon 1101 §2)

___Future condition (Canon 1102 §2)

___Past condition (Canon 1102 §2)

___ Present condition (Canon 1102 §2)

___Force or Fear (Canon 1103)

GENERAL WITNESSES

I name the following as knowledgeable witnesses able to provide testimony and evidence in this case. They knew either one or both of us at the time of our courtship and marriage. **I have contacted each witness to obtain their consent to be contacted by the Tribunal as a witness in my case.** (Note, ideally, these witnesses should be able to address your youth, your relationship with the Respondent prior to marriage, as well as issues within the marriage itself. Typically, parents, siblings, other relatives and close friends make the best witnesses. Please note, children from the union in question may not be named as witnesses.

Witness #1 (Circle: Mr., Ms.)

Name

Mailing address

Relationship to Petitioner

Phone Number

Witness #2 (Circle: Mr., Ms.)

Name

Mailing address

Relationship to Petitioner

Phone Number

CHARACTER (Veracity) WITNESSES

I name the following as individuals who can attest to my character and honesty (note, these persons do not need to have known you while you were married to the Respondent). Character witnesses may not be family or a current civil spouse.

Character Witness #1 (Circle: Mr., Ms.)

Name

Phone Number

Mailing address

Relationship to Petitioner

Mailing address

How long has this person known you?

Character Witness #2 (Circle: Mr., Ms.)

Name

Phone Number

Mailing address

Relationship to Petitioner

Mailing address

How long has this person known you?

Signature of Petitioner

Date

Signature of Advocate

Type or Print Advocate's Name

Parish

Advocate Phone Number

REQUIRED DOCUMENTS
for the former marriage to which this petition applies

CIVIL MARRIAGE LICENSE AND CIVIL MARRIAGE CERTIFICATE
(Depending on the State, this/these can be one/two document(s); most often obtained from the County.)

COMPLETE COPY OF FINAL DIVORCE DECREE WITH DATE AND JUDGE'S SIGNATURE OR STAMP

ROMAN CATHOLIC BAPTISMAL CERTIFICATE ISSUED WITHIN THE PAST SIX MONTHS, WITH NOTATIONS (IF APPLICABLE)

PLEASE RETURN THIS PETITION AND ALL SUPPORTING DOCUMENTS AND TESTIMONY TO:

MARRIAGE TRIBUNAL ROMAN CATHOLIC DIOCESE OF BOISE
1501 S. FEDERAL WAY, STE. 400
BOISE, ID 83705

DIOCESE OF BOISE – MARRIAGE TRIBUNAL
FORMAL CASE QUESTIONNAIRE

INSTRUCTIONS:
MUST submit answers on a separate sheet of paper *– type written preferred, but not mandatory. Please attach this questionnaire to your written answers. Thank you.*

When completing this questionnaire, ***please be as complete as possible****. There are no "right" or "wrong" answers to these questions. Also,* ***please explain yes or no answers****. Do not be afraid to give long explanations. It is better to give too much information than too little.* **Your answers to these questions must be sent to the Tribunal with your entire Petition packet.**

1. Please describe your home life including the following details: where did you grow up; how well did your parents get along; did they have any serious problems (including drinking and/or abuse); did they divorce; how did you feel about these problems and/or the divorce; how did they show you affection and how well did they tend to your material needs?

2. Please describe what life was like for you as an adolescent: how well did you get along with your family and how did you do in high school; what kind of work and or social activities did you involve yourself during high school; how did you get along with schoolmates and friends?

3. Please relate what you know about your former spouse's family: where did the former spouse grow up; how did the parents get along; any specific family problems; how did the former spouse relate to brothers and sisters; how well did this person get along in high school; any problems during adolescence, etc.?

