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Prepared by Connecticut Judicial Branch, Superior Court Operations,
Judge Support Services, Law Library Services Unit

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Introduction
A Guide to Resources in the Law Library

- “An annulment shall be granted if the marriage is void or voidable under the laws of this state or of the state in which the marriage was performed.” Conn. Gen. Stat. § 46b-40(b) (2013).

- “A decree of annulment. . . . shall give the parties the status of unmarried persons and they may marry again.” Conn. Gen. Stat. § 46b-67(b) (2013).

- “Divorce and annulment differ fundamentally. The former is based upon a valid marriage and a cause for terminating it which arises subsequently. Davis v. Davis, 119 Conn. 194, 196, 175 A. 574. The latter proceeds upon the theory that the marriage is void ab initio [from the beginning].” Mazzei v. Cantales, 142 Conn. 173, 178, 112 A.2d 205, 208 (1955).

- “Annulment may be decreed by the court when the marriage was a void or voidable marriage but annulment may not be decreed when the marriage was a legal marriage. . . . In determining the legality or voidability of a marriage the court is concerned with those incidents leading up to the celebration of the marriage ceremony and the incidents immediately surrounding that ceremony in order to determine the state of mind and the intention of the parties when entering into the ceremony of marriage, and hence, the validity of the marriage.” Trotta v. Trotta, 5 Conn. Supp. 218 (1937).
Section 1: Effect, History and Definition

SCOPE:
Bibliographic resources relating to the legal effect and history of an annulment in Connecticut. Includes how an annulment differs from a dissolution or a legal separation.

DEFINITION:

- “... an annulment and a dissolution of marriage differ fundamentally. An annulment renders the marriage void ab initio [from the beginning] while a dissolution is based upon a valid marriage which terminates as of the date of the judgment of dissolution.” Durham v. Miceli, 15 Conn. App. 96, 543 A.2d 286, 287 (1988).

STATUTES:

  Chapter 815j. Dissolution of Marriage, Legal Separation and Annulment
  § 46b-67(b). Waiting period. Effect of decree.

CASES:

- Perlstein v. Perlstein, 26 Conn. Supp. 257, 260, 217 A.2d 481, 483 (1966). “An action to annul a bigamous marriage may be brought either in the lifetime of the parties or after the death of the supposed husband or wife.”

- Davis v. Davis, 119 Conn. 194, 203, 175 A. 574, 577-578 (1934). “... it clearly appears that two young people by their foolish and unconsidered conduct have gotten themselves into such a situation as arises out of the performance of a marriage ceremony between them without the intent on the part of either to enter into the marriage relationship. ... it is in the public interest legally to declare them to be unmarried rather than leave them under the shadow of a relationship which is but an empty form. A petition for the annulment of a marriage on this ground requires of the court hearing it great caution and demands clear proof. ... But if the court is satisfied that the petitioner has fairly proven a situation within the principle we have stated, it should by its decree declare the marriage to be void.”

WEST KEY NUMBERS:

- Marriage
  56. Annulment.
  56.1. In general.
  61. Scope and extent of relief in general.

ENCYCLOPEDIAS:

  § 1. Generally
  § 2. Effect of no-fault divorce

- 1D Am Jur Pleading and Practice Forms Annulment of Marriage

You can visit your local law library or search the most recent statutes and public acts on the Connecticut General Assembly website.

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can contact your local law librarian to learn about the tools available to you to update cases.
§ 1. Introductory comments


IV. Annulment

§ 70. In general

§ 71. Nature and form of action


§ 1. In general; scope of article

§ 1.5. Void and voidable marriages

**LAW REVIEWS:**


 § 263. Annulment

 a. Generally

 b. History in Connecticut


 Chapter 5. Effects of Non-compliance with Marriage Regulation

 § 5.1. Void and Voidable Marriages Defined

 § 5.2. Legal Effects of Invalid Marriages

 Chapter 18. Annulment

 § 18.1. History of Annulment

 § 18.3. Consequences of Annulment


 Chapter 12. Annulment in general

 § 12.1. Definition

 § 12.2. Annulment distinguished from divorce


 Chapter 5. Annulment

 § 5.01. Introduction

 [1] Annulment and Divorce


 Chapter 3. The Suit to Annul

 § 3.1. The Suit to Annul—Nature and History

 § 3.6. —Effect of the Decree
Section 2: Grounds for Annulment

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources relating to the grounds for granting an annulment in Connecticut

DEFINITION:

- “It is the well-established law of this state that no marriage performed in this state is to be held void or voidable except for some ground recognized at common law or for some ground which a statute expressly provides shall be ground for annulment.” Manning v. Manning, 16 Conn. Supp. 461 (1950).

- “Grounds for annulment of a marriage fall into two general categories: those specifically set forth by statute, and those recognized pursuant to common law. . . . Unlike the statutory provisions regarding the grounds for dissolution of a marriage, there is no single statute itemizing the grounds for annulment. The Court must, therefore, look to the statutes and case law.” Phillips v. Dame, Superior Court, Judicial District of New London, No. 518815 (July 11, 1991) (4 Conn. L. Rptr. 650) (1991 Conn. Super. Lexis 1623) (1991 WL 131732).

