

Diocesan Tribunal of Alexandria

P.O. Box 7417

Alexandria, LA 71306-0417

318.445.6424 Ext. 263

Fax 318.767.0872

Thank you for your request:

I am sure you have a number of questions about the work of our office. First, I encourage you to read the enclosed "Annulments" brochure a couple of times carefully before reading through the rest of this letter in the same way. You need to understand as much as possible before you launch into filling out a form and appearing before the Tribunal in person. Please study all of this information before giving us a call: it might answer your most important question on the last page!

Let me pick up where the enclosed brochure leaves off under "What is the Process?" You are now at the point where the third arrowhead reads "Although the process may vary slightly from diocese to diocese...." Here is the 'rest of the story'.

You may email us (tribunal@diocesealex.org) to request that we send you the first form so that you can complete it using a computer. In the subject line type: Send Basic Data Form. You will receive a reply containing our Basic Data Form. It is actually your "petition". When you submit it, you become the "petitioner". Complete this form carefully, sign it in front of a Catholic priest, deacon or notary public, and make a copy of it all to keep for your files. Then send your originals into our office. (Please keep a file of all you send to and receive from us.) Alternatively, you may request the Basic Data Form by returning the enclosed postcard to request it. There are several initial steps and your former spouse will be contacted at this time. You will be kept informed by regular mail.

After you have returned your Basic Data Form and other initial materials (**your ex-spouse will receive a copy of the Basic Data Form that you submitted by certified mail**), you will be offered an advocate and invited to the Tribunal so that the basis of your case can be further developed and considered.

Eventually, you will be asked to come – with your witnesses – to the Tribunal for an interview with the Judge and other officials of the Church; the same opportunity will be given to your former spouse at a separate time. Through these meetings, we hope to come to a clear understanding of the case.

Finally, you will be informed that the Tribunal is ready to make its decision; when there is nothing more to add to the evidence at hand, the judgment will be made and you will be informed of it. Church law requires that an affirmative decision that the marriage was invalid by our office must be reviewed and confirmed by a higher Tribunal in order to be

Male petitioner

put into effect: the Metropolitan Tribunal of New Orleans is the office which ordinarily handles our cases on this appellate level.

Know that you are in my prayers already! I suggest you pray earnestly as well, for the grace to know yourself and express yourself well in helping the Church to determine the truth about your marital situation. We all want what truly is best, not just what seems best at any one moment: God will help us in that task.

Sincerely yours in Christ,



(Rev.) Bruce Miller, J.C.L.
Judicial Vicar

Enclosure

Notes:

The primary, but not exclusive, focus of our evaluation is on you and your former spouse during the dating, engagement and earliest years of marriage. Your memories and insights will be very valuable to us in making our decision. Naturally, we expect that you will cooperate fully in whatever way you can to enable the case to proceed. Sometimes it is not easy to take a good look at yourself and the “rough spots” in your personal history, but we have found that it is almost always a “healing,” learning experience.

You probably want to know about the role your former spouse will play in our evaluation. (Since, you are the petitioner, she is known as the “respondent.”) Since, she was a party to the marriage, Church law demands that we offer her an equal opportunity to share with us her perspectives. After the preliminary information is gathered from you, we will notify your former spouse that the case is under way. *You* will not be asked to meet with her. *We* will speak with her and with witnesses she names in an effort to determine the objective truth.

The witnesses you name – who should know *firsthand* what led up to your marriage and your understandings of marriage at the time of your wedding – will also be questioned. If any of your witnesses is absent, we will mail out a questionnaire to him or her, but this is a less desirable way of proceeding. By law I cannot simply take your word as full proof.

You also should know that a priest known as the “Defender of the Bond” will take part in the evaluation, putting forward whatever reasonable arguments and proofs there are which favor a finding that the marriage is still binding.

A Tribunal evaluation is essentially *free*. Sure there are office costs involved, and we *ask* you to make a **donation** to help defray these expenses (at most \$600, including a \$100 filing fee; this is only about half of what the average case costs us). But if your

circumstances are such that this is impossible, we are happy to waive even this offering. *No one is ever refused the services of the Church based upon an inability to pay!* **Whether you donate or not, you will receive the very same service.**

I am often asked if it is better for a former spouse to participate, and I always answer "yes," since that makes the Tribunal's job much, much easier. Of course, many times a former spouse will not cooperate and take part in our evaluation. That will not stop the evaluation, although it can make the truth harder to determine.

How confidential is our process? "As confidential as we can legally make it" is my answer. Both Church law and state law give a great deal of protection to Church files and records against inspection by others, but neither is absolute. **You and your former spouse are always given an opportunity to know what is being alleged in a Tribunal investigation, and each of you have the right to self-defense.** All officers of the tribunal have a right to see your entire file, of course. Your witnesses have **no** right to see what you or anyone else says. In Louisiana law, Church records are more protected than in other states. Crimes such as child abuse cannot be shielded by the Tribunal, of course.

If you have any questions please contact your advocate -- the person you will soon be appointing in the process.

When you receive our "Basic Data Form," I urge you to fill it out completely and honestly, following all directions before returning it to our office. Please do not let anything whatsoever stop you from sending it to us, however. Do not pre-judge your case. Let this tribunal process bring you "the blessing of healing".

Here are some things you can do now:

- 1) In absolutely every case, you must provide two (2) character references (and not more than two (2)). All they need to say is how they know you and for how long. Then something like "[your name] is certain to tell the truth even to his disadvantage. I know because..." Each letter should begin Re: [your full name and your date of birth], and should be sent to Diocesan Tribunal of Alexandria, P.O. Box 7417, Alexandria, LA 71306-0417.
- 2) Collect the names, addresses and current phone numbers for around five (5) people who will be your witnesses. The best witnesses are your parents, your siblings, and those who stood in your wedding. Anyone not at least fifteen (15) years of age on the date of your wedding would not make a good witness.
- 3) Request the Basic Data Form by email (pthomas@diocesealex.org In Subject line: Send Basic Data Form) or by returning the postcard.
- 4) Documents you need to obtain:
 - a) from the Catholic church(es) of baptism request Baptismal Certificate(s) of the Catholic party/ies;

b) from the Catholic Church in which you were married (if applicable) request certificate of marriage;

c) from the court house(s) where the license was obtained for this wedding with your former spouse and for any marriages either of you had previous to this one request State Marriage License;

d) a copy (does not need to be certified) of the Final Civil Divorce Decree (not merely separation nor judgments solely about property or child custody) is needed for your marriage to your former spouse.
