

Brief Description of Grounds for a Declaration of Nullity of Marriage

1. Grave Lack of Discretionary Judgment Concerning Essential Marital Rights and Duties (1095,2°)

At the time of your marriage, you or your spouse were affected by some circumstances or factors that seriously impaired your ability to understand and evaluate your decision to marry and your ability to create a true marital relationship with each other.

2. Psychic-Natured Incapacity to Assume Marital Obligations (1095,3°)

At the time of your marriage, you or your spouse suffered from a debilitating psychological or emotional condition that made it impossible to fulfill the normal obligations of marriage.

3. Error about a Quality of Person (1097, §2)

You or your spouse intended to marry someone who either possessed or did not possess a certain quality (e.g. social status, marital status, education, religious conviction, freedom from disease, or arrest record). At the time you married, you truly believed that the other party did or did not possess this quality, but in reality, you were mistaken.

4. Fraud (1098)

You or your spouse were intentionally deceived about the presence or absence of a quality in the other. The reason for the deception was to obtain marital consent.

5. Error regarding Marital Indissolubility that Determined the Will (1099)

You or your spouse married believing that the State had the absolute power to dissolve/end your marriage, that any marriage could and should be dissolved under certain circumstances, and that remarriage was acceptable after divorce.

6. Total Willful Exclusion of Marriage (1101, §2)

You or your spouse did not intend to contract marriage as marriage is understood by the law of the Church. Rather, the ceremony was observed solely as a means of obtaining something other than marriage itself; e.g. to obtain legal status in the country or to legitimize a child.

7. Willful Exclusion of Children (1101, §2)

You or your spouse married intending, either explicitly or implicitly, to deny the other's right to sexual acts open to procreation.

8. Willful Exclusion of Marital Fidelity (1101, §2)

You or your spouse married intending, either explicitly or implicitly, not to remain faithful.

9. Willful Exclusion of Marital Permanence (1101, §2)

You or your spouse married intending, either explicitly or implicitly, not to create a permanent relationship, retaining an option to divorce.

10. Willful Exclusion of the Good of the Spouse (1101, §2)

You or your spouse married intending, either explicitly or implicitly, to deny the other's right to a specific, heterosexual and intimate interpersonal relationship to establish, sustain and develop the partnership for the whole of life.

11. Future Condition (1102, §1)

You or your spouse attached a future condition to your decision to marry; e.g. you will complete your education, your income will be at a certain level, you will remain in this area.

12. Past Condition (1102, §2)

You or your spouse attached a past condition to your decision to marry and that condition did not exist; e.g. I will marry you provided you have never been married before, I will marry you provided you have graduated from college.

13. Present Condition (1102, §2)

You and your spouse attached a present condition to your decision to marry and that condition did not exist; e.g. I will marry you provided you don't have any debt.

14. Force (1103)

You or your spouse married because of an external physical or moral force which you could not resist.

15. Fear (1103)

You or your spouse chose to marry because of fear that was grave and inescapable and was caused by an outside source.