STATUTES:

  
  Chapter 815e. Marriage
  § 46b-20a. Eligibility to marry.
  § 46b-21. Marriage of persons related by consanguinity or affinity prohibited.
  § 46b-29. Marriage of persons under conservatorship.
  § 46b-30. Marriage of minors.

  Chapter 815j. Dissolution of Marriage, Legal Separation and Annulment
  § 46b-40(b). Grounds for dissolution of marriage; legal separation; annulment.
  § 46b-48. Dissolution of marriage or annulment upon conviction of crime against chastity; procedure.
  § 46b-67(b). Waiting period. Effect of decree.

LEGISLATIVE:


You can visit your local law library or search the most recent statutes and public acts on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.
**CASES:**

- **Singh v. Singh**, 213 Conn. 637, 656, 569 A.2d 1112, 1121 (1990). “. . . a marriage between persons related to one another as half-uncle and half-niece is void. . . . as incestuous.”

- **Carabetta v. Carabetta**, 182 Conn. 344, 345, 438 A.2d 109, 110 (1980). “The issue before us is whether, under Connecticut law, despite solemnization according to an appropriate religious ceremony, a marriage is void where there has been noncompliance with the statutory requirement of a marriage license.”


- **Catalano v. Catalano**, 148 Conn. 288, 291, 170 A.2d 726, 728 (1961). “It is the generally accepted rule that a marriage valid where the ceremony is performed is valid everywhere . . . . There are, however, certain exceptions to that rule, including one which regards as invalid incestuous marriages between persons so closely related that their marriage is contrary to the strong public policy of the domicil though valid where celebrated.”

- **Avery v. Avery**, 16 Conn. Supp. 418, 419 (1949). “. . . if a fraudulent representation is to be one which makes the marriage voidable it must be at least as serious as those which give ground for divorce for fraudulent contract. That is, it must be one which goes to the very essence of the marriage relationship.”

- **Schibi v. Schibi**, 136 Conn. 196, 198, 69 A.2d 831, 833 (1949). “The sole question presented to the court for determination was whether the marriage was void because there was no mutual consent of the parties.”

- **Nerini v. Nerini**, 11 Conn. Supp. 361, 367 (1943). “My conclusion on the law, then, is this: all misrepresentations concerning one’s health and fitness are immaterial unless they involve the essentialia to the marital relation such as a physical impediment making impossible the performance of the duties and obligations of the relation or rendering its assumption and continuance dangerous to the health or the other spouse or capable of affecting the health of their offspring.”

- **Lyman v. Lyman**, 90 Conn. 399, 403, 97 A. 312, 313 (1916). “. . . the courts are practically agreed in holding that antenuptial pregnancy by another man, if concealed by the wife from the husband, who was himself innocent of improper relations with her, is a fraud upon him justifying a divorce or annulment of the marriage, as the appropriate remedy in the jurisdiction may be.”

**WEST KEY NUMBERS:**

- **Marriage**
    - (1). In general.
    - (2). Physical disease or incapacity.
    - (3). Mental incapacity.
    - (4). Pregnancy at time of marriage.
(5). Prior existing marriage.
(6). Mistake.
(7). Fraud, misrepresentation, or imposition.
(8). Duress.

DIGESTS:
- Cynthia C. George and Thomas D. Colin, Connecticut Family Law
  Citations: Annulment of Marriage
- Dowling's Digest: Marriage
- Phillips' Digest: Marriage

ENCYCLOPEDIAS:
- Audrey W. Collins, Annotation, Sexual Intercourse Between
- David E. Rigney, Annotation, Power Of Incompetent Spouse’s
  Guardian Or Representative To Sue For Granting Or Vacation Of
  Divorce Or Annulment Of Marriage, Or To Make Compromise Or
  Settlement In Such Suit, 32 ALR5th 673 (1995).
- Jay M. Zitter, Annotation, Homosexuality, Transvestism, And
  Similar Sexual Practices As Grounds For Annulment Of Marriage,
- Annotation, Spouse’s Secret Intention Not To Abide By Written
  Antenuptial Agreement Relating To Financial Matters As Ground
  For Annulment, 66 ALR3d 1282 (1975).
- David B. Perlmutter, Annotation, Incapacity For Sexual Intercourse
  As Ground For Annulment, 52 ALR3d 589 (1973).
- Mary J. Cavins, Annotation, What Constitutes Mistake In The
  Identity Of One Of The Parties To Warrant Annulment Of Marriage,
  50 ALR3d 1295 (1973).
- Jeffrey F. Ghent, Annotation, Concealment Or Misrepresentation
  Relating To Religion As Grounds For Annulment, 44 ALR3d 972
  (1972).
- Annotation, Concealment Of Or Misrepresentation As To Prior
  Marital Status As Ground For Annulment Of Marriage, 15 ALR3d
  759 (1967).
- L.A. Watt, Annotation, Mental Incompetency Of Defendant At Time
  Of Action As Precluding Annulment Of Marriage, 97 ALR2d 483
  (1964).
- H.D. Warren, Annotation, Concealed Premarital Unchastity Or
  Parenthood As Ground Of Divorce Or Annulment, 64 ALR2d 742
  (1959).
- J.A. Tyler, Annotation, What Constitutes Intoxication Sufficient To
- M.L. Cross, Annotation, Refusal Of Sexual Intercourse As Ground
  For Annulment, 28 ALR2d 499 (1953).