4. Did either of you have significant problems living with your parents? How did this influence your decision to marry?

5. How old were both of you when you first met? What were the circumstances of this meeting?

6. Had either of you ever gone steady with anyone else or been engaged to anyone else? (If so please explain)

7. How soon after the initial dating meeting did you two keep steady company?

8. a) Was there premarital sexual involvement?
b) How did your relationship change due to the sexual involvement? (e.g., created a sense of security, attachment, permanence, etc.)

c) Did the premarital sexual involvement create any sense of obligation for either of you to marry? If so, please explain.

9. How long between the initial dating and the engagement?

10. How, when and where did you two enter an engagement?

11. How long was it between the engagement and the marriage?

12. Did anything occur while you were engaged that made you anxious or worried about the relationship? If so, please explain.

13. What was the reaction of your family and friends to the engagement?

14. What was the reaction of your former spouse's family and friends to the engagement?

15. During the courtship and/or engagement did your former spouse display any emotional problems, temper, drinking patterns, or anything else that raised a doubt in your mind about marrying this person? If you had doubts, how did you reconcile them?

16. While you were going steady or engaged, did you two ever break up? If so, what happened and why did you get back together?

17. How often did you see each other during your engagement?

18. Did you live together before marriage? (If NO, please go to the next question)

- **a) How long had the two of you been dating before you moved in together?**
- **b) What made you decide to live together? (love, money, a chance to get away from parents, etc.)**
- **c) Do you think that living together influenced your decision to marry? If so, how?**
- **d) Why did the two of you eventually decide to marry, rather than remain living together?**

19. Was anything kept from you about your ex-spouse or his/her family, that you wish you would have known about before marrying? If so, what was it? If you had known, would it have changed your mind about marrying this person?

20. How would you describe your communication during your courtship and engagement? How did you settle disagreements?

21. Were there problems in the courtship or engagement or other "taboo" topics either of you found difficult to discuss? If so, who found it difficult to talk about these things and why do you think this was the case?

22. a) Prior to the marriage did either of you seek any preparation from a priest or minister or counselor for the marriage?

- **b) What issues or concerns were raised during premarital instruction? How were these issues or concerns resolved?**

23. Describe what religious values and beliefs you and your former spouse brought to this relationship, including:

- **a) Were you both brought up in religious families? If so, what faith tradition were you raised in?**
- **b) Did you still practice the faith of your childhood when you dated the Respondent and then married them?**
- **c) What about your former spouse in this regard?**
- **d) How did your religious upbringing and background influence your view of marriage, if at all? What about your former spouse in this regard?**
- **e) Did you consider marriage to be a sacrament as the Catholic Church would consider it? What about your former spouse in this regard?**

f) Considering your religious beliefs and background, what was your position on divorce? What about your former spouse in this regard?

g) If the faith tradition in which you were raised DID teach and believe in the indissolubility of marriage or that marriage was a sacrament, did you personally believe there were "exceptions to the rule?" In your mind were there circumstances in which a person could consider or seek divorce (i.e., adultery, abuse, financial problems, unfulfilled personal happiness, an unhappy marriage or life)? If so, please explain. Also, please explain what you knew about how your former spouse thought of these things.

h) If you were not Catholic at the time you were married, did the faith tradition you grew up in teach that divorce and/or remarriage, while not ideal, was permissible? What were your thoughts on this? Did you agree with these teachings? What about your former spouse in this regard?

i) Did you or do you believe that marriage is simply a "civil" contract of sorts, with no real religious implications? What about your former spouse in this regard?

24. As you reflect, what specifically attracted you to your former spouse?

25. What do you think attracted your former spouse to you?

26. Was there a pregnancy prior to the marriage on the part of the bride? (If no, skip to question 26).

a) How long had the two of you been dating before the pregnancy was discovered?

b) Was there any doubt as to the father of the child?

c) What was the reaction of your families when you told them of the pregnancy?

d) How did you feel about their reaction?

e) How did your former spouse feel about their reaction?

f) Did anyone advise you and your spouse that there were other ways of handling a premarital pregnancy? If "yes," who advised you of what and what was your reaction to this advice? What was your former spouse's reaction?

g) How much force and/or pressure (including internal pressure) do you believe was put on you and your former spouse to marry because of the pregnancy? Who applied this force and/or pressure and why?

h) What kind of discussion took place regarding marriage after the pregnancy was discovered?

i) If pregnancy existed before marriage, how much of an issue did it become during the marriage?

j) Do you think that you would have married, if not for the pregnancy? Why or why not?

