

1 **AN INFORMAL TRANSCRIPTION OF AN AUDIO RECORDING OF A FIRST STEP PROGRAM<sup>1</sup>**

2 [“A.K.A. **QUICKSTART** ... TO BEGIN YOUR PETITION FOR A DECLARATION OF INVALIDITY (A.K.A.  
3 ANNULMENT)”]

4  
5 HELD AT BLESSED TRINITY PARISH, FORMERLY ST. MARTHA’S PARISH, AKRON, OHIO, ON  
6 TUESDAY, OCTOBER 4, 2011, 7:00 P.M. OF A “**GENERAL MEETING**”

7  
8 **TRIBUNAL<sup>2</sup> STAFF PRESENTERS** [IDENTIFIABLE]

9 MS. LYNETTE M. TAIT, JCL; JUDGE

10 REV. FR. GARY D. YANUS, JCD, MDIV.; JUDICIAL VICAR

11 REV. A. JONATHAN ZINGALES; DEFENDER OF THE BOND

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13 **EDITORS’ NOTES:** EVERY EFFORT WAS MADE TO REPRODUCE VERBATIM THE WORDS OF THE  
14 PRESENTERS AND OF THE PARTICIPANTS. INACCURACIES MAY HAVE OCCURRED DUE TO  
15 HUMAN ERRORS OF TRANSCRIPTION AND/OR DUE TO AN OCCASIONAL POOR QUALITY OF  
16 THE RECORDING. ADDITIONAL MINOR EDITS, SPELLINGS AND/OR PUNCTUATIONS HAVE  
17 BEEN ADDED TO IMPROVE READABILITY AND TO HELP CONVEY EMPHASES IN THE  
18 ORIGINAL SPEECH.

19  
20 [BEGIN TRANSCRIPTION; 00:00:00]

21 FR. ZINGALES: My name is Fr. Jonathan Zingales, I’m the pastor of Visitation of Mary  
22 Parish, formerly Annunciation ... um ... and ... I’ve worked also in the Tribunal in the  
23 role of Defender of the Bond and I’ll explain that to you in just a moment.

24 But before we begin ... um ... I would like to um ... sort of have us pause and place  
25 ourselves in God’s presence [...]

26 In the name of the Father and of the Son and of the Holy Spirit.

27 ALL: Amen.

28 FR. ZINGALES: The reading from the *Gospel of Matthew*.

29 On one occasion Jesus said: “Come to Me all you who are weary and find life

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<sup>1</sup> [http://www.dioceseofcleveland.org/tribunal/index.php?option=com\\_content&view=article&id=88:first-step-schedule&catid=38&Itemid=70](http://www.dioceseofcleveland.org/tribunal/index.php?option=com_content&view=article&id=88:first-step-schedule&catid=38&Itemid=70)

<sup>2</sup> The Tribunal of the Catholic Diocese of Cleveland

1                   burdensome and I will refresh you. Take my yoke upon your shoulders and  
2                   learn from Me for I am gentle and humble of heart. Your souls will find rest  
3                   for my yoke is easy and my burden light.”

4           Let us pray. Lord: You invite all who are burdened to come to You. Allow your  
5           healing hand to heal the hurts of the past. Touch souls with your compassion. Touch  
6           hearts with your courage and infinite love for all. Touch minds with your wisdom so  
7           we may always proclaim your goodness. Teach us to reach out to You in our need, and  
8           help us to lead others to You by our own mercy and readiness to forgive. Most loving-  
9           hearted Jesus, bring us health in body and spirit that we may serve You with all our  
10          strength. Touch gently then this life which You have created now and forever. Amen.

11   ALL: Amen.

12   FR. ZINGALES: In the name of the Father and of the Son and of the Holy Spirit.

13   ALL: Amen.

14   FR. ZINGALES: Welcome once again all of you. This evening I’d like to introduce the  
15          presenter – this evening ... is Ms. Lynette Tait. Lynette is a Judge in the Tribunal. She  
16          has a degree from ... in canon law from St. Paul’s University in Ottawa, Canada.  
17          There are only a handful of schools in the world that are authorized by the Vatican to  
18          teach canon law and to certify its lawyers — canon lawyers. And one of them is in the  
19          United States at Catholic University. Lynette went to Canada ... to St. Paul’s ... I went  
20          to one of the Universities in Rome known as the University of St. Thomas (or: The  
21          Angelicum.) So ... Lynette has been with us in the Tribunal for about eleven years,  
22          and we are extremely privileged to have her because of her compassion and ... her  
23          understanding of the law.  
24          You know, I think that ... uh ... after all is said and done, the very last law, or  
25          “canon,” in the law book, c. 1752 says, after everything that preceded it, it says: “...  
26          but the supreme law of the Church is the salvation of souls.” And I think that we are  
27          gifted to have Lynette and the other women and men in our Tribunal who are canon  
28          lawyers that understand that very, very clearly and have the pastoral sense to be able to  
29          work with people as they go through a time in their life that probably was not, on  
30          hindsight, the most — I don’t want to say successful — but the most profitable for  
31          them because it has ended in a civil divorce.

1 My job in the Tribunal is, I am what is known as the Defender of the Bond in one  
2 instance; I am also Promoter of Justice in another instance [00:05:00] but not for the  
3 same case. The Defender of the Bond is exactly what its title says — it's my job to  
4 uphold the bond of marriage. So when a case comes in, I look at what grounds have  
5 been applied to this case. I look at some of the procedural issues that defend the rights  
6 of the parties so that no one's rights are trampled on and that all these procedures were  
7 followed. And then I evaluate the testimony that has come in, and I make observations  
8 to the Judge about issues that I think still have not been uncovered that would uphold  
9 the bond of marriage.

10 Once my work is finished then, I send it to the Judge and the Judge then looks at my  
11 observations and takes all of the materials that have been submitted generally in  
12 affidavits or in questionnaires and then, as any judge would do, takes the facts, takes  
13 the law, and then argues the case with my observations. And ... once that's completed  
14 then ... I'm not going to go any further than that; Lynette will talk to you ...

15 TAIT: [interjects] live [laughing] [...]

16 FR. ZINGALES: Once that's completed then, the parties are notified that a judgment has been  
17 rendered in the Court of First Instance and it is then sent on for review by an  
18 independent Tribunal outside of Cleveland, again to protect the rights of all involved  
19 so that no one can say: "Well this was simply pushed through in Cleveland because  
20 that guy knew this guy or that woman knew that woman ... and they got their way ..."  
21 There is a series of — for lack of a better word — checks and balances that goes on,  
22 and whatever I have said ... when it was in First Instance and how the Judge  
23 responded, an independent group of judges — generally three of them — review that  
24 and say the Judge adequately addressed the observations that I had ... and that the  
25 annulment then, is ratified ... and it's granted and you are notified.

26 So ... basically ... my role is one of protection ... protection of rights ... protection of  
27 the truth, and protection of the bond of marriage ... on one instance.

28 In another instance, there may be a time when someone is in need of an advocate in the  
29 Tribunal, someone to advocate for them for an annulment ... for the opposite of what I  
30 was doing over here [sound of chalk on chalkboard] ... and that very simply stated is  
31 called "the Promoter of Justice" ... I am promoting to the Court that justice, in this

1 particular case, should be done because it is warranted. The grounds have been proven  
2 to my mind, and that the Reverend Judges ... or that the Judges and the Defender  
3 should take that into consideration when they deliberate. But I would have to say of the  
4 majority of my work — 99.8% of my work — is as Defender of the Bond ... that's  
5 required in every case ... so: that's what I do. We are very privileged to have Lynette  
6 with us. Lynette has an encyclopedic understanding of the law.

