

OPTIONAL ADDENDUM TO PETITION FOR A DECLARATION OF NULLITY REQUESTING THE USE OF THE ABBREVIATED PROCESS ADJUDICATED BY THE BISHOP

In addition to the ordinary marriage nullity process, which is judged by a college of three judges, there is an abbreviated process, which is judged personally by the diocesan bishop and omits certain formalities of the ordinary process. It can only be used in exceptional cases when three strict conditions are met:

- 1. Both spouses petition for it together, or if not, the Respondent party must consent to it*
- 2. The nullity of the marriage must be manifest**
- 3. All the facts that make the marriage manifestly null have to be readily available***

** Most marriage nullity cases deal with a defect of marital consent, that is, with an invisible and internal act of the will placed by the spouses several years prior. Clearly, it would be exceptional for such a defect to be patently obvious today.*

*** The abbreviated process can involve the questioning of both parties and knowledgeable witnesses, but when possible this is to be done all in one session, on the same day, with both parties present.*

Statistically speaking, most cases do not meet all of the requirements listed above. Only complete this OPTIONAL ADDENDUM REQUESTING THE ABBREVIATED PROCESS if your case meets ALL of the above qualifications.

If you wish to petition for the abbreviated process, please provide the following on type-written sheets of paper:

1. An explanation of why you believe the marriage is *manifestly* invalid;
2. A list of the proofs that can be immediately collected by the instructor;
3. A list of any documents currently in your possession that can be immediately submitted.

Since the abbreviated process requires the consent of the Respondent, each and every page of the PETITION FOR A DECLARATION OF NULLITY including the essay portion as well as the OPTIONAL ADDENDUM REQUESTING THE ABBREVIATED PROCESS, must be signed by the Respondent.

Please sign and date the statement below:

I understand that if the above requirements for the abbreviated process, including the signature of the Respondent on every page of the petition, are not met, my case will be admitted to the ordinary process if it is otherwise admissible.

I understand that even if my case is admitted to the abbreviated process, it is not a guarantee of an affirmative decision and that if the bishop is not morally certain of the nullity of my marriage, my case will be remitted to the ordinary process.

I understand that during the instruction of my case, the parties and all the witnesses must come to the Tribunal of the Diocese of Madison on the same day and at the same time to give a deposition, and that both the Petitioner and the Respondent can be present at the examination of the parties and witnesses during the instruction of the case, unless the instructor decides otherwise.

I understand that no guarantee of a timeline or completion date can be established.

.....
Signature of Petitioner

.....
Date

.....
Signature of Priest Sponsor / Pastor

.....
Parish City

RESPONDENT'S CONSENT FOR USE OF THE ABBREVIATED PROCESS

☐ I join with the Petitioner in petitioning for a declaration of nullity, and I agree with all of the allegations made by the Petitioner in the essay portion of the petition.

OR

☐ I do not join the Petitioner in petitioning for a declaration of nullity but I do consent to the use of the abbreviated process and understand that the abbreviated process entails fewer procedural protections of my right of defense.

.....
Signature of Respondent

.....
Date