27. Did anything unusual occur to either you or your former spouse on the day of the wedding or during the honeymoon?

28. Do you think that you and/or your former spouse were mature enough to understand the kind of serious commitment that you were making? Why or why not?

29. Do you believe that either of you entered this marriage to escape either an unhappy home situation or some other difficult problem present in either of your lives at the time? If so, what was the situation?

30. How soon after married life began did serious problems emerge between the two of you? Specify what the problem(s) was/were and how you dealt with them.

31. a) During the course of the marriage how well did you two communicate with each other?

b) Did either of you have a temper and if so, how was it expressed? Was this temper present during the courtship and engagement?

c) How did you two resolve differences of opinion? (e.g., talked them through, fought, walked away, avoided the topic, etc.)

32. a) Did either of you have a problem with alcohol or drugs? (If NO, skip to question 34)

b) When did this problem develop? (e.g., as a teenager, as an adult, not until after marriage)

c) When did you first notice the problem?

d) How often did (he/she and/or you) drink and/or use drugs?

e) Did the use of alcohol or drugs cause difficulties during the courtship? If so, what were the problems?

f) How did the use of alcohol or drugs affect significant events? (example: Proposal, wedding day, family events)

g) Did the use of alcohol or drugs become worse during the marriage? Please explain.

h) Were there any financial difficulties because of alcohol or drug abuse?

i) How did this alcohol or drug problem contribute to the breakdown of this marriage?

j) Was professional treatment ever sought for this problem? If so, when and where?

33. During the marriage was either of you unfaithful? Were either of you unfaithful during your courtship and engagement? If so, please explain.

34. a) Please comment on any of the following that may have been a problem in the marriage and how the two of you worked to solve the problem: jealousy, anger, physical violence, sexual communication, lack of trust, fear, anxiety, loneliness, desertion, depression.

b) Were any of these problems present during the courtship and/or engagement? If so, how did you deal with these problems at that time?

35. Did either of you suffer from a long term physical illness? If so, how did the two of you accept this and cope with it during the marriage? Did either of you use prescription drugs on a regular basis? If so, who? What was used and for approximately what period of time?

36. a) Have either of you ever been diagnosed with any form of mental illness, such as depression, ADD/ADHD, schizophrenia, anorexia, bulimia, an anxiety or personality disorder? If so, what was the diagnosis, when was it made and by whom?

b) Is there a history of mental psychiatric illness in either of your family backgrounds? If so, in whose, and if you know, what was the illness?

c) Please detail the symptoms and outward indicators of the mental illness. Were any of these present during the courtship/engagement? If so, how did they effect your relationship?

37. Who emerged as the leader of the family and why?

38. How were family finances handled and by whom? Were there serious financial problems during the marriage?

39. a) How many children were born to the marriage?

b) Were the children planned?

c) Before marriage, what discussions, if any, took place concerning whether or not to have children?

d) Did either of you tell the other <u>before</u> marriage that you did not want to have children? Please explain.

e) How did the two of you set out and meet the material needs of the children during the marriage?

f) How was the religious and moral training and development of the children handled and by whom?

40. What do you see as your positive contributions to the marriage?

41. Do you believe you played a role in the demise of the marriage? If so, how?

42. At what point in the marriage did you come to realize the seriousness of the marriage's problem(s) and/or that the marriage was over with?

43. Did either of you obtain professional counseling during the course of the marriage? If you obtained it, what sense of help or relief or understanding did this counseling provided for you?

a) What were the name(s) of any professional counselors you saw and approximately when did you see them?

b) Please see Confidentiality Release form

44. How long was it between the final separation and the final divorce?

45. Were there other separations during the marriage? If so, when and why?

46. Approximately how long did you live together as a married couple?

47. Prior to the civil divorce a) did either of you attempt reconciliation?

b) If so, why did it fail?

