ANNULMENT PROCESS OVERVIEW

Start

1. Initial Review of the Petition

As soon as a petition is submitted, the Tribunal evaluates:

a. Whether the petition is complete
b. Whether the allegation has merit
c. Whether the tribunal has jurisdiction, or needs to request it from another diocese

[If jurisdiction needs to be requested, it is requested at this time; it can take 2-3 months, and it can be denied.]

2. Acceptance or Rejection of Petition

If a, b, and c, are present the petition will be accepted. If they are absent the petition will be rejected. This is the 1st letter which will be sent.

3. Determination of the Grounds, a.k.a. Formulation of the Doubt

Shortly after acceptance, the focus of the investigation is determined from input given by both parties. Typically, this will require both parties to schedule a short meeting, separately, with the judge. **This is the first face to face meeting.** After this has been determined the 2nd letter will be sent.

4. Instruction Begins

Instruction is the phase when the testimony is collected from the parties and the witnesses. Testimony is given in a judicial exam. A judicial exam is a face to face interview with the judge, in the presence of a notary. The petitioner must make an appointment for a judicial exam. **This is the second face to face meeting.** The witnesses must also present themselves for a judicial exam. Witnesses who live in Colorado will be required to come to Colorado Springs for a judicial exam; witnesses who live elsewhere will give testimony in their own State or Country. At the beginning of instruction the 3rd letter will be sent.

5. Publication of the Acts of the Case

Once all of the testimony has been collected, both parties can review all of the testimony. This is the 4th letter which will be sent.

6. Closure of the Case; Defenses and Observations are Submitted

After publication, the case is officially closed. At this time both parties can submit final observation. This is the 5th letter which will be sent.

7. Observations of the Defender of the Bond

The Defender of the Bond reviews the case and writes a report for the judge. The Defender of the Bond's job is to point out any reasons why the marriage should not be declared invalid.

8. Judge's Definitive Sentence is Published

The judge considers all of the evidence, and the Defender of the Bond's report, and writes his decision in a Definitive Sentence. This is the 6th letter which will be sent.

9. Case Sent to Second Instance Court for Ratification or Appeal

If the judge decides that the marriage was invalid, the case is sent to the court of second instance for ratification, if there is no appeal by the other party. If he decides that the marriage was valid then either party can appeal the decision. After ratification or appeal a 7th and final letter will be sent.

Finish

(SR: http://www.diocs.org/Departments/Diocesan-Tribunal/Ordinary-Process)