

FAVOR OF THE FAITH

*Tribunal of the Diocese of Lincoln, 3400 Sheridan Blvd., Lincoln NE 68506-6125, 402-488-0921
(Revised September 2009)*

The dissolution by the Pope, as the Vicar of Christ, of a non-sacramental marriage can be done according to Church law in order to favor the faith of a Catholic party.

The following must be proven with moral certitude:

- One party was never baptized before or during the marriage
- The one requesting the favor is not primarily the cause of the breakup of the marriage
- The intended spouse is clearly not the cause of the breakup of the marriage
- If applicable, the promise of the non-Catholic party of the new marriage that the Catholic party will be able to freely practice the Catholic faith and baptize and educate any children as Catholics

Do not obtain any statements from witnesses regarding the non-baptism of the party because testimony must be gathered according to the norms established by the Congregation in Rome. However, the respondent and witnesses may be more likely to participate if they are informed that they will be asked primarily about the person’s baptismal status.

YOU WILL NEED TO PROVIDE:

1. Your signature below
2. Factual information
3. Documents
4. The narrative
5. Witness information
6. A check or money order

1. By my signature below I declare that I understand the following:

+ This process is a religious matter and has no civil effects. + All information gathered is for use by the Curia of Lincoln in accord with the laws of the Catholic Church. + I ask the assistance of the Curia to help me prepare a petition for the dissolution of my marriage if the law and the facts so indicate. + I ask that my petition, documents, the testimony gathered and other acts for my case be forwarded to the Holy Father in Rome for a decision. + There is no guarantee regarding the final decision. + The length of the process varies depending upon a number of factors, including the time it takes for witnesses to reply and time for the decision in Rome. + The decision will be based on the evidence presented and the laws of the Catholic Church. + I understand that the Catholic Church considers me to be bound to this marriage unless it is proven otherwise. + I may not set a date for marriage in the Catholic Church unless it is proven that I am free to marry. + I will keep a copy of the materials I submit in case anything is lost in the mail or in any other way.

Signature of petitioner _____ Date _____

Signature of priest _____ Parish/City _____ (seal)

2. Factual information (please write legibly in ink or type)

YOUR current name (first, middle, last) **Maiden name** (if applicable) **Complete mailing address including zip**

The name you go by
(for example, Joe rather than Joseph)

Telephone numbers

_____ home _____ work _____ cell

Email address (optional) Date & place of birth Date and place of baptism (church name, city, state)

Religion at the time of this marriage Present religion and where you practice

List each marriage **you** have entered:

Date Spouse's name Place (name of church, courthouse, etc., city & state) Date of divorce Date & Tribunal if declaration of nullity given

Is your Father living? ____ Is your Mother living? ____ If one parent has died, were they married at the time of death? ____ Were they still married to each other when you married? ____ Are they still married to each other? ____
Regarding your siblings: # of older brothers ____
of younger brothers ____ # of older sisters ____ # of younger sisters ____

Have you or your former spouse ever contacted another Tribunal about this marriage?

Yes ____ No ____ If yes, what Tribunal or Diocese? _____

Give the names and birth date of **all** children born to you **or** to your former spouse
(and the name of the other parent if applicable)

Circle one

Are you now: not dating dating in a serious relationship engaged civilly remarried

Name of intended or civil spouse His/her religious affiliation How many times was he/she previously married? Date & Tribunal if declaration of nullity given

Your **FORMER SPOUSE'S** current name Maiden name ****Complete mailing address including zip****
 (first, middle, last) (if applicable)

*** If you are unable to provide an address for your former spouse, please explain the reason on a separate page. Tell what efforts you have made to find an address, his/her last known addresses and his/her Social Security number (perhaps from an income tax return). Also give the names/addresses of the person's parents, siblings, relatives and/or friends who may be able to help find the missing person.*

The name he/she goes by Telephone numbers
 (for example, Sue rather than Susan)

_____ home work cell

Email address (optional) Date & place of birth Date and place of baptism (church name, city, state)

His/her religion at the time of this marriage Present religion and where he/she practices

List each marriage your **former spouse** has entered:

Date His/her spouse's name Place Date of divorce Date & Tribunal
 (name of church, courthouse, etc., city & state) if declaration of nullity given

Is his/her Father living? ____ Is his/her Mother living? ____ If one parent has died, were they married at the time of death? ____ Were they still married to each other when you married? ____
 Are they still married to each other? ____ *Regarding his/her siblings:* # of older brothers ____
 # of younger brothers ____ # of older sisters ____ # of younger sisters ____

OTHER INFORMATION – Please provide the following information on separate paper:

- A. Who was the non-baptized party to the marriage, you or your former spouse?
- B. The names, mailing addresses, telephone numbers, and dates of birth of your parents and brothers/sisters. Indicate if deceased.
- C. The names, mailing addresses, telephone numbers, and dates of birth of your former spouse's parents and brothers/sisters. Indicate if deceased.
- D. Names and addresses of all churches attended with any frequency by the parents of the non-baptized party from the non-baptized party's birth until this person left home.
- E. Were any brothers/sisters of the non-baptized party ever baptized? If so, explain why, when and where.
- F. Names and addresses of all churches attended with any frequency by the non-baptized party from birth until the final separation.
- G. Was the non-baptized party ever seriously sick such that the person may have been baptized without knowing it?
- H. Are you on speaking terms with your former spouse? Is he or she likely to participate when contacted?