48. In your opinion, what were the main reasons the marriage broke down?

49. a) After the civil divorce, a) did you remarry? b) If so, how soon after the civil divorce did you remarry?

CONVALIDATION:

Please answer the following questions ONLY if at least one of you were Catholic at the time of the wedding, married FIRST in a civil or other Christian ceremony and LATER went through a Catholic Convalidation Ceremony or had your marriage "blessed." For example, you married civilly before a judge and three years later approached a priest or deacon to marry or have your marriage blessed in the Church.

1. Did either of you think that the non-Catholic ceremony was the "real thing" and that the Catholic ceremony was just a blessing of a marriage that already existed?

2. Did either of you think that the Catholic ceremony was not necessary for the marriage to be real? Please explain.

3. Did either of you think himself or herself married before the Catholic ceremony occurred?

4. Why did you decide to have the Catholic Ceremony?

5. Did anyone (parent, friend, etc.) nag, issue an ultimatum, or otherwise pressure either of you to have the Catholic ceremony? If so, please give details.

6. Were there problems already present in the relationship in the time between the first ceremony and the Catholic ceremony? If so, please explain what problems were present.

7. Did the priest or deacon give you any special instructions before the ceremony took place? If so, do you agree with what he said?

8. Did there seem to be any reluctance or hesitation on the part of either of you to go through with the Catholic Ceremony? If so, how did that reluctance show itself?

9. What intention did you have during the Catholic ceremony? (please choose only one).

    1. To get married
    2. To get an already existing marriage blessed

10. In the months and years that followed, which date did you regard as your marriage anniversary?

11. Is there anything you wish to add, especially regarding the Catholic wedding ceremony and your attitude towards it?

PLEASE ADD THE FOLLOWING STATEMENT TO THE END OF YOUR ENTIRE WRITTEN STATEMENT WITH YOUR SIGNATURE AND THE DATE.

By my signature below, I swear that the testimony I have given is the truth.

_____ _____

Signature **Date**

Boise Case Number: _____

DIOCESE OF BOISE MARRIAGE TRIBUNAL - UNLOCATABLE RESPONDENT FORM

COMPLETE THIS FORM ONLY IF YOU DO NOT KNOW THE WHEREABOUTS OF YOUR FORMER SPOUSE.

While it is often the case that couples have lost contact with one another, especially when many years have passed, Church law requires the Tribunal to make a diligent effort to locate the party as they have a right to participate in this process. Therefore, we need you to answer the following questions. Even if you have long ago lost all this information, we need your explicit statement regarding this fact. Please return this questionnaire with your other Formal Case Petition documents.

1. When was your last contact with the Respondent? Was it in person, by phone or mail, or some other means?

2. What was the last known address and/or phone number of the Respondent?

3. What were the names of the Respondent's parents and siblings? Have you contacted any of them regarding the Respondent's whereabouts? What were the results of these contacts?

4. If there were children in your marriage, is the Respondent in contact with any of them? If yes, by what means?

5. If your former spouse is paying child support and/or alimony, how do you receive such child support? If you are receiving child support and/or alimony, how are you unable to locate your former spouse?

6. Please describe other steps have you taken to discover the Respondent's whereabouts (e.g., Internet/public record searches). Please list web site addresses or agencies where you searched. If you have hard copies of the results from these searches, please attach them to this questionnaire.

_____ _____ _____

Signature Print Name Date

Diocese of Boise

Marriage Tribunal

QUESTIONNAIRE FOR DECLARING A POTENTIALLY DANGEROUS RESPONDENT ABSENT

(THE TRIBUNAL HAS A SERIOUS OBLIGATION TO ENSURE THAT THE RESPONDENT'S RIGHTS ARE PROTECTED AND THAT HIS/HER RIGHT TO DEFENSE IS HONORED. IF THERE IS A SERIOUS REASON WHY THE RESPONDENT IS POTENTIALLY DANGEROUS IN THIS CASE, THE COURT WILL APPOINT A PROCURATOR TO ACT ON HIS/HER BEHALF.)