7 TAIT: [laughing]

8 FR. ZINGALES: And we're always running into her and saying, "Well now; how does this  
9 sound?" So ... she's a gift to us ... so Lynette "Thank you!"

10 TAIT: Thank you, Father. Um ... and we're very pleased to have Fr. Jonathan with us also ...  
11 um, because time... not only in the parish, but working with the Tribunal ... um ... is  
12 a very blest time. We ... all of us in the Tribunal have had extensive time in the parish  
13 regardless of — if we're a judge or a Defender of the Bond or an Auditor — the  
14 Auditors help the judges while we're processing the cases — um, the important thing  
15 for everybody to know is that we aren't just people who sit up in a little office and sit  
16 in a little corner and shuffle papers. Okay? That's not ... we do some of that if we  
17 have to ... [00:10:00] but really that's not what we're about. What we're about is  
18 helping people understand what their status is in the Church.

19 Many people say, "Oh, the Church doesn't care about you. Once you're divorced —  
20 especially if you're remarried — the Church just doesn't care about you." Well, I'm  
21 here to tell you that's not the case. Because the Church does care, and we have many  
22 things going on for those who are divorced and separated. In the packet that I gave  
23 you, if you go to the very end of the packet, you will find two things ... the very back  
24 ... look at the back sheet ... there's a little flyer with a bridge on it. Okay? The Twelve  
25 Steps to Peace is a divorce recovery session that helps people understand ... what's  
26 happened in their life ... how can they move forward ... and that is run by the  
27 Marriage and the Family Office. The Marriage and Family Office actually has an  
28 Office that's part of their Office that ministers to the divorced and separated. Part of  
29 what they have is a newsletter called *Earthen Vessels* ... and if you go to the page  
30 prior to this flyer, you're going to see a sheet that says at the top *Earthen Vessels* ...  
31 Catholic Diocese of Cleveland, Department of Marriage and the Family Ministries.

1 This is the newsletter that is especially for the separated and divorced and it is online  
2 — it is on their web site.

3 You will notice ... at the bottom of this — I gave you this page for a reason — there is  
4 an article called “Restorative Love.” You may recognize the name “Fr. Jonathan  
5 Zingales” and Fr. Jonathan wrote this article. And I give it to you because this is an  
6 excellent article. It talks about moving on after divorce. It talks about the importance  
7 of spiritual direction. You’re going to see ... and if you look at *Earthen Vessels* — the  
8 very last page of it — if you look at the entire newsletter ... is full of things for those  
9 who are divorced. It gives you the location of support groups all over the D diocese  
10 and other resources to help you. So the thought that “the Catholic Church doesn’t care  
11 about those who are divorced” is completely and utterly false. Enkay?

12 And I hope you will access this Newsletter and read it when it comes out ... it has  
13 some excellent articles in it ... it has excellent resources in it ... um ... and ... one of  
14 them/ like I said: one of them is this “Twelve Steps to Peace Program” which is  
15 basically built on the same premise as AA ... it uses the “Twelve Steps” — but  
16 adapted for those who are divorced ... ah ... and I’ve met some people who are going  
17 to it — it’s just a monthly program — I’ve gotten excellent feedback that this has  
18 really been very helpful for them. So, I encourage you to check out some of these  
19 things because when you submit a case to the Tribunal ... what we want to do is ...  
20 first and foremost: We want to help you heal. Nobody goes through an experience like  
21 marriage and divorce without needing healing. It’s a traumatic time in your life. And  
22 quite honestly, when you get divorced, it’s kind of like getting married: it’s all on  
23 paper. Enkay? Civilly, if you just get married civilly, you’re gonna go to the  
24 courthouse, get your license, go and get married, and okay: You’re married!

25 When you get divorced, you fill out the papers ... they go through the courts, you get  
26 the papers — you’re divorced — and then you’re kind of standing there going, “OK ...  
27 now ...”

28 So ... I mean this is a really traumatic time in people’s lives. You need support, you  
29 need help ... and that’s where, hopefully, you will turn to the Catholic Church for that  
30 support — that help — to help you heal from this time.

31 You can’t heal by going off in a little corner and not thinking about it. Enkay? People

1 often say to me “I don’t want to think ... I don’t want to have to relive it! I don’t want  
2 to have to think about it.” But in reality, it’s stuck down there in your heart, and you  
3 can’t get it out ... it’s going to keep on affecting you. So, until you really look at it  
4 [00:15:00], understand it, feel what happened, and grow from that experience ... it’s  
5 gonna always be that negative effect ... for you.

6 Um ... so ... one of the things that we want to do — one of our main goals — is to  
7 help people with the healing process. Enkay?

8 Um ... we’re gonna ... what we’re gonna do is ... we’re gonna spend — maybe about  
9 the first hour of tonight — going over a Catholic understanding of marriage and what  
10 the whole annulment process is about, and then we’re going to pass out packets for  
11 anyone who might be interested in possibly submitting a case. Now, just because you  
12 take a packet doesn’t mean you have to submit the case. We don’t take any names  
13 here; we’re not gonna come after you ... you know ... I left my shackles back at the  
14 office [laughter] ... so ... I’m not going to shackle you until you submit a case.

15 That’s not the way we work. Okay? You need to decide when is the right time for you.  
16 Everybody has the right time. What we’re doing tonight is giving you the information,  
17 giving you the encouragement, and giving you the means to submit the case. You will  
18 make the decision when you’re ready.

19 Now ... one of the things that you will need because of the fact that we’re saying this  
20 is a healing process — we require everyone to have someone at the parish level to  
21 work with — a priest a deacon, or a pastoral minister. This person is known as a  
22 procurator. Okay? And we will require that you find a procurator before you submit a  
23 case to us. If you need help doing that, you can call me. We’re happy to give  
24 suggestions for people who may not want to go to their own parish; you don’t have to  
25 go to your own parish. You can go anyplace you want, but it does have to be a priest,  
26 deacon, or pastoral minister who is trained to do these things.

27 And on the other side of the fire with the bridge on it, you’re gonna see a little ... I say  
28 “procurator” and everybody — most people can’t pronounce it — that’s okay ... it  
29 took me a couple of years to figure out how to say that word. Um ... but a lot of times  
30 we use words that you don’t understand. Fr. John’s going to talk about the Defender of  
31 the Bond. Okay? This is a little glossary. Uh ... I had an intern in our office and he

1 said “Gee Whiz! You know, people [are] sitting in these meetings ... and we use a lot  
2 of words that they might not understand. So it would be a good idea to put together a  
3 little glossary — in English — rather than in “canonese,” for people to understand.” So  
4 that’s what he did. And I think this is really good; it gives you the basic understanding  
5 ... and you will see “procurator” on it ... um ... and basically . . ah ... [possibly  
6 reading from handout] “... it assists the Petitioner and Respondent in preparing the  
7 paperwork. Most importantly ... helps the Petitioner or Respondent [in] seeking  
8 healing through this emotional journey.”

9 Now that gets ... we’ve got a few new words here; we have “Petitioner,”  
10 “Respondent.” Okay? “Petitioner” would be the person who actually submits the case  
11 to us. The Respondent will be that person’s spouse. So if you submit the case, you will  
12 be called the “Petitioner” because you are petitioning for the annulment and your  
13 *former* [sic; emphasis added] spouse will be called the “Respondent” because him [sic]  
14 or her [sic] is responding to your petition.

