

## QUICK REFERENCE FOR DETERMINING GROUNDS OF NULLITY

This list is for Parish Advocate use only and should not be distributed to petitioners or respondents in a marriage nullity case. As you complete your **Advocate Notes Regarding the Petitioner**, this chart may be helpful in giving you an idea of what ground(s) may be applicable in the case. While the Judicial Vicar makes the final decision in which ground(s) will be used, your insight and/or suggestion(s) are helpful.

<b>Canon</b>	<b>Description</b>	<b>Example</b>
Canon 1095, 1°	Lack of sufficient use of reason	You or your spouse, at the time of consent, were incapable of knowing what was happening, or what you were doing because of a severe habitual (e.g., psychosis) or transient (e.g., alcohol or drug intoxication, psychic trauma) disorder.
Canon 1095, 2°	Grave defect of discretion of judgment concerning the essential matrimonial rights and duties	You were, or your spouse was, affected by some serious circumstances or factors that made you unable to judge or evaluate either the decision to marry or you or your spouse's ability to create a true marital relationship
Canon 1095, 3°	Psychic-natured incapacity to assume marital obligations	You or your spouse, at the time of consent, was unable to fulfill the obligations of marriage because of a serious psychological disorder or other mental condition.
Canon 1097, 2°	Error about a quality of a person	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. That quality must have been directly and principally intended.
Canon 1098	Error induced by fraud	You or your spouse was intentionally deceived about the presence or absence of a quality in the other. The reason for this deception was to obtain consent to marriage.
Canon 1099	Error of Law	You or your spouse did not know or understand the Church's teaching on indissolubility, fidelity or sacramentality, and you chose a marriage that you could end at will, or in which you could be unfaithful, or that was not a sacrament.
Canon 1101 §2	Total exclusion of marriage	You or your spouse did not intend to contract marriage as the law of the Catholic Church understands marriage. Rather, the ceremony was observed solely as a means of obtaining something other than marriage itself, e.g., obtain legal status in the country or to legitimize a child.
Canon 1101 §2	'Invalid convalidation' as total simulation	After your civil marriage, you or your spouse participated in a Catholic wedding ceremony and you or your spouse believed one or more of the following: (1) were already married, (2) Catholic

		ceremony was merely a blessing, or (3) consent given during the Catholic ceremony had no real effect.
Canon 1101 §2	Exclusion of the good of children	You or your spouse married intending, either explicitly or implicitly, to deny the other's right to sexual acts open to procreation, either permanently or for a time.
Canon 1101 §2	Exclusion of the good of fidelity	You or your spouse married intending, either explicitly or implicitly, not to remain faithful.
Canon 1101 §2	Exclusion of the good of permanence/indissolubility	You or your spouse married intending, either explicitly or implicitly, not to create a permanent, lasting relationship, retaining an option to divorce.
Canon 1101 §2	Exclusion of the good of the spouses	You or your spouse married, intending either explicitly or implicitly, not to establish an interpersonal relationship of well-being and support and one of respect and appreciation of the other.
Canon 1102	Conditioned Consent	You or your spouse wanted a specific condition fulfilled more than you wanted the marriage.
Canon 1103	Force	You or your spouse married because of an external physical or moral force that you could not resist.
Canon 1103	Fear	You or your spouse chose to marry because of fear that was grave and inescapable and was caused by an outside source.