If the Petitioner believes that there are serious reasons why the Respondent is potentially dangerous in connection with this case, please respond in detail to the questions below.

NAME AND ADDRESS OF RESPONDENT (If not known, complete form entitled "Unlocatable Respondent Form" detailing efforts to locate him/her.):

Respondent's Name		**Maiden Name (if applicable)**	
Address	**City**	**State**	**Zip Code**
Home Phone	**Work Phone**	**Other**	

***ON A SEPARATE SHEET OF PAPER*, please answer the following questions thoroughly, giving dates, times, locations, circumstances, details. Include report numbers, copies of any documents (e.g., court orders, protection orders, police reports, medical records). Be as detailed as possible.**

1. Has the Respondent ever acted with violence toward you? Has he/she ever physically injured you?

2. Has the Respondent ever threatened you with death or serious bodily injury?

3. Do you believe that the Respondent might cause you harm if he/she is contacted by the Tribunal in connection to this case.

4. Has there ever been a Protection Order or similar order issued by any court in connection with the Respondent's violent behavior toward you? Please provide a copy of this order.

5. Has the Respondent ever been arrested in connection with his/her violent behavior toward you?

6. Has the Respondent ever been convicted of any crime in connection with his/her violence toward you? (Include guilty plea to lesser offenses, probation in lieu of conviction, etc.)

7. Has any Law Enforcement agency ever taken a written report regarding the Respondent's violent behavior toward you? (Please attach a copy.)

8. Is there any other information that you think might be helpful to us in this matter?

Add the following text to your document, and sign:

I hereby state that I fear for my personal safety if the Respondent is contacted in connection with this case, and request that he/she be declared absent and that a Procurator be appointed to represent his/her interests.

_____	_____	_____
Petitioner's Signature	**Print Name**	**Date**

Case Number _____

ROMAN CATHOLIC DIOCESE OF BOISE

Dear Petitioner:

Sometimes the Tribunal finds it helpful to obtain professional counseling and/or medical records to better understand the dynamics of your former marriage. To that end, we would ask that if you sought and received professional counseling or treatment during your marriage or shortly afterwards, related to the those issues that the Marriage Tribunal is investigating, that you would sign the Authorization for Release of Information found below. The Tribunal will then contact the professional(s) listed below for appropriate information.

Authorization for Release of Information

Patient Name: _____

Approximate date(s) of Counseling: _____

I hereby authorize

_____
Name of Provider

_____
Address City State Zip

_____
Phone

to release the following information (please initial)

_____ Psychological/psychiatric records (family of origin history, any diagnosis made, my progress under treatment and any observations made by the provider).

_____ Drug and/or alcohol treatment records

_____ Other (please specify): _____

The sole purpose of this release is to assist in a pending declaration of nullity of marriage petition before the Tribunal of the Roman Catholic Diocese of Boise. This request is in accordance with the privacy regulations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and with Federal Regulations regarding drug and alcohol confidentiality (42 C.F.R. Part 2).

1. I understand this authorization remains in effect until the above event or condition, unless specifically revoked by written note to the Tribunal and the provider. I understand this authorization may be revoked at any time. Any information released prior to my written revocation of this authorization shall not be a breach of confidentiality.
2. I understand that authorizing the disclosure of clinical information is voluntary.
3. I understand I may inspect or request copies (from the provider) of any information disclosed under this authorization and am entitled to a copy of this authorization form once I have signed it.
4. I understand that if the individual or organization that receives the information is not a health care provider or a health plan covered by federal privacy regulations, the information described above may be redisclosed and no longer protected by these federal regulations, with the exception of drug and alcohol treatment records.
5. I understand a photocopy of this authorization is as effective as the original.

_____ _____ _____
Printed Name of Client Client Signature Date

_____ _____
Client Date of Birth Client Address