15 Now, in some cases the Respondent is very much interested in the case because they  
16 may be Catholic and they want to remarry also. So they may have that interest in the  
17 case. Okay? Or even if they’re not Catholic, they may have a girlfriend or boyfriend  
18 who is Catholic that won’t marry them unless they get this annulment. So often the  
19 Respondent is just as interested in the case as you are. Sometimes they’re not. Okay?  
20 But that’s where we do a search for the truth. We’re not asking anyone to disparage the  
21 other party. We’re not asking you to sit there and tell us how rotten and miserable your  
22 *former* [sic; emphasis added] spouse was. We’re looking for the truth; we want a news  
23 report, not an editorial. Enkay?

24 So anyway, these are some terms that will hopefully be helpful for you ... the very top  
25 term — you see “annulment.” Now “annulment” is a very popular word for people to  
26 use. “Annulment” is not anywhere in our Law. That word doesn’t exist in our Law. It’s  
27 strictly an English term [00:20:00] that people started using to describe this process.  
28 What we call it more appropriately is “a declaration of invalidity.” So when you see in  
29 this paperwork “declaration of invalidity” you can think “annulment” if you like ... if  
30 it’s easier. I tried for a long time to just get rid of the word completely, and nobody  
31 knew what we were talking about. So we’ve decided that’s probably not a good deal to

1 get rid of the word so we're keeping the word with trying to do some explanation.  
2 Now as I go through this, if you have any questions, please feel free to raise your hand,  
3 and I love to answer questions as we're going along. If I say something that you don't  
4 understand ... doesn't sound right ... or whatever — please ask me a question. If I am  
5 looking the other way, throw something at me ... I do prefer chocolate ... [laughter]  
6 so ... that works well too.

7 I'd like to start with: What does the Catholic Church understand marriage to be? When  
8 we talk about an annulment, we talk about marriage that didn't rise to the level as  
9 understood by the Catholic Church. Now what does that mean? It means, this marriage  
10 was civilly a marriage. We are never ever going to say the marriage did not exist. We  
11 will never say that. The marriage did exist. What we're looking at is: Did this  
12 relationship rise to the level required by the Church for the Church's understanding of  
13 what a marriage is? Enkay?

14 As an example, on this first sheet ... with all the hard comments ... enkay? What is  
15 Marriage? First of all it is a partnership ... it is a partnership of the whole of life  
16 between a man and a woman — not two men or two women — between a man and a  
17 woman. Enkay? It has four aspects to it:

18 **Fidelity:** And the people must be faithful to each other ... And this is not only in a  
19 sexual sense ... it's in a sense of emotionally being present to them — being a person's  
20 “best friend” — that's what fidelity means. When you have a problem, you go to your  
21 spouse, not somebody else. When you need advice, you go to your spouse, not  
22 somebody else.

23 **Permanence.** Both people have to believe this is a permanent relationship. The bond  
24 of marriage lasts until the death of one of the spouses. This is the bond of marriage that  
25 is a true marriage as understood by the Church. If somebody goes in saying “Well ...  
26 you know ... um ... we'll get married for a couple years, and then we'll get divorced  
27 because then I want to go off and do something else.” Okay? No. You don't go in with  
28 that intention. You go in with the belief that this is a marriage that is for life.

29 **Procreation and Education of Children.** The marriage must be open to the  
30 procreation and education of children. If you get married and say “Well, you know, we  
31 want to have the house with the white picket fence, two cars, the boat, the RV and, you



1 know, all of this — with our careers — doesn't leave any time for children, so we're  
2 not gonna have kids." That's not marriage as understood by the Church because you  
3 have to be open to children. Okay?

4 **Good of the Spouses:** I call "good of the spouses" as helping each other achieve  
5 salvation. Okay? Is your relationship such that you are helping each other achieve  
6 salvation? Are you equal partners? Do you respect each other? Do you make decisions  
7 together? Is it more important to go out golfing or to be with your spouse? Is it more  
8 important to work a hundred hours a week or to be with your spouse? Enkay? Is it  
9 more important to be out with the guys or the girls or be with your spouse? What is the  
10 most important thing in your life? The most important thing in your life needs to be  
11 your spouse. That's also required for a true marriage as understood by the Church.  
12 So — what we're gonna do is we're gonna look at that marriage and we're gonna see  
13 [00:25:00] were all these pieces there when the people made the decision to marry?  
14 Were they really considering [coughing] of all these things? Did they have the ability  
15 to make the decision to marry? We put all that together ... and that's when we're  
16 gonna decide if we can declare this marriage to be invalid.

17 Now, we're examining the *bond* of marriage not the *people*. We don't make judgments  
18 on the people. We are judging the bond of marriage. So we tell people "You need to  
19 look honest [*sic*] at yourself, your *former* [*sic*; emphasis added] spouse, and your  
20 relationship ... and you need to really look at it ... be very, very conscious of your  
21 actions as well as your *former* [*sic*; emphasis added] spouse's actions.

22 Um, on ... let's see — I believe it's the third page ... yes ... it's a quote at the bottom  
23 of the page ... by Alexander Pope ... he's an English poet from the 18<sup>th</sup> Century.

24 [sounds of papers shuffling]

25 He says: "We should never be ashamed to own that we have been in the wrong which  
26 is but saying that we are wiser today than we were yesterday."

27 I don't know of anyone, any human being in the world who can't look at their life and  
28 go back and say "You know, I can't believe I did that or didn't do that! I can't believe  
29 I said that!" We look at our lives and go "You know — how could I have been that  
30 way twenty years ago or whatever?" What happened with us ... we look at it ... we  
31 recognize it ... we own it ... and we say "That is going to help me grow. That is going

1 to help me be a better person — not only a better person for myself — but a better  
2 person for the next person I might want to marry.”

3 Now people often tell me “Oh ... I’m never gonna marry again. I’m only doing this for  
4 my own self ... I’m never getting married again.” And that’s probably the case that  
5 they’re getting married again ... So I would say “never say never” ... and you know:  
6 half of them want to remarry to do this ... as I said “it is healing” ... it helps you  
7 personally ... it helps you in your relationships with others ... and if there will be a  
8 “significant other” in the future — in that relationship — you certainly want to  
9 continue to grow and always become a better person. Enkay? Um ...

10 Decree of Invalidity ... at the top there ... What is it and what is it not? It is a  
11 determination through a judicial process, and this is a judicial process — we have laws  
12 that we must follow — that the marriage bond never met the minimal requirements for  
13 marriage — understood by the Catholic Church — and, therefore, never valid. A  
14 marriage doesn’t become invalid. What makes it invalid was there in some way, shape,  
15 or form at the time of marriage.

16 So I’m talking about when you submit a case, and you answer the questions that we’re  
17 asking, you have to be particularly attentive to the time prior to the marriage, prior to  
18 the wedding. Okay? What was going on prior to the wedding? That’s gonna be  
19 critically important to us. It will be important what happens during the marriage, but  
20 prior to the marriage is going to be even more important to us.

21 Keep in mind, the reason for the divorce may not be the reason the marriage is invalid.  
22 People will often focus on the end of marriage ... “Oh, so and so was unfaithful after  
23 twenty years so the marriage is invalid.” No. It doesn’t work that way. Enkay?

24 Infidelity is a sin, it can be forgiven, and people can move on from it ... and many  
25 people have. What we actually look at is what is the reason for the infidelity.