3. Documents

- For any Catholic in the marriage: provide a certificate of baptism or profession of faith issued in the last 6 months. When requesting one, ask that it show all notations
- If possible, for any baptized non-Catholic in the marriage: provide a baptism certificate or a letter from the church giving the baptismal information
- The civil marriage license bearing the seal or certification of the issuing agency. If it was a Catholic marriage, also obtain a certificate from the Church where the marriage took place.
- A sealed or certified copy of the final divorce decree signed by the judge
- If applicable, Catholic baptism certificates for the petitioner's children, the intended, and the intended's children, if any
- If applicable, the civil marriage certificate of the petitioner and intended

Please indicate in writing if you would like the original documents returned to you.
(If the priest makes a photocopy of an **original** document to submit with the case he is to write on the copy, "I have seen the original" with his signature and date.)

4. Narrative

The outline below will give you a guide for writing your narrative. Please write your narrative in chronological order. Give the full name of persons referred to in the narrative so that it will make sense to someone who is not familiar with you (for example, "my mother's sister, Sara Smith" rather than "my aunt" or "Dale Brown" rather than "my best friend").

Write "Narrative" at the top of the first page and include your name and the following information:

List all the members of your family, any problems in your family of origin such as drugs, alcohol, abuse of any kind, problems in your youth or in school, divorces in your family, religious instruction, job experiences, other relationships before marriage, and explain the effect any of these things had on you as you entered marriage.

Cover the same items in the preceding paragraph regarding your former spouse.

Describe the first meeting, the month and year, where you met, your ages, and the month and year formal dating began. What was the length and frequency of dating? Any significant problems during dating? Were there any separations or breakups? Why and for how long? Why did you get back together each time? Was there a formal engagement? When? Any unusual circumstances or motivations for the decision to marry? Was there any pressure to marry? From whom and why? If there was any opposition to the courtship or to the engagement indicate from whom and why.

Was there cohabitation, sexual activity, or a pregnancy before marriage? If yes, what effect did this have on each of you? Were there any serious doubts or hesitations about marrying?

What was the attitude of each of you before marriage towards fidelity, permanence, divorce and remarriage, and plans about having or avoiding children in marriage?

Did you attend marriage preparation? How did it go? Any problems or disagreements in preparing for marriage or the marriage arrangements? Give the date of the wedding and your ages. What form was used for the vows? (If there was a validation or "blessing" later in the Catholic Church give the date, your ages, explain how this came about, and the attitude of each party towards the validation.) Were there any problems at the rehearsal, wedding, reception or on the honeymoon? How did the first few months or years go after the wedding?

When did serious problems first begin? What were the problems? Explain thoroughly. Were there problems with drinking, drugs, verbal or physical abuse, pornography, money, parents, jobs, sexual relationship, fidelity, communication, permanence, openness to children, religion, commitment, or sharing all aspects of your life? Explain whether the problem was on your part or on the part of your former spouse.

When did the first separation take place and how many separations were there? Give the month, year, the cause of each separation, and why and when you reconciled.

Indicate if there was any counseling, together or individually, approximate dates, number of sessions, what was discussed, and what was the outcome.

When was divorce first discussed, who brought it up, and in what context? What was the month and year you last lived together as man and wife? Who petitioned for the divorce? Give the date and place of divorce.

Give the names and dates of birth of any children born of the marriage. Identify children from previous and subsequent relationships and their parents, adopted children and when adopted. If there were no children born, indicate why not (medical reason or decision on whose part).

Have the children been baptized? In what religion are they being raised? Are there any problems with child support, visitation, or other terms of the civil divorce or your relationship with your former spouse at the present time? If you have remarried indicate when, where, to whom, and any children born. What is the religious affiliation of your civil spouse? Has he/she been previously married? Has your former spouse remarried?

****Number and initial every page of your narrative and SIGN and DATE it at the end. ****

5. Witness information

The key witnesses for a Favor of the Faith case are those who are knowledgeable about the baptismal status of the non-baptized person. Usually this would be parents and older relatives and friends who were close to the family while the unbaptized person was growing up. In addition, some witnesses should be named who would be knowledgeable about the marriage of the couple and the reasons for the breakup.

Ordinarily 4-6 witnesses are named. Write "Petitioner's Favor of the Faith Witness List" as a heading on a separate page and for each witness provide their current name, their relationship (for example, Joe's mother or Sue's sister), a complete mailing address, telephone numbers (home/work/cell), approximate year of birth, when the witness met you and when the witness met your former spouse.

At the end of your witness list write "Credibility Witnesses" and then give the names and mailing addresses of at least three persons who are not related to you or connected with this case, preferably Catholics, who have known you for several years and would be willing to write a letter, when contacted by the Catholic Church, regarding your character, credibility and honesty.

6. A \$100 check or money order payable to "The Catholic Bishop of Lincoln". When circumstances warrant the priest may ask that the fees be reduced or waived. No case will be refused because of the inability to pay. The current fee of \$515 (\$75 in Lincoln + \$440 in Rome) is payable in installments and is subject to any increases by the Congregation in Rome.