The “Petition”, also known as the “Libellus”, contains basic information required by Canon Law. It contains a section in which the petitioner is asked to write a very brief description of why he or she thinks the marriage was not valid and binding from the beginning. There are a number of grounds or legal bases for considering the possible invalidity of marriage. The following descriptions of the most common of these grounds will enable you to assist the petitioner in preparing his or her brief statement. The Tribunal is not concerned with pointing fingers or finding moral fault with either spouse, but with learning the truth of the marriage. Any basis or circumstance for a declaration of invalidity must have existed from the very beginning of the marriage, that is, on the wedding day (or the day of convalidation or “blessing”). Please indicate whether or not the following existed at that time.

**❑ If at the time of your wedding you did not hold that your marriage would be an exclusive union…** that is one or both of you considered the marriage “open” or considered it acceptable to have other sexual partners during your future marriage, you could write, “an intention against exclusivity.”

**❑ If at the time of the wedding** **one or both of you decided to exclude the possibility of having children** during the duration of your marriage, or if you and/or the other party mutually or unilaterally decided to postpone having children until some indeterminate time or condition was met, or if you always used some means of contraception to prevent pregnancy, you could write, “the exclusion of children.”

**❑ If there was a pre-marital pregnancy…** If the fact or suspicion of a pre-marital pregnancy caused the decision to marry this might be a factor. Did you feel pressured to marry because of the pregnancy, whether it was internal pressure or pressure from someone else? If so, you could write, “pressure to marry because of pregnancy.”

**❑ If at the time of the wedding there were serious problems with addictions…**If the problems affected one or both of you in your decision making ability, or in your ability to function normally, or if they prevented one or both of you from being able to fulfill the basic obligations of marriage, you could write, “alcohol (and/or drug) abuse which prevented fulfilling the basic obligations of marriage,” or “alcohol (and/or drug) abuse which prevented sound decision-making at the time of marriage.” It is important to state when the addiction started. **Please note, the use of this ground on either party will require an evaluation by a tribunal appointed witness who is knowledgeable in the field of psychology, addictions, human relationships and/or other applicable areas pertinent to the ground.**

**❑ If psychological/psychiatric illness affected the party(ies) or marriage…** A person must be capable of living out the commitment of marriage, including being a spouse and a parent, even with illness. If serious psychiatric illness prevented either you or your former spouse from understanding or fulfilling the basic obligations of marriage, you could write, “serious psychiatric or psychological illness which prevented the fulfillment of the basic obligations of marriage.” **Please note, the use of this ground on either party will require an evaluation by a tribunal appointed witness who is knowledgeable in the field of psychology, addictions, human relationships or other applicable areas pertinent to the ground. Other medical proofs may also be necessary.**

**❑ If fraud led to the marriage…** If you or your former spouse had been told a lie in order to convince you to marry, or if something important was intentionally concealed in order to get you to marry, you could write, “fraud intended to lead to marriage.”

**❑ If at the time of your marriage, you or your former spouse did not hold that your marriage was “until death”…** If in fact you or your former spouse excluded from your marriage all probability of marital permanence, you can write, “exclusion of the permanence of marriage.”

**❑ If homosexuality was an issue in the marriage…** Homosexuality is not a ground of invalidity in itself, but confusion over sexuality and self-image can prevent or interfere with the marital relationship and marital intimacy. If this was a factor in the marriage, you could write, “inability to fulfill the obligations of a (husband/wife) because of homosexuality.” **It is important to include whether homosexual feelings or confusion existed prior to the marriage, how soon into the marriage this became a problem, and whether the marriage ended principally because of homosexuality.**

**❑ If at the time of your marriage, you or your former spouse did not seek a relationship that was mutually self-giving…** Sometimes a person is so self-centered that he or she may think marriage is solely for his or her own benefit, that self-giving is not a mutual giving and receiving of the gift of self. This may be acted out in issues of control, leading one’s own life to the detriment of one’s spouse, and even spousal abuse. If this was the case, you can write, “exclusion of the good of one’s spouse.”

**❑ If you did not intend to marry at all…** Sometimes a couple will go through a legal or religious marriage ceremony for a reason connected with immigration, insurance, or finances, and not out of the idea of marriage itself. In other words, they were pretending to marry. If such was the case in this marriage, you could write, “simulation of marriage for reasons of (immigration/insurance/\_\_\_\_\_\_).”

**❑ If one or both of you entered this marriage against your will…** If either spouse, or both, did not agree to marry freely but because of some force, or out of fear (even a deep-seated fear of displeasing someone important to you such as a parent or clergyman), you could write, “force (or fear) to enter marriage.” This might apply also if the marriage was arranged (as happens in some cultures) **and** you or your spouse did not want to marry.

**❑ Error of person or error quality principally and directly intended…** If your former spouse falsified his or her identity at the time of marriage, such that you thought you were marrying a different person, you could write, “error of person.” If in choosing to marry your former spouse you were actually focused primarily on some quality that you thought the other had (i.e., she is a doctor, he is a vegetarian), but later discovered that he or she was not, and **you or the Respondent desired that quality more than marriage itself**, you could write, “error principally and directly intended,” also indicating the quality about which you were in error.

**❑ Condition…** If you placed any condition on the marriage—either concerning the past, present or future, you could write, “past/present/future condition,” also indicating what the condition concerned and whether or not the condition was actually fulfilled.

**Please be advised that the following are NOT grounds for invalidity: infirmity after the wedding, onset of addictions after the wedding, infidelity after marriage, wrong choice of spouse, or post-marital trauma (e.g., the death of a child).**