26 [00:30:00] Because if you look at this front with all our little hearts ... if there is  
27 permanence, you are raising your kids, you are each other’s best friends, you cause this  
28 wonderful relationship ... people in that kind of situation aren’t generally unfaithful.  
29 So what we look at is what is the reason that pushed this person to be unfaithful.  
30 Generally — not all the time — you can’t make generalizations, but very often we find  
31 that there was a problem in the relationship that one or both parties was trying to hide,

1 or was trying to overlook, or was ignoring, and this problem erupted in the form of an  
2 infidelity.

3 So, the [reas?] ... so maybe okay ... maybe we divorced because so-and-so was  
4 unfaithful. That may be why you divorced, but that may not be why the marriage is  
5 invalid. Now, on the other hand, if the person was unfaithful during a portion, during  
6 the engagement, and throughout the entire marriage, well then we're probably looking  
7 at possibly an intention against fidelity. The other person never intended to be faithful.  
8 Enkay?

9 So we don't need you to determine why the marriage is invalid. We need you to tell us  
10 the story. We will take the Law and apply it to your case and see if we can find that the  
11 marriage was invalid.

12 So you don't worry about ... people come to me and can go ... Well gee, I'm not sure  
13 why my marriage would be declared invalid? I'm saying, as long as you don't have a  
14 canon law degree, you don't have to worry about it. You let us worry about that.

15 That's what our job is. Your job is to tell us your story. Okay? Question? Yes?

16 FEMALE 01: Could you go through the fidelity issue again. Not in terms of ... you said it  
17 went far beyond whether someone is unfaithful ...

18 TAIT: Right. Fidelity means faithfulness is mind, body and spirit. Okay. Most people think  
19 about it as a sexual relationship — a person goes outside of the marriage to have a  
20 sexual relationship with someone else. But a person can go outside the marriage and  
21 have an emotional relationship with someone else. Enkay. It may not be a physical  
22 relationship. But they can go to this person if they have a problem, if they have a  
23 concern, whatever the issues are. They can have this emotional attachment to another  
24 party that is very inappropriate for marriage. Because marriage — your emotional  
25 connection is with your spouse — and if you have an emotional connection with  
26 someone else, that's not part of marriage, you know. Did that help? Yes?

27 FEMALE 02: When you talk about witnesses, do you want someone who knew you before or  
28 when you were married?

29 TAIT: Okay. Good question ... because I say ... [pauses; interrupted]

30 FEMALE 02: I mean ... my first marriage was a very long time ago ... and I'm the youngest  
31 of my family. I need someone who knew me during that time ... it's going to be very

1 difficult for us ...

2 TAIT: Okay. The question is about witnesses. Before I said, this is a judicial process. It's like  
3 if you go to court. If I would go to court and I would say: Fr. Jonathan stole my purse,  
4 I want you to put him in jail. But I don't want you to tell him anything about what  
5 happened. I don't have anybody else that saw it. I want you to say: Okay; you believe  
6 me and you're gonna put him in jail.

7 Now what would the judge tell me? [laughter; ... something about "in the lake!"]

8 Okay. So what I'm saying is we can't just — and Scripture tells us — you can't take  
9 the word of just one person.

10 Now, we realize that sometimes marriages happened a very long time ago. The oldest  
11 one I found was a marriage that happened in 1944. Okay? And I did declare it invalid.  
12 [00:35:00] But we had, what we had was ... the man was in World War II, and he had  
13 an incidence of where he was on a ship that was sunk, and he spent — I don't know ...  
14 weeks on a life raft — and he suffered from PTSD, which at the time, of course,  
15 nobody knew about. But he later went to the Veterans Administration and had  
16 counseling, and it was diagnosed as having happened at that point in time, and he  
17 married after that. So he was suffering from untreated PTSD which rendered him  
18 unable to make the decision to marry. And, I successfully resolved the case. The man  
19 was 77-years-old. Enkay? And the marriage in 1944. So nothing is impossible.

20 Now, what we do is, first of all, we look to see, is there anybody at all ... if, you know  
21 ... one person ... two people that would have known you prior to marriage or at least  
22 towards the beginning of the marriage. Enkay? That's the first thing that we're gonna  
23 do.

24 Another thing we can do is get character witnesses. People who know you now that are  
25 gonna tell us: Yes, this person will tell you the truth. We could get people that knew  
26 you during the marriage that might be able to be helpful. Another thing we sometimes  
27 do is — we have experts that we use in our court — and these are people who will help  
28 us evaluate the circumstances and the issues at the time of the marriage, and you might  
29 do an interview with one of our experts. Enkay?

30 So we have other ways if there aren't a lot of witnesses. Now some of the witnesses  
31 may be older. Um, you know, I know my Mom didn't uh — God bless her soul —

1 wasn't able to work on a computer, and if she was ever called on as a witness, she  
2 couldn't have given testimony written because there's no way she was going to write it  
3 out, but, boy, could she talk your ear off! Enkay?

4 So, sometimes witnesses aren't really good at writing things down, but they'll talk to  
5 us so we can interview. We have auditors that work with the judges. And we can  
6 arrange for interviews if people have trouble concerning written testimony. So we do  
7 work with you as best we possibly can to get the testimony that we need. Enkay? Other  
8 questions? Yes?

9 MALE 01: [How ... tight ... clever ...] ... is the procedure? How public are they?

10 TAIT: Oh, thank you. Very good question. See, you guys are good. We are very, very, very,  
11 very, VERY strict with confidentiality. No one has access to the information in this  
12 case except the two parties to the case, their appointed procurators, and Tribunal  
13 personnel. No one else sees this information, and it does not leave our office unless it  
14 goes to an expert or something like that. If you come into our Diocesan offices  
15 downtown, there is a security guard at the front. You have to sign in, you have to get  
16 buzzed in through the door. You then come up the elevator to our offices. When you  
17 try to come into our offices, there is another locked door that you have to be buzzed in  
18 through. When you come into our offices you would see a whole wall of filing cabinets  
19 ... and there's locks on the filing cabinets. Every night all the cases go into the filing  
20 cabinet and they're locked. So we take this very seriously. Enkay?

21 Somebody calls up and says — I've had this happen so many times — I'm Suzy, I'm  
22 Sam's current wife and I want to know how the case is going.

23 I'm sorry I can't talk to you. Have Sam call me. I'll be happy to talk to Sam. I cannot  
24 give you any information.

25 Well, he works ...

26 I'm sorry. I cannot give you any information. He can call me, he can write me, but  
27 that's the only way I can give out information.

28 A priest calling me saying: Well, I'm going to be marrying Suzy and Sam and I know  
29 Suzy's got an annulment there. How's it going?

30 Well, you're not Suzy's procurator? I can't talk to you. I don't care if you are a priest  
31 ... [chuckles] [00:40:00] I can't talk to you. Confidentiality prohibits me from talking

1 to you.

2 Confidentiality extends to the civil sphere. There have been two cases in the United  
3 States that we're aware of — there may be more — where the civil courts have said:  
4 We want the testimony from the annulment case ... and the Church in ... that — one's  
5 in Kansas, I can't remember where the other one is — the Church says: I'm sorry,  
6 that's confidential information ... and that has been upheld. So — that we know of —  
7 no information has ever been subpoenaed from an annulment. It's only information  
8 that applies to the annulment — to the Church proceedings — has no civil effects.  
9 None whatsoever. Enkay? I hope I've made that clear? Other questions? Enkay?