• R.P. Davis, Annotation, *Cohabitation Of Persons Ceremonially Married After Learning Of Facts Negativing Dissolution Of Previous Marriage Of One, As Affecting Right To Annulment*, 4 *ALR2d* 542 (1949).

  
  II. Grounds
  
  In General
  
  § 3. Generally
  § 4. Lack of intent to enter into binding marriage
  § 5. Failure to consummate; refusal of intercourse
  § 6. Under age of consent

  Unlawful Marriages
  
  § 7. Incestuous marriage
  § 8. Bigamous marriage

  Fraud
  
  §§ 9-11. General Principles
  Misrepresentations or Concealment of Specific Matters
  
  § 12. Prior marital status
  § 13. Premarital unchastity
  § 14. Prenuptial pregnancy or parenthood
  § 15. False charge of paternity
  § 16. False pretense of pregnancy
  § 17. Intent not to cohabit or have sexual relations
  § 18. —Marriage to circumvent immigration laws
  § 19. Sexual orientation
  § 20. Intention regarding desire to have children
  § 21. Promises concerning religion
  § 22. Matters relating to health; drug and alcohol addiction
  § 23. Personal characteristics and attributes

  Duress; Undue Influence
  
  § 24. Necessity that duress be the inducing cause
  § 25. Pressure resulting in “shotgun marriage”

  Physical or Mental Incapacity
  
  §§ 26-28. Impotency
  §§ 29-32. Mental Incapacity

  
  II. Creation and Validity
  
  Ceremonial Marriage; Proxy Marriage
  
  Capacity to Marry
  
  §§ 18-20. In General
  §§ 21-25. Mental capacity
  §§ 26-27. Physical capacity
  §§ 28-30. Consent
  §§ 31-37. Formal requirements
Particular Impediments to Lawful Marriage

§§ 53-56. Relationship of parties; Incest
§§ 57-63. Prior marriage

- 1D Am Jur Pleading and Practice Forms Annulment of Marriage (2014 rev.).
  II. Grounds for Annulment
    § 11. In General
    §§ 17-20. Undissolved Prior Marriage; Bigamy
    §§ 27-29. Under Age of Consent
    §§ 35-37. Incestuous Marriage
    §§ 40-42. Fraud; Unchastity; Pregnancy
    §§ 53-55. Duress
    §§ 58-61. Mental Incapacity
    §§ 68-70. Physical Incapacity, Defect, or Infirmity; Disease

- Cause Of Action To Annul Marriage, 65 COA2d 617 (2014).
  §§ 6-22. Grounds for Annulment

  IV. Annulment
    § 72. Grounds

  § 2. Fraud as ground for annulment—In general
  § 3. —Fraudulent concealment of intent not to cohabit, copulate, or have children
  § 4. —Fraudulent concealment of or misrepresentations as to physical or mental condition
  § 5. Physical incapacity as ground for annulment
  § 6. Mental incapacity as ground for annulment
  § 7. Duress as ground for annulment

  § 263. Annulment

  Chapter 12. Annulment in general
    § 12.3. Grounds for annulment—In general
    § 12.4. —Consanguinity or affinity
    § 12.5. Bigamous marriage
    § 12.6. Incompetence
    § 12.7. Age of parties
    § 12.8. Defects in marriage ceremony or license
    § 12.9. Intentions of the parties—Fraud, force or duress
    § 12.10. Concealment or misrepresentation of facts or circumstances

  Chapter 5. Annulment
    § 5.02. Grounds
[1] Fraud
  [a] Generally
  [b] Essence of the Marriage Relation
[2] Physical Incapacity
[3] Nonage
[4] Force or Duress
[6] Bigamy
[7] Consanguinity

  Chapter 2. Marriage
    § 2.9. Incest
    § 2.10. Nonage
    § 2.13. Impotence
    § 2.16. Mental incompetence
    § 2.17. Duress
    § 2.18. Fraud
Table 1: Grounds for Annulment

<table>
<thead>
<tr>
<th>Grounds</th>
<th>Rutkin*</th>
<th>COA**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigamous marriage</td>
<td>§12.5</td>
<td>§§7-8</td>
</tr>
<tr>
<td>Consanguinity or affinity</td>
<td>§12.4</td>
<td>§9</td>
</tr>
<tr>
<td>Defects in marriage ceremony</td>
<td>§12.8</td>
<td>§22</td>
</tr>
<tr>
<td>Duress or undue influence</td>
<td>§12.9</td>
<td>§13</td>
</tr>
<tr>
<td>Fraud</td>
<td>§12.9</td>
<td>§§14-21</td>
</tr>
<tr>
<td>Incompetence—mental</td>
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<td>§11</td>
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<tr>
<td>Incompetence—physical</td>
<td>§12.10</td>
<td>§12</td>
</tr>
<tr>
<td>Misrepresentation, concealment</td>
<td>§12.10</td>
<td>§§16-21</td>
</tr>
<tr>
<td>Nonage</td>
<td>§12.7</td>
<td>§10</td>
</tr>
</tbody>
</table>

* 7 Arnold H. Rutkin et al. *Connecticut Practice Series. Family Law And Practice with Forms* (3
d ed. 2010).

