

Marriage Nullity

(commonly referred to as Annulment)

What you need to know

Eastern Antilles Interdiocesan Tribunal (EAIT)



Comprises of:

Archdiocese of Port of Spain
Diocese of St. John's Basseterre
Diocese of Roseau
Archdiocese of Castries
Diocese of St. George's in Grenada
Diocese of Bridgetown
Diocese of Kingstown
Diocese of Georgetown

For any queries,
contact the Tribunal:

Email: tribunal@catholictt.org

Phone Number: 1-868-607-3248 / 625-0574

Website: <https://catholictt.org/>

13 Robinsonville, Belmont. Port of Spain,
Trinidad and Tobago

What is Marriage, in the 'eyes' of the Church?

Canon 1055 §1: The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life and which is ordered by its nature to the good of the spouses and the procreation and education of offspring, has been raised by Christ the Lord to the dignity of a **sacrament** between the baptized.

Canon 1662: Marriage is based on the consent of the contracting parties, that is, on their will to give themselves, each to the other, mutually and definitively, in order to live a covenant of faithful and fruitful love.

What is Marriage Nullity all about?

What persons commonly refer to as 'annulment' in the Catholic Church, is actually called a declaration of marriage nullity. **This is not a civil process but purely a Church process, determined by the laws of the Catholic Church** (Canon Law), which seeks to investigate / examine a marriage with a **possible** view of declaring the marriage bond null.

Matrimonial Nullity is an official determination by an ecclesiastical tribunal that what *appeared* to be a valid marriage was actually not a valid marriage. It is not stating that the relationship didn't exist but rather the marriage bond that comes into effect at the time of consent was invalid.

What can make a marriage null?

There are several reasons or grounds upon which a marriage may be declared null, these may include:

1. One or both parties **Wilfully Withheld Consent** excluding marriage or wilfully excluded one of the essential aspects of marriage.
2. There was **Impaired Consent** where persons did not have the capacity to assume the obligations of marriage.
3. There was **Lack of Form (Improper procedure)** for a Catholic Marriage or Prior bond (either one or both parties were married previously).

Who needs a declaration of Marriage Nullity (annulment)?

1. **Any person** who has been married and divorced (former spouse still alive), who wishes to marry in the Catholic Church, **regardless** of religion or when or where the marriage took place. This process is open to **all – not just Catholics**.
2. **Any Catholic** who has been married and divorced (former spouse still alive), who wishes to resolve their marital status according to the Church's law, even if they do not wish to marry again.

Why are we an Interdiocesan Tribunal?

We process applications not only for the Archdiocese of Port of Spain but for all eight (8) of the dioceses that comprise of the Eastern Antilles Interdiocesan Tribunal (EAIT). The seat of the tribunal is in the Archdiocese of Port of Spain and there are instructional offices in all the other dioceses.

How do I pursue a Declaration of Marriage Nullity?

Whilst you may enquire about an ‘annulment’ at your parish office, the office that is responsible for processing declaration of marriage nullity enquiries is the tribunal office (commonly referred to as the Marriage Tribunal). This office functions as the court of the Church in your jurisdiction.

IMPORTANT NOTICE

If you desire to marry in the Catholic Church and need an ‘annulment’, **DO NOT** set a ‘wedding’ date until the outcome of the process is known.

For reference this process usually take 9 months – 1 year

You do not pay for a declaration of marriage nullity (annulment), however an administration fee is required.

No one is ever denied service because of a genuine inability to pay the administrative fee.

Misconceptions about Marriage Nullity in the Church:

Annulments are just Catholic ‘divorce’

There’s no such thing as Catholic ‘divorce’. The annulment process is a serious examination of the relationship before and during marriage. The process does not require confrontation of the ex-spouse (*though they have a right to be informed and heard*) and is not concerned with assigning blame or accusations. For most persons, who fully **commit to and respect** the process, it can be an experience of revelation, healing and closure.

I got married in the ‘warden’s office’ so it doesn’t count

Regardless of where the marriage took place, if you wish to marry in the Catholic Church – you need to seek a declaration of marriage nullity.

We have children so I if I get an ‘annulment’, then the children will be illegitimate

The marriage nullity process examines the marriage and how the relationship developed. Children are not made illegitimate if an annulment is granted.

Annulments take many years and cost a lot of money.

Declaration of marriage nullity processes are conducted within different timeframes, depending on which process is used. Some processes can be completed in weeks. Most persons however will need to go through the Ordinary or Formal process. This can take 9 months to 1 year.

Once I send in an application and wait long enough, I will be successful.

The outcome is not guaranteed. Each case must be proven on its own merit and an affirmative or negative result can occur. The onus of proof is on the petitioner (person seeking the annulment).

1 Gather all the requirements listed below:

1. One form of picture ID
2. Birth Certificate (optional)
3. Recent Baptism Certificate (*for Catholics – this must be obtained within the last six (6) months*)
4. Marriage Certificate
5. Divorce Decree Absolute
6. Contact information for ex-spouse (**telephone number & address**; email if available)
7. Two witnesses (people who knew you as a couple before the marriage and during) - Ordinary process

Failure to provide the requirements will result in you being advised to reapply

2 Submit your Online Enquiry Form

1. Log into <https://catholictt.org/>
2. Click on the **About Us** page, go to the **Our Offices** tab and select **Marriage Tribunal**.
3. On the Marriage Tribunal page which is also available at this link - <https://catholictt.org/marriage-tribunal/>, select the "**Submit your Query**" button which leads to the **Online Enquiry Form or Application**.
4. Complete and submit the **Online Enquiry Form**.
5. Ensure that you complete ALL MANDATORY FIELDS or your application will not be processed.
6. Upon completion of **Online Enquiry form**, submit all documents to the tribunal email within five days.
7. If you need further assistance, contact the tribunal office (refer to cover page for info.)

The Tribunal process is confidential so please ensure YOU communicate directly with the tribunal