10 One of the things that you have in here that I really, really like is an article by Bishop  
11 Lennon. It says marriage and sacraments can merge ... What Bishop Lennon does in  
12 this article is he explains what a true marital relationship looks like. I always tell  
13 everybody, if you gotta submit a case, before you start answering the questions, read  
14 his article and highlight all the things he uses to describe the marriage relationship and  
15 what it looks like, and then when you answer your questions, tell us all the reasons  
16 why your marriage wasn't like what he is describing.

17 I think you're going to ... I mean ...it really ... even for me ... it really hit with me  
18 because I thought he is doing it so simply and eloquently but so truthfully. I mean this  
19 is really what a marriage relationship looks like. And I think when ... if you compare  
20 this to yours, that you're going to ... give you some idea of where the problems were  
21 as to maybe why this didn't work out.

22 Umm ... now the other thing I wanted to mention is ... our Law — the Catholic  
23 Church — says that if you are Catholic, you are required to marry in the Catholic  
24 Church or have permission not to be. So what I'm gonna tell you is if you are Catholic,  
25 you were not married in the Catholic Church, you didn't have the permission of the  
26 Catholic Church to be married somewhere else, you never came to the Church and  
27 said: I wanna make my marriage right with the Church and have it validated ... like  
28 exchange your vows in a church or have the priest write a letter and get ... what we  
29 call a sanation ... if you've never approached the Church to look at your marriage or to  
30 validate your marriage, you need to see us afterwards because that's what we call "*a*  
31 *lack of form.*"

1 If you're Catholic and you were not married in the Catholic Church, that is a shorter  
2 type of case and you don't have to do ... answer all the questions, etc. So if you think  
3 you might be in that situation, um ... what we're gonna do is — after I pass everything  
4 out when we're done, um — we're going to stay here ... if you have any individual  
5 questions, we will answer your individual questions that you may not want to bring up  
6 in the group. Enkay?

7 Um, ... Father Yanus arrived ... um, Fr. Gary Yanus is our Judicial Vicar — he's head  
8 of the Tribunal — uh, and he will be here along with Fr. Jonathan and myself to  
9 answer any questions afterwards ... individually. Enkay? Other questions? Yes.

10 FEMALE 03: Um ... the first question I have is with the Respondent. How responsive does  
11 the Respondent have to be? I mean ... can they ... if they don't respond [cough] [...]  
12 [interrupted by Tait: Yea] ... does that delay [interrupted again by Tait]

13 TAIT: [rephrasing question] Can the Respondent delay the proceedings? No, they cannot.  
14 Okay. Um ... if the Respondent does not respond to us, everything in our letters [*sic*]  
15 gives people specific time limits to respond. When we initially tell him or her that the  
16 case is there, we will give them, um, about a month to respond. If we don't hear from  
17 them in a month, we move on to the next step. Enkay? They can respond to us, they  
18 can offer testimony, they can say ... Hey, I don't want to offer testimony [00:45:00] ...  
19 but keep me informed ... They can tell us whatever they want, but we're not going to  
20 wait forever for them to do that. So they have time limits ... and if we don't hear from  
21 them within the time limit that is stated in the letter, we move on to the next stage in  
22 the process.

23 Anyone who does come and submit a case to us ... when ... if you come next month to  
24 meet with us individually, um ... I have a little chart that I go over with you and give  
25 to you so you exactly see how the case is processed so when you get your letter you'll  
26 know where it is in the process. Enkay? Um, what we will do is ... we are going to be  
27 back here ... just down the hall ... um ... and, on November 8; and, if you would like  
28 to submit a case you can come. What you do is you call our office ... the number is on  
29 your little yellow sheets — and I'm gonna give you another sheet that's gonna be on it  
30 — and you ask for an appointment.

31 You make an appointment that is for you personally. We set aside a half hour and you

1 bring all your materials to us and we'll meet with you, go over your materials, make  
2 sure everything's right. Um, sometimes we give ya a few extra questions to answer and  
3 send back to us if, you know, there's a little hole or something in your testimony that  
4 we think you can help your case by clearing up for us. Ah, and then we take the case  
5 back to the office with us and get it started. Enkay? If you choose do that that's when I  
6 give you the little explanation sheet. Enkay? But you would call us and make an  
7 individual appointment and it's just for you. Yes?

8 MALE 02: And, I don't need an exact figure ... but on [*sic*] the ball park — of all the cases  
9 that get put in — what's the percentage that ah, are successful?

10 TAIT: Um ... what happens — and it's hard to give you an exact percentage —

11 MALE 02: Well of course! I'm not talking ...

12 TAIT: Yeah ... [cuts him off] We have some ... sometimes people decide they don't want to  
13 go through with it, and they withdraw the case. Uh ... sometimes, uh ... the case has to  
14 go to another Tribunal. Um ... sometimes there just isn't enough testimony so they  
15 stop the case. I'd say maybe 85-to-90% of the cases probably get an affirmative  
16 decision.

17 MALE 02: Uh-huh.

18 TAIT: Um, but you know there's a lot of reasons. Some do get negative decisions. Um, and  
19 sometimes there's other reasons that cases are stopped. Enkay? Yes?

20 FEMALE 04: For the November 8<sup>th</sup> meeting we should've already met with our ... our priest  
21 or deacon?

22 TAIT: Right. [cuts off questioner beginning to speak again] What I'm gonna do is — in fact I  
23 think we probably are at the stage — could we — [...] pass out the ... packets  
24 [shuffling and noises] ... Um, yes ... we're ... I'm gonna ... go through this packet  
25 with you [more shuffling and noises]  
26 And yes, before you come to see us on November 8<sup>th</sup> ... um, we are going to ask you  
27 to go see your procurator ... and you will see on the petition form that your procurator  
28 needs to sign it. Enkay? Mostly Procurators would like to have copies of everything  
29 you give us ... so if we talk to them about the case that they know what's going on ...  
30 that they see what you have ... Enkay?



1 Um, in your little packet there is this green brochure which is just your reading  
2 material ... if you have trouble sleeping ... pull out you little green brochure ... I'm  
3 sure it will probably help you! Ah ... but this is more-detailed information about how  
4 each case is processed. Um ... you also have a bright yellow sheet, I think it's called  
5 yellow, um ... and this is your phone number and when your appointment is. And you  
6 would you get that information when you call us at that number — we will make an  
7 appointment — we have appointments in the afternoon and in the evening ... so  
8 whatever fits your schedule. Um, and it gives you a list of materials you're gonna need  
9 for your appointment. And ... ah ... just to tell you there's also an instruction sheet.  
10 I'm going over all of this now so you don't have to ... that's just...its in writing ... in  
11 case you forget what I say.

12 Um ... but the first thing [00:50:00] is the petition form. That's this form — Okay?  
13 This gives us all of your basic information ... the front sheet: when you were married,  
14 when you started to date, where you were married, name, etc. Okay? Notice on the  
15 bottom there's a place for you to sign and a place for your Procurator to sign. On the  
16 inside: "Petitioning Party" is on the one side ... "Respondent" is on the other side ...  
17 information like: name, address, phone number — so we can contact you. Um,  
18 "baptismal information" ... this is if you're Catholic ... um ... we need/ we would like  
19 your baptismal information. Um, if you don't have it, if you don't remember it, or if  
20 you don't remember your *former* [*sic*; emphasis added] spouse's don't worry about it  
21 we can find that. Enkay?