** Cecily Fuhr, *Cause Of Action To Annul Marriage*, 65 COA2d 617 (2014).

Table 2: Proof of Grounds for Annulment

<table>
<thead>
<tr>
<th>Grounds</th>
<th>Annulment of Marriage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concealed intent not to consummate marriage</td>
<td>§§ 23-24</td>
</tr>
<tr>
<td>Fraudulent failure to disclose prior undissolved marriage</td>
<td>§§ 18-22</td>
</tr>
<tr>
<td>Fraudulent misrepresentation of paternity</td>
<td>§§ 13-16</td>
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<tr>
<td>Marriage entered into under duress</td>
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<tr>
<td>Marriage fraudulently induced to obtain permanent resident visa or “green card”</td>
<td>§§ 34-37</td>
</tr>
<tr>
<td>Marriage induced by concealment of impotency</td>
<td>§§ 31-33</td>
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<tr>
<td>Mental incapacity to marry due to excessive intoxication</td>
<td>§§ 41-45</td>
</tr>
<tr>
<td>Wife’s concealment of sterility</td>
<td>§§ 25-30</td>
</tr>
</tbody>
</table>
Table 3: Selected Cases—Concealment or Representation

<table>
<thead>
<tr>
<th>Case Title</th>
<th>Court Details</th>
<th>Decision Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sampson v. Wesoloski</td>
<td>Superior Court, Judicial District of Hartford, No. HHDF1A34071069S (February 25, 2014) (2014 Conn. Super. Lexis 402)</td>
<td>“The gist of the plaintiff’s evidence is that, in her words, the defendant ‘intentionally misled me by creating an appealing male persona in order to get close to me and form a relationship with me’. . . . the complaint rests on the common-law grounds of fraud. The plaintiff alleges that the defendant’s misrepresentations rise to the level of fraud rendering the marriage void or voidable.”</td>
</tr>
<tr>
<td>Vascianna v. Vascianna</td>
<td>Superior Court, Judicial District of Hartford, No. FA114057012S (March 19, 2012) (2012 Conn. Super. Lexis 748)</td>
<td>“The defendant’s immigration status, refusal to cohabit with the plaintiff and offer of money to remain married lead to the inevitable conclusion that Mr. Vascianna married the plaintiff for the sole purpose of obtaining a green card and legal residence in this country. The court finds Mrs. Vascianna was completely unaware of her husband’s intention not to cohabit or assume the duties and responsibilities of husband and wife.”</td>
</tr>
<tr>
<td>Rice v. Monteleone</td>
<td>Superior Court, Judicial District of New London, No. FA020563144S (February 25, 2004) (2004 Conn. Super. Lexis 443)</td>
<td>“In essence, the plaintiff’s claims, which form the bases of her request for an annulment, are that the defendant lied to her in his assertions of love and affection and married her for her money. Even if one assumes for the sake of argument that those claims were proven, they are not sufficient for the entry of an order of annulment.”</td>
</tr>
<tr>
<td>DaSilva v. DaSilva</td>
<td>Superior Court, Judicial District of New Haven, No. FA020470290 (April 21, 2003) (2003 Conn. Super. Lexis 1229)</td>
<td>“The Wife alleged that the Husband had married her for a green card, that he did not contribute to the household financially, that he was not supportive of her, that he was insulting to her, that he did not spend time with her, and that he referred to his family in Brazil as his real family. . . .The Wife did not sustain her burden of proving, by clear and convincing evidence, that the conditions leading up to and surrounding the marriage render the marriage void or voidable.”</td>
</tr>
</tbody>
</table>
| Brennauer v. Brennauer                         | Superior Court, Judicial District of New London at Norwich, No. FA020124680S | “Counts one, three, four and five seek an annulment of the marriage on the following grounds, respectively: that the defendant had determined prior to the marriage never to cohabit or consummate the marriage and that if the plaintiff had known this, he never would have entered into
the marriage; that the defendant created fraud upon the deceived plaintiff in that she concealed facts which would have affected the plaintiffs decision to enter into the marriage; that the defendant lacked the requisite intent to be married and misrepresented her intentions regarding the ceremony; and that the marriage ceremony itself was defective.”


“The plaintiff claims that this marriage is voidable because the defendant fraudulently led her to believe he earned $22,000 per year when he only earned $16,000; that he had no outstanding bills when he did; that he failed to pay her for the cost of being added to her medical plan as he promised and that the marriage was not consummated.”


“The court finds first that there was no concealment, and finds, further, that even if there has been such concealment, that it did not prevent some essential purpose of the marriage.”


“. . .the defendant sought an annulment of the marriage based on the plaintiff’s fraudulent nondisclosure at the time of the marriage of her prior marital status and of the previous birth of a child. . . .the defendant alleges that he did not learn of the nondisclosed facts until the commencement of this action. . . .and never condoned the plaintiff’s fraud or cohabitated with her after discovering it.”


“To warrant the annulment of a marriage, the cause must be such as goes to the essence of the marriage contract. Consent of the participants is a necessary condition to the creation of a valid marriage relationship, and there must be an intention of the parties to enter into the marriage status. Davis v. Davis, 119 Conn. 194. The concealed intent not to assume the duties of the marital relationship is sufficient cause for an annulment.”


