



## Ordinary Process FAQ's

### **1. What is a Declaration of Nullity?**

A church annulment, or more properly a Declaration of Nullity, is an acknowledgment that a full marriage commitment was never achieved for a particular couple. The Declaration of Nullity process examines the marriage for the necessary elements of a valid union: permanence, fidelity, true companionship, love of the spouse, and fruitfulness in being open to the possibility of children.

The tribunal seeks to determine if there was anything that prevented those elements from being present at the time of consent, even though both individuals may have entered the marriage in good will.

### **2. Does a Declaration of Nullity affect the legitimacy of children?**

A church Declaration of Nullity is always strictly a religious matter and is solely an evaluation of the spousal relationship. It does not affect the civil validity of the marriage and does not involve the legal standing of any children.

### **3. How long will a Declaration of Nullity in the Ordinary Process take?**

Due to the great number of cases considered and the demands of canon law, an exact time cannot be specified. Usually the process takes about ten to twelve months from the date of your deposition. However, no one is free to promise a specific date for a subsequent marriage until the tribunal gives notification of an affirmative decision (without restrictions). The parties involved in the case are always free to contact the tribunal office regarding the status of the case.

### **4. Will my former spouse have to participate Declaration of Nullity in the Ordinary Process?**

No, however, the tribunal does inform the other spouse that the review has been initiated. The tribunal then offers that person the opportunity to participate. This is required by canon law. A reasonable time is given the former spouse to reply. If the former spouse declines to cooperate, the tribunal is not bound to wait indefinitely for a response before judging the case.

### **5. Do I have to come to Milwaukee for my deposition?**

Yes, if you live within the Archdiocese of Milwaukee. However, other arrangements can be made if there are special circumstances. If you live outside the Archdiocese of Milwaukee you will be interviewed at the tribunal of the Diocese in which you live or be sent a rogatory (questionnaire) at the judge's discretion.