22 Um ... on the back is a list of witnesses. Ideally — and this is the goal we shoot for,  
23 again — ideally, this is what we're looking for. It may not always be possible. Six  
24 witnesses is a good number. We recommend three from your family and friends and  
25 three from the family and friends of your *former* [*sic*; emphasis added] spouse. Um,  
26 you do not have to meet with them; you do not have to talk to them. All we need is  
27 their contact information. We will make the contact. You do not need to talk to your  
28 *former* [*sic*; emphasis added] spouse if you don't want to. You will never have to meet  
29 with them in our offices or anyplace else at our behest. Um ... we just need the  
30 information.

1 Now, logic would say: Well, they're not gonna respond. Well, they may not respond  
2 but that's not what we need to worry about. This is because — remember Fr. Jonathan  
3 talked about: we have to send our cases to another Tribunal to be ratified? When the  
4 other Tribunal gets our cases they look and they say: Okay, who are the witnesses? If I  
5 say all of the witnesses are your family and friends, they're going to say: Are you  
6 trying to stack the deck here? But if I could say: Well these are your family and friends  
7 ... from the Respondent's perspective: We tried to contact his or her mother, father,  
8 brother, sister, friend ... whatever ... and they refused to respond. I can show that I  
9 wasn't stacking the deck. I can show that I tried to get information from the witnesses  
10 from the other party and they did not respond.

11 It's just like your Respondent. If I don't contact the Respondent — which I can't do  
12 that — I mean that ... that get's like ... Well, my God! Okay! But ... a lot of times  
13 people will say: I just don't know what they're going to say? A lot of times what they  
14 say makes the case. What they say makes the case. So ... don't be afraid to give us the  
15 contact information, because that may be the witness that becomes key to make a case.  
16 Enkay?

17 Now ... we know that ... there's ... we can't get — optimally — these witnesses. But  
18 that's what you shoot for. It's not the number of witnesses that give us testimony, it's  
19 the content of their testimony. If all of their answers are yes-and-no answers, that's not  
20 helpful. We need them to be descriptive. We need to give ... them to give us a news  
21 story, not an editorial. We don't ask them to take sides. Every witness gets the exact  
22 same questionnaire and they get the questionnaire with a letter. The letter says —  
23 either: Answer the questions on a sheet of paper, or, give us a call when you're ready  
24 for an interview. So, they're given that option. Um ... and we don't want them to take  
25 sides. We want them just to tell us what they saw, what they heard. That's all we need.  
26 Yes?

27 FEMALE 05: What about your children from that marriage?

28 TAIT: Okay. Ideally, we really don't want to involve the children. Enkay? That's — I'll just  
29 say that. However, in some cases ...

30 FEMALE 05: My children are all over 50.

1 TAIT: Okay. Yea ... we definitely won't contact any young children. If there are adult  
2 children ... and there are very serious issues with witnesses ... and ... there might be  
3 something they have to offer — remember: We're really mostly-interested in the time  
4 prior to the wedding? So, you know, sometimes if there were children, if there was  
5 another marriage, or whatever be ... if you brought children into the marriage  
6 sometimes [00:55:00] ... they can be helpful ... but, sometimes they can give us  
7 information that would be helpful. And we will use adult children if it becomes really  
8 necessary. But our recommendation is always: Let's see what we get from everybody  
9 else, then make the decision if we need to go to the adult children. We do have special  
10 questionnaires for the children and we do use them, but again, it's not our preference.  
11 We'd really rather keep them out of it. Enkay?

12 Um ... okay, so that's this petition form ... and ... ah, then you have now the  
13 important questionnaire. Now, by coming to this Meeting you have earned the right to  
14 use the twelve question questionnaire. Um, if you go onto our web site you will see our  
15 normal and usual questionnaire ... it's 34 questions. Because we're here, we're  
16 talking, we're meeting with you, um there's a lot more personal contact ... we have  
17 developed this questionnaire only for you with this Program. Okay? So, even if, for  
18 some reason — maybe you're out of town, or — you just can't get everything together  
19 by November 8 — don't rip all this stuff up! Enkay? Even if you submit a case in the  
20 future you can still use this questionnaire. Enkay?

21 Um ... so this questionnaire is a shorter one, but I'm going to ask you when you use  
22 this to be very detailed. Please don't come to me with two pieces of paper. You  
23 haven't answered the twelve questions. Enkay? That's not gonna make it. Okay? You  
24 need to answer the questions in detail and as specifically as you possibly can. The  
25 more information you give us the better job we can do in our search for the truth.  
26 It's like painting a picture. Kay? If you have a canvas here and there's some vague  
27 outline ... you don't know what that picture looks like. You can't tell because there's  
28 not enough detail in the picture. But, if you put details in the picture, if you color it in,  
29 if you put the shading in, then it becomes alive and you can really see what the artist is  
30 trying to convey. It's the same way with your testimony. What you're trying to do is  
31 build a painting for us, so we can really see what that painting looks like, and we can

1 really see the details about the painting. Kay? And, so, it's only twelve questions, but  
2 be very attentive to what the questions are asking and answer those questions. Enkay?  
3 You might want to finish your questions, take them into your Procurator and ask your  
4 procurator to read them over. Many Procurators will make recommendations: Well,  
5 you know you said this but I don't really understand what you're saying? Give more  
6 detail about this? Okay? So they can be helpful. Also, when you come to us on  
7 November 8<sup>th</sup>, we're going to read your testimony, and if we have more questions we  
8 may give you a few more questions ... we may say: Well, you know, you said this,  
9 but, you know: Give us more detail on this? Or: Give us more detail on that. Enkay?  
10 Everything we're asking you to do is to help you present the best possible case. To  
11 help us make sure we have the truth of this relationship. Enkay?  
12 Questions on the questions? Okay? None yet?  
13 Now, the one thing that hasn't come up — ah, sometimes it does, sometimes it doesn't  
14 — is financial policy. You have a sheet with the financial policy. Okay? Unlike what  
15 some people think it does not cost thousands of dollars to get an annulment. Enkay?  
16 Somebody could walk up to me and say: Here's a thousand dollars. Give me my  
17 annulment ... and we'd give them \$550 in change and say: We'll put it through the  
18 process. Okay? You don't buy annulments. At the same time, we recognize that some  
19 people simply don't have the resources to pay the complete fee ... pay it up front ...  
20 or, whatever? Okay?  
21 The Tribunal is a service of the Diocese of Cleveland. As an Office of the Diocese of  
22 Cleveland we want to be good stewards of the money that the Diocese has. Nobody  
23 has unlimited resources. [01:00:00]  
24 What we ask is that those who are able to pay — whether it's all up front or in  
25 payments ... \$10 a month — that those who are able to pay: Pay.  
26 If you are in a financial position where you are not able to even make the little  
27 payments, we ask that you talk to your Procurator and we ask your Procurator to write  
28 us a letter [sneeze] asking us to give consideration to *no fee*, or a *reduced fee*, or  
29 *whatever is appropriate*.  
30 The judges have no idea if somebody pays the entire fee upfront, or doesn't pay us a  
31 dime, because it's our business office that deals with the finances and it's the judges

1 that deal with the cases. So your case is given *no preference* if you pay the full fee  
2 upfront, or, if you're paying \$10 a week, or ... we're not going to take any money from  
3 you. Enkay?

4 We just ask everyone to help us be responsible stewards of the Diocese. They  
5 fund/they make up the difference ... it costs us over a thousand dollars to process a  
6 case. And even so — if you look at the cost of your divorce — it's probably a drop-in-  
7 the-bucket compared to the cost of the divorce. So ... uh ... we just ask people who are  
8 able to pay to please help us be responsible with Diocesan funds and pay if you can ...  
9 when you can... Okay?