“The fact that the husband in this case had somewhat less money available for his wife’s support than she supposed he would have does not offer a sufficient ground to dissolve a marriage status.”
Section 3: Procedures in Annulment
A Guide to Resources in the Law Library

SCOPE:
Bibliographic resources relating to the procedures for obtaining an annulment in Connecticut

COURT RULES:
  § 25-2. Complaints for Dissolution of Marriage or Civil Union, Legal Separation, or Annulment

STATUTES:
  Chapter 815. Court Proceedings in Family Relations Matters
    § 46b-1. Family relations matters defined.
    § 46b-6. Investigations.
    § 46b-9. Hearing by referee in action for... annulment.
    § 46b-10. Attempt at reconciliation in action for... annulment.
    § 46b-11. Closed hearings and records.
  Chapter 815j. Dissolution of Marriage, Legal Separation and Annulment
    § 46b-42. Jurisdiction.
    § 46b-43. Capacity of minor to prosecute or defend.
    § 46b-44. Residency requirement.
    § 46b-45. Service and filing of complaint.
    § 46b-46. Notice to nonresident party. Jurisdiction over nonresident for alimony and support.
    § 46b-47. Complaint for dissolution of marriage on ground of confinement for mental illness; procedure.
    § 46b-48. Dissolution of marriage or annulment upon conviction of crime against chastity; procedure.
    § 46b-49. Private hearing.
    § 46b-53. Conciliation procedures; privileged communications.
    § 46b-55. Attorney General as party. Paternity establishment.
    § 46b-56c. Educational support orders.
    § 46b-60. Orders re children and alimony in annulment cases.
    § 46b-62. Orders for payment of attorney’s fees in certain actions.
    § 46b-67(b). Waiting period. Effect of decree.
    § 46b-69. Statutes applicable to matrimonial actions.
    § 46b-69a. Wage executions and earnings assignments.
    § 46b-82. Alimony.
FORMS:

- 1D *Am Jur Pleading and Practice Forms* *Annulment of Marriage* (2014 rev.).
  §§ 4-8. Complaint, petition, or declaration—To annul marriage—No children or property
  §§ 12-16. Complaint, petition, or declaration—To annul marriage—Mock marriage—Lack of intent
  §§ 21-24. Complaint, petition, or declaration—To annul marriage on ground of prior existing marriage
  §§ 30-33. Complaint, petition, or declaration—To annul marriage where party under age—On attaining majority
  §§ 38-39. Complaint, petition, or declaration—To annul incestuous marriage
  §§ 43-51. Complaint, petition, or declaration—To annul marriage on ground of fraud—Undisclosed intent not to cohabit
  §§ 62-67. Complaint, petition, or declaration—To annul marriage—Plaintiff of unsound mind at time of marriage—Restored to mental capacity
  §§ 71-76. Complaint, petition, or declaration—To annul marriage on ground of physical incapacity

  Form 504.5. Complaint for Annulment

  Form 1101.5. Complaint for Annulment

  § 47. Sample complaint
  § 48. Sample complaint to annul marriage where there are no children or property
  § 49. Sample complaint to annul “mock” marriage

WEST KEY NUMBERS:

- *Marriage*
  60. Annulment. Jurisdiction and proceedings
  (.5). In general.
  (1). Who may sue.
  (2). Time to sue.
  (3). Jurisdiction.
  (4). Process or notice.
  (5). Parties.
  (6). Pleadings.
  (7). Evidence.
  (8). Trial or hearing.

ENCYCLOPEDIAS:

- Maurice T. Brunner, Annotation, *Rule As Regards Competency Of Husband Or Wife To Testify As To Nonaccess, 49 ALR3d* 212 (1973).

- David E. Rigney, Annotation, *Power Of Incompetent Spouse’s Guardian, Committee, Or Next Friend To Sue For Granting Or Vacation Of Divorce Or Annulment Of Marriage, Or To Make A
Compromise Or Settlement In Such Suit, 6 ALR3d 681 (1966).

- F.M. English, Annotation, Necessity And Sufficiency Of Corroboration Of Plaintiff’s Testimony Concerning Ground For Annulment Of Marriage, 71 ALR2d 620 (1960).

- M.C. Dransfield, Annotation, Limitation Of Actions For Annulment Of Marriage, 52 ALR2d 1163 (1957).


- E.H. Schopler, Annotation, Applicability, To Annulment Actions, Of Residence Requirements Of Divorce Statutes, 32 ALR2d 734 (1953).

- W.J. Dunn, Annotation, Antenuptial Knowledge Relating To Alleged Grounds As Barring Right To Annulment, 15 ALR2d 706 (1951).