10 For a formal case what we ask for is \$450. If you are able when you submit the case  
11 it's nice to get a \$50 deposit. But again if you say: Gee, I'm really short this month! ...  
12 I don't have those \$50 bucks! ... Please don't say: I'm not coming in. Please bring us  
13 the case and let us get it started.

14 What happens is — after you get your first letter that says we're beginning to process  
15 the case — you'll get a letter from our business office. It will say: This is your balance.  
16 How do you want to pay us? It'll say: Do you want to pay us all? Do you want to pay  
17 two payments? ... Or ... you want to pay ... [Ken's] scholarship? Every month? ...  
18 you wanna pay ... wanna pay \$10-a-month? We'll take \$10-a-month. You can pay  
19 Visa or MasterCard for your convenience. [*chuckling of audience*] Okay?

20 Again: We're trying to be responsible with Diocesan funds... and we just ask you to  
21 help us ... but please! Don't say: I can't ... I don't have the money — so I'm not  
22 submitting the case. Please don't do that. That's not what we want. Enkay? ... and we  
23 don't use collection agencies ... So ... We really do try to work with you. Enkay?

24 Um ... and different ... we see different types of cases there ... Different types of  
25 cases, um, have different fees depending on the complexity of the case and how much  
26 work each ... is the type of case takes. Some cases take m-o-r-e labor hours than other  
27 types of cases. Enkay? Questions? Yes?

28 FEMALE 06: If you start the process in one Diocese and move out of the area ... and you [...]

29 TAIT: Okay. Very ... very good question... Um ... If you don't live in this Diocese, can you  
30 submit a case to us? Okay. The Law requires certain things to be in place. If the  
31 marriage actually took place in this Diocese, we can take your case. Enkay? If you live

1 in this Diocese, we can take your case. If the Respondent lives in this Diocese, we can  
2 take the case. If you live in this Diocese, your Respondent lives in another Diocese ...  
3 then ... we have to get permission of the other judicial vicar and that usually works out  
4 okay. Or, the other thing is if... of the witnesses ... or the majority of witnesses ... are  
5 in this Diocese, we can take the case. So, it depends on those issues.  
6 If you do not live in this Diocese, you're gonna want to talk to us and we'll talk to you  
7 to see if there's sufficient conditions to allow you to submit the case here. If we can't  
8 take the case — if by Law we're not allowed to take case — we will get the case to the  
9 right Diocese for you.

10 FEMALE 06: Even if you move out of State ... to a different State?

11 TAIT: Yea. Well, it depends when you move. Once the case is officially accepted — that  
12 means you get that first letter that said that the case has been started — then that  
13 Diocese is locked in. Okay? Even if you move after that first letter, the Diocese that  
14 took the case can still do the case. Enkay? If you're in that situation ... talk to us ...  
15 and we'll make sure that you get it to the right place and it's fixed.

16 FEMALE 07: Does the length of the marriage affect [01:05:00] this? I mean, are you or: “the  
17 adjudicators” — for the lack of a better term — affected by that?

18 TAIT: Ah ...the... now ...a marriage that was in place for 30 or 40 years obviously is gonna  
19 be a little bit more difficult ... usually than a marriage that's been like ... one year. But  
20 I will tell you this ... I've had marriages that I've ... heck were ... they were like 30-  
21 year-marriages ... and the conditions of the marriage ... I mean ... it was like ... okay  
22 this ... this ... it's obvious ... if you know ... it wasn't [well-puffed?] And I've had  
23 other cases where people were in the marriage for three months, and we just couldn't  
24 find anything. So, it's not necessarily the length of the marriage, but a longer marriage  
25 is usually a little bit more difficult ... but again ... it gets ... that's not always the case.  
26 But long marriages ... you know ... we do ...you know ... look at twice again to make  
27 sure ... we're on the money with ... Yes?

28 FEMALE 08: Will the Respondent get the same questions to ask as the Petitioner gets?

29 TAIT: Very good question! Is [*sic*] the Respondent's questions the same? Now actually the  
30 Respondent questionnaire is different than yours. Umm ... The Respondent's  
31 questionnaire ... umm ... it's ... it's ... sixteen questions? I'd like to say?

1 FR. YANUS: I think so.

2 TAIT: Yea ... it's about sixteen questions ... When you compare it to the thirty-four  
3 questions that usually ... the petitioner does ... it's like only half! But in this case  
4 they're actually gonna get more ... [laughter] ... too ... But they ask the same basic  
5 thing. Were going to ask about your background, your *former* [*sic*; emphasis added]  
6 spouse's background ... uh ... the courtship ... the engagement ... the marriage. We're  
7 going to ask the same types ... for the same type of information ... the questions may  
8 be a little different ... that's all.

9 FEMALE 08: Thank you very much.

10 TAIT: Yes?

11 FEMALE 09: When the Respondent receives the letter, with the questions attached to it, are  
12 they also given a copy of our answers?

13 TAIT: No! No. Okay ... the ... and that's another good question ... is ... what can people see  
14 and what can people not see as far as testimony goes? Remember I said: Nothing ever  
15 leaves the Tribunal office? Enkay? We're not going to send ... him ... your answers.  
16 Enkay? Same way, we're not going to send you his answers. Enkay?  
17 There is a time during the process, where the parties are invited to come in and read  
18 the testimony that has been gathered. But, if your *former* [*sic*; emphasis added] spouse  
19 does not contact us in any way, shape, or form ... he doesn't have that right ... or she  
20 doesn't have that right ... Okay? They have to contact us.  
21 If they do choose ... or if you choose ... to come in and read the testimony, what  
22 happens is you come in and you sign two documents. One is an "Oath of Secrecy."  
23 Another one is a "Confidentiality Agreement." It says that you are not allowed to  
24 divulge anything that you've read to anyone else except your Procurator. So, in other  
25 words, nobody can come in, read the testimony, and then go back to a witness and say:  
26 Well ... why did you say that? Okay? That is not what this is for. The purpose of  
27 reading the testimony is to see if you have anything to offer in response to what this  
28 testimony is. Okay? Um ... and I will tell you ... as far as Respondents go ... uh ... an  
29 ... I don't think maybe ten-per-cent of them come back ... because you have to come  
30 in. You have to make an appointment ... during business hours. You sit there and you  
31 read it. You're not allowed to take notes. You can't make any copies. You just read it

1 ... and then we will meet with you and answer any questions you may have. So: Those  
2 are the conditions under which you read ... you can read the testimony ... and again:  
3 Most people do not do that. Other questions? Yes?

4 FEMALE 10: If your *former* [*sic*; emphasis added] spouse is agreeable to all this, and plans to  
5 cooperate with it, is there anything that can speed that up? And do they have access to  
6 their sixteen questions that could make the process a little faster rather than waiting on  
7 them to come?

8 TAIT: Um ... well ... no ... not really. I'll tell you what (quote/unquote) "speeds up the  
9 process" ... is — that when people get the letters — they respond. Your witnesses —  
10 when your witnesses get the witness questionnaire — they respond. Um ... when  
11 witnesses get their questionnaires we give them six weeks ... we wait six weeks. If we  
12 don't hear from them in six weeks we send them a reminder letter. Now, that's six  
13 weeks that's lost in the process. Okay? So, where we find generally the biggest  
14 obstacles to getting the case done in a timely manner is the length of time we have to  
15 wait for the responses. If they respond, when they get the letter [01:10:00], then that  
16 usually speeds it up. Yes?

17 FEMALE 11: Do all the responses have to be in writing?

18 TAIT: Uh ... we will tape them ... they can be interviewed ... and we will do an oral  
19 interview.

20 FEMALE 11: [Tait speaking simultaneously] [...] ... a phone interview ... I mean ... person  
21 ... from out-of-state...

22 TAIT: Yeah ... yeah... there's ... yeah ... there's people that are out-of-state, or people that  
23 can't get out of their homes ... ah ... we ... yeah ... we have done phone interviews.  
24 We will do pretty much anything [giggle] we can do ... to get the people's testimony.  
25 Yea?

26 MALE 03: Does ... does... The Respondent have the right to come in and listen to the tapes  
27 of the [...]

28 TAIT: No — no — no — no — no.

29 MALE 03: [...]

30 TAIT [*INTERRUPTING*]: Yea ... well ... and ... the ...the ...What would happen is if the ... if  
31 the testimony was taken in the interview, that would be the... the auditor transcribed



1           that ... and sends it to the person for their signature ... and that would be ... what  
2           would be in here ... Okay?

3           Other questions? You guys are really good tonight! Yes?

4   MALE 04: Um, with effect to witnesses that ... that possibly knew you before ... or during  
5           the marriage...

6   TAIT: Um-hmm.

7   MALE 04: ... if you're ... ahhh ... you have a witness say that knew you prior to the  
8           marriage, does that person necessarily need to know the Respondent then? ... or more  
9           like ... [character]

10   TAIT: Umm ... if you're ... yea ... well ... it could be... I mean there's lots of things ... that  
11          go into witness testimony. First of all, when we send the letters ... in the letter it says:  
12          We realize everybody doesn't know everything ... so only answer the questions ...  
13          which ... you know the answers to. Enkay? Every witness doesn't know everything ...  
14          so what we do ... is — kind of like your testimony — we get the various witnesses ...  
15          and we put it all together and we make this big picture.

16          Now, a witness who knew you prior to the marriage ... and could tell us something  
17          about your way of thinking, your personality, whatever ... Okay ... might be helpful.

18          Uh ... I have just one case comes to mind ... is ... umm... I had ... I can't remember  
19          ... I think the woman was the doctor ... and the guy ... um... I got testimony from his  
20          friend ... that knew him before the marriage ... and said: We can't believe he got  
21          married! He was the ultimate playboy! There's no way this guy wanted to get  
22          married... . except ... Susie, was a doctor, and he thought that was a good source of  
23          money. So ... that's why he married her.

24          And ... I mean ... sure-enough ... the marriage fell apart because of infidelity. So ... I  
25          mean ... he ... this guy didn't know them during the marriage but he says: I can tell  
26          you what he probably was going to do during the marriage, and he described it  
27          perfectly! So sometimes they can give us pieces of information about the person that  
28          are gonna “fit-in” to something else that we need. Enkay? Other questions?

29   MALE 04: Okay ... I'm sorry ... I just called ...

30   TAIT: That's “Okay!”

31   MALE 04: Alright ... and then ... are you looking for a witness that maybe knew both during

1 the marriage that could attest to what they saw during the marriage?

2 TAIT: Sure ... that's a good thing too ... yeah ... yeah ... and ... and ...

3 MALE 04: [...] or ... and ... all of the above.

4 TAIT: Right. Exactly. Anybody that can give us information about you, your *former* [*sic*;  
5 emphasis added] spouse, and the two of you. Sometimes it's just information on a  
6 person's family background that we get from somebody that had some bearing on the  
7 marriage and why the person married.

8 Okay? Anything else? Other questions? Well, I thank you all for ... Oh! Yea! I'm  
9 sorry. You know what... You guys are thinking again ... what did I miss?

10 FR. ZINGALES: Nothing missing... just ah ... ah ... eh a ... maybe a ... a ... a working tool  
11 ... is that uh ... they should have a shortened version of the Questions ... of ... as ...  
12 of when that's said ... that's in a way of ... of lesser ... of because ... What we hear the  
13 most is "the Questions" ... from the people that don't attend these sessions ... because  
14 ... they can be very draining emotionally ... its not that you're lazy but its very  
15 draining emotionally to answer them ... so ... its ... having said that ... the short  
16 version ... its emotionally draining as well... so ... to make it easier on yourself, what  
17 I would suggest is ... you ... uh ... if you can ... use a computer ... and ... to not  
18 attempt to sit down and answer the question ... but to take notes on the question.  
19 Think about what [01:15:00] this ... whatever it might have been the ... let's take a  
20 time ... let's say the courtship ... and the question is asking: What was the quality of  
21 the courtship? ... then you begin to think of these events and ... and a lot of things are  
22 going through your mind. Well, unfortunately your mind works faster than you are  
23 able to spit it out. So I would do is I would take just little ... like bullet points ... and  
24 under question three ... just put all these bullet points under question three ... and then  
25 leave it. And then maybe, answer a couple more ... and the next day, come back, look  
26 at those notes ... and then from those notes ... sit down and answer the question ... its  
27 like what you were told to do when you were composing a paper in school.  
28 What did they tell you to do? Make an outline. So that's what I think would be a good  
29 thing for you to use ... to kind of take the question ... outline it simply ... nothing too  
30 fancy ... but then when you do go to put the meat on the bones you're not under a great  
31 deal of additional stress to say: Now what am I forgetting? Or: I didn't get that at all!

1           [... ] You've let it settle the night ... percolate it ... and then you put it together.

2   TAIT: Yea. A very, very good suggestion ... and: Thank you. That also reminded me of

3           something about, when you present your testimony to us ... if you're using a computer

4           ... a 1-point font is not a good idea. I'm getting old ... I have trouble reading. Please

5           use a 12-point-font ... 1-inch-margin ... Please, I don't care about the number of pieces

6           of paper you use ... I care about being able to read it.

7           If for some reason you must write it out or you have witnesses that have to write out

8           their testimony ... please do it extremely legibly on one side of the paper, not on both

9           sides. It's a nightmare trying to read testimony that's written on two sides of the paper.

10          Ah ... and please don't use tissue paper. A good quality paper is helpful. Ah ... the

11          better we can read it, the better job we can do on the case. Okay? Anything else that I

12          could have said, Fr. Yanus?

13   FR. YANUS: Well ... I can't believe it ... did you mention anything about their Baptismal

14          status [rest inaudible]?

15   TAIT: Um ... as ... [...]

16   FR. YANUS: If, for example, you were not Baptized...

17   TAIT: No I didn't ... why don't you?

18   FR. YANUS: Yeah, if perhaps you were not Baptized ...at least at the beginning of the

19          Marriage ... or your *former* [*sic*; emphasis added] spouse was not Baptized .....um ...

20          that could be significant. If that was the case you should talk to either ... to me or

21          whatever ... to Fr. Jonathan ... we'd like to a ... to help you get that.

22   TAIT: It might be a different type of case. So if one or both of the people were not Baptized

23          ... at the time of the Marriage ... during the Marriage ... there may be a different type

24          of case there ... so ... you want to talk to ... probably specifically Fr. Yanus because

25          he does work with those cases ... um ... so he could give you the best advice on that.

26          Other questions? Anything else? Okay.

27          I want to thank you all for coming. I appreciate you being here. I hope you've learned a

28          little bit. Um ... I hope we've kind of started you on this process of appealing ... and

29          we will be — the three of us will be here — and we will stay 'til everyone has their

30          individual questions answered ... however long that may take ... and remember,

31          November 8<sup>th</sup>: Call us to make an appointment. [End of recording; 01:18:46]