  IV. Action for Annulment
  §§ 45-53. In General
  §§ 54-58. Time for Bringing Suit
  §§ 59-63. Parties
  §§ 64-65. Trial
  Pleading and Proof
  §§ 66-70. In General
  §§ 71-75. As To Specific Grounds

  IV. Annulment
  § 74. Jurisdiction
  § 75. Limitation of actions
  §§ 76-77. Parties
  § 78. Notice and service of process
  § 79. Pleadings
  § 80. Evidence
  § 81. Burden of proof
  § 82. — Admissibility
  § 83. — Weight and sufficiency
  § 84. Trial or hearing

- Cause Of Action To Annul Marriage, 65 COA2d 617 (2014).
  §§ 32-37. Practice and Procedure

TEXTS & TREATISES:
  § 263. Annulment
  c. Jurisdiction Required
  d. Procedure
  e. Where Children are Involved
  Chapter 14. Procedure in Annulment Actions
  § 14.1. In general
  § 14.2. Jurisdiction
  § 14.3. Commencement of action; service of process
  § 14.4. Parties
  § 14.5. Pleadings in annulment actions
  § 14.6 Presumptions and burden of proof
  § 14.7 Judgment and orders in annulment actions

  Chapter 3. The Suit to Annul
  § 3.3. —Procedure in General
Figure 1: Complaint for Annulment (Form 504.5)

Complaint for Annulment

1. The plaintiff [or defendant] whose maiden name was and the defendant [or plaintiff] intermarried on [date] at __________.

2. [Set forth reasons why marriage was invalid or should be annulled.]

3. [Set forth names and birthdate of any minor child born to the wife since the marriage, if any, and other information required by § 25-2(b)].

The plaintiff claims

1. An annulment of said marriage
2. Restoration of her maiden name
3. Lying-in expenses incurred in the future birth of any child issue of this marriage.
4. Custody and support for the minor children
5. Alimony
6. Counsel fees
Section 3a: Jurisdiction
A Guide to Resources in the Law Library

SCOPE:
Bibliographic resources relating to jurisdiction in an action for annulment of marriage in Connecticut

STATUTES:
  - Chapter 815. Court Proceedings in Family Relations Matters
    § 46b-1. Family relations matters defined.
  - Chapter 815j. Dissolution of Marriage, Legal Separation and Annulment
    § 46b-42. Jurisdiction.
    § 46b-43. Capacity of minor to prosecute or defend.
    § 46b-44. Residency requirement.
    § 46b-46. Notice to nonresident party. Jurisdiction over nonresident for alimony and support.

CASES:
- Mannendorf v. Dax, 13 Conn. App. 282, 284-285, 535 A.2d 1324, 1325 (1988). “Although the annulment statutes do not specifically say so, the parties agree, as do we, that there is an additional requirement with respect to subject matter jurisdiction over annulment actions. At least one party must be domiciled in Connecticut.”
- Mazzei v. Cantales, 142 Conn. 173, 179 (1955), 112 A.2d 205, 208 (1955). “Where both parties to an action for annulment of a void marriage are non-residents and the defendant is not served with process within this state or does not appear and submit to the jurisdiction of the Superior Court, the fact that the marriage was performed within this state does not empower the court to obtain jurisdiction over the defendant by constructive service and to render a judgment annulling the marriage.”
- Perlstein v. Perlstein, 152 Conn. 152, 160, 204 A.2d 909, 913 (1964). “It follows that the statute (§52-68) generally governing service by publication on a nonresident defendant properly applies to an annulment action, where, as here, the plaintiff is domiciled in Connecticut.”

WEST KEY NUMBERS:

ENCYCLOPEDIAS:
- E.H. Schopler, Annotation, Applicability, To Annulment Actions, Of Residence Requirements Of Divorce Statutes, 32 ALR2d 734 (1953).
  - IV. Action for Annulment
    § 47. Jurisdiction and venue; state of domicil
    § 48. —State of celebration of marriage
    § 49. What law governs
§ 50. Residential requirements

  IV. Annulment
    § 74. Jurisdiction

- Cause Of Action To Annul Marriage, 65 COA2d 617 (2014).
  § 32. Jurisdiction and venue

**TEXTS & TREATISES:**

  § 263. Annulment
  c. Jurisdiction Required

  Chapter 14. Procedure in Annulment Actions
  § 14.2. Jurisdiction

  Chapter 3. The Suit to Annul
  § 3.2. —Jurisdiction
Bibliographic sources relating to the procedures for service of process in an action for annulment of marriage.

- **Process**: “shall be a writ of summons or attachment, describing the parties, the court to which it is returnable and the time and place of appearance, and shall be accompanied by the plaintiff’s complaint.” Conn. Practice Book §8-1(a) (2014).
- **Manner of Service**: “Except as otherwise provided, process in any civil action shall be served by leaving a true and attested copy of it, including the declaration or complaint, with the defendant, or at his usual place of abode, in this state.” Conn. Gen. Stat. § 52-57(a) (2013).
- **Venue**: “A proceeding for annulment . . . shall be commenced by the service and filing of a complaint as in all other civil actions in the Superior Court for the judicial district in which one of the parties resides. The complaint may also be made by the Attorney General in a proceeding for annulment of a void marriage. The complaint shall be served on the other party.” Conn. Gen. Stat. § 46b-45(a) (2013).
- **Usual Place of Abode**: “It is clear that one’s ‘usual place of abode’ is in the place where he would most likely have knowledge of service of process. . . . Its chief purpose is to ensure actual notice to the defendant that the action is pending. . . . The usual place of abode is generally considered to be the place where the person is living at the time of service . . . .It is not necessarily his domicil. . . .and a person may have more than one usual place of abode . . . .In the final analysis, the determination of one’s usual place of abode is a question of fact and the court may consider various circumstances.” Plonski v. Halloran, 36 Conn. Supp. 335, 335-336, 420 A.2d 117-118 (1980).

**COURT RULES:**
  - Chapter 8. Commencement of Action
    § 8-1. Process
    § 8-2. Waiver of Court Fees and Costs
  - Chapter 10. Pleadings
    § 10-12. Service of the Pleading and Other Papers; Responsibility of Counsel or Self-Represented Party:
    Documents and Persons to Be Served
    § 10-13. —Method of Service
    § 10-14. —Proof of Service
    § 10-15. —Numerous Defendants
    § 10-16. —Several Parties Represented by One Attorney
  - Chapter 25. Procedure in Family Matters
    § 25-28. Order of Notice

**STATUTES:**
  - Chapter 815j. Dissolution of Marriage, Legal Separation and Annulment
    § 46b-45. Service and filing of complaint.
Chapter 896. Civil process, service and time for return

§ 52-46. Time for service.

§ 52-48. Return day of process.

§ 52-50. Persons to whom process shall be directed.

§ 52-54. Service of summons.

§ 52-57. Manner of service upon individuals.

Official Court Forms

- JD-FM-3. Summons, Family Actions (rev. 9/12)
- JD-FM-167. Motion for Order of Notice in Family Cases (rev. 2/11)
- JD-FM-168. Order of Notice in Family Cases (rev. 12/10)
- JD-FM-169. Motion for Additional Order of Notice in Family Cases (rev. 4/08)

Cases:

- Babouder v. Abdennur, 41 Conn. Supp. 258, 262, 566 A2d 457, 459 (1989). “In Connecticut, as in other states, the court will not exercise jurisdiction in a civil case which is based upon service of process on a defendant who has been decoyed, enticed or induced to come within the court’s jurisdiction by any false representation, deceitful contrivance or wrongful device for which the plaintiff is responsible. ... This rule does not apply, however, when the defendant enters the state on his own, even if the plaintiff and his agents then engage in trickery to make service of process.”

West Key Numbers:

- Marriage 60. Annulment. Jurisdiction and proceedings
  (4). Process or notice.

Encyclopedias:

  IV. Action for Annulment
  § 51. Service of process
  § 52. —Constructive service

  IV. Annulment
  § 78. Notice and service of process

Texts & Treatises:

  Chapter 14. Procedure in Annulment Actions
  § 14.3. Commencement of action; service of process

  Chapter 3. The Suit to Annul
  § 3.2. —Jurisdiction Service of Process
Section 3c: Parties
A Guide to Resources in the Law Library

**SCOPE:**
Bibliographic resources relating to proper or necessary parties to an action for annulment of marriage in Connecticut

**COURT RULES:**
  - **Chapter 9.** Parties
    - § 9-1. Continuance for Absent or Nonresident Defendant
    - § 9-24. Change of Name by Minor Child
  - **Chapter 10.** Pleadings
    - § 10-12. Service of the pleadings and other papers; responsibility of counsel or self-represented party; documents and persons to be served
    - § 10-15. —Numerous defendants
    - § 10-16. —Several parties represented by one attorney

**STATUTES:**
  - **Chapter 815j.** Dissolution of Marriage, Legal Separation and Annulment
    - § 46b-43. Capacity of minor to prosecute or defend.
    - § 46b-45. Service and filing of complaint.

**CASES:**
- **Anderson v. Anderson**, 27 Conn. Supp. 342, 343, 238 A.2d 45 (1967). “This action raises the question: Is the plaintiff, a Connecticut resident, a ‘guilty’ party to a bigamous marriage entered into in the state of New York, entitled to a decree declaring that marriage null and void?”
- **Manndorff v. Dax**, 13 Conn. App. 282, 287, 535 A.2d 1324, 1326 (1988). “Although interested in the defendant’s marriage to the husband, the plaintiff, as a nonparty to that marriage, had no right to maintain an action for its annulment.”

**WEST KEY NUMBERS:**
- Marriage

**ENCYCLOPEDIAS:**
  - IV. Action for Annulment
    - Parties
      - § 59. Generally
      - § 60. Party charging fraud or duress
      - § 61. Party under age of consent
      - § 62. Party alleging bigamy
      - § 63. Party who is mentally incompetent
IV. Annulment

§ 76. Parties

§ 77. -Persons under disability

-Cause Of Action To Annul Marriage, 65 COA2d 617 (2014).

Parties

§ 30. Persons who may seek annulment

§ 31. Persons who may oppose annulment

TEXTS & TREATISES:

  Chapter 14. Procedure in Annulment Actions
  § 14.4. Parties
Section 3d: Pleading

A Guide to Resources in the Law Library

**SCOPE:** Bibliographic resources relating to the pleadings in an annulment in Connecticut

**COURT RULES:**
  - **Chapter 25.** Procedure in Family Matters
    - § 25-1. Definitions Applicable to Proceedings on Family Matters
    - § 25-5. Automatic Orders upon Service of Complain or Application
    - § 25-7. Pleadings in General; Amendments to Complaint or Application
    - § 25-11. —Order of Pleadings

**STATUTES:**
  - **Chapter 815j.** Dissolution of Marriage, Legal Separation and Annulment
    - § 46b-45. Service and filing of complaint.

**FORMS:**
- 1D Am Jur Pleading and Practice Forms Annulment of Marriage (2014 rev.).
  - §§ 4-8. Complaint, petition, or declaration—To annul marriage—No children or property
  - §§ 12-16. Complaint, petition, or declaration—To annul marriage—Mock marriage—Lack of intent
  - §§ 21-24. Complaint, petition, or declaration—To annul marriage on ground of prior existing marriage
  - §§ 30-33. Complaint, petition, or declaration—To annul marriage where party under age—On attaining majority
  - §§ 38-39. Complaint, petition, or declaration—To annul incestuous marriage
  - §§ 43-51. Complaint, petition, or declaration—To annul marriage on ground of fraud—Undisclosed intent not to cohabit
  - §§ 62-67. Complaint, petition, or declaration—To annul marriage—Plaintiff of unsound mind at time of marriage—Restored to mental capacity
  - §§ 71-76. Complaint, petition, or declaration—To annul marriage on ground of physical incapacity

  - Form 504.5. Complaint for Annulment

Form 1101.5. Complaint for Annulment

- **Cause Of Action To Annul Marriage, 65 COA2d 617 (2014).**
  § 47. Sample complaint
  § 48. Sample complaint to annul marriage where there are no children or property
  § 49. Sample complaint to annul “mock” marriage

**CASES:**

- **Durham v. Miceli,** 15 Conn. App. 96, 97, 543 A.2d 286, 287 (1988). “In order to be entitled to an annulment of marriage, the plaintiff must allege and prove that ‘the marriage is void or voidable under the laws of this state or, the state in which the marriage was performed.’ General Statutes § 46b-40(b). The plaintiff's complaint is devoid of such allegations.”

**WEST KEY NUMBERS:**

- **Marriage**

**ENCYCLOPEDIAS:**

- **4 Am. Jur. 2d Annulment of Marriage (2007).**
  IV. Action for Annulment
  Pleading and Proof
  § 66. Pleadings

- **55 C.J.S. Marriage (2009).**
  IV. Annulment
  § 79. Pleading

**TEXTS & TREATISES:**

  Chapter 14. Procedure in Annulment Actions
  § 14.5. Pleadings in annulment actions
  § 14.6 Presumptions and burden of proof
  § 14.7 Judgment and orders in annulment actions
Table 4: Other Unreported Decisions on Annulment of Marriage

<table>
<thead>
<tr>
<th>Unreported Connecticut Decisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>“The crux of the plaintiff's complaint is that the marriage is voidable because prior to the marriage, the defendant misrepresented and/or omitted aspects of his criminal record and his financial condition to the plaintiff. . . . The stipulation of the parties does not inform the court’s analysis, nor is it determinative of the question of whether the marriage should be voided. The fact that the parties believe that their marriage is void or voidable is irrelevant. Whether the marriage is void or voidable is a legal question, which the court must determine based upon the facts and the law. Although the plaintiff clearly believes that she made a mistake by marrying the defendant, the court cannot find an otherwise valid marriage void or voidable based on a party’s belief, or the agreement of the responding party.”</td>
</tr>
<tr>
<td>“The wife seeks an annulment of the marriage claiming that the husband married her solely in order to obtain legal permanent residency in the United States. The wife contends that the Nevada judgment dissolving the husband’s first marriage was a sham. She offered evidence that the address given by the husband in Nevada was either false or non-existent and claimed that he always intended to continue a conjugal relationship with his ex-wife as evidenced by the birth of his daughter to his ex-wife in 2005. The wife also alleges the husband sexually assaulted her, denied her what she wanted most i.e. a child, and used blackmail as a method of control. The later of these allegations are best addressed through the dissolution action and do not serve as a basis for annulment. . . . From evidence the wife presented at trial it is not clear and convincing that the husband’s Nevada divorce was a sham nor that the husband married solely to establish permanent residency. . . . While the fact that the husband applied for permanent resident status on the exact date of the marriage is unsettling, it is evident that the wife could not be surprised or defrauded by that fact in that she assisted him in the submission of his application and at the hearing before the Immigration Services in support of that application as late as February 2007. The wife’s amended cross complaint for annulment is denied.”</td>
</tr>
<tr>
<td>Duren v. Burwood, Superior Court, Judicial District of Litchfield at Litchfield, No. FA010084521</td>
</tr>
<tr>
<td>“. . . the plaintiff seeks an annulment on the grounds that the marriage is voidable because the plaintiff was fraudulently induced to enter the marriage. The court heard evidence from the plaintiff that he expected a monogamous relationship with the defendant when he married her. The defendant engaged in an extramarital relationship almost immediately after the marriage with a guest at the wedding. The defendant testified . . .”</td>
</tr>
<tr>
<td>Reference</td>
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<td>(August 29, 2001) (2001 Conn. Super. Lexis 2457) (2001 WL 1159629).</td>
</tr>
<tr>
<td><strong>Ross v. Ross</strong>, Superior Court, Judicial District of Stamford-Norwalk at Stamford, No. FA 970162587S (August 10, 1998) (22 Conn. L. Rptr. 637) (1998 Conn. Super. Lexis 2248) (1998 WL 516159).</td>
</tr>
<tr>
<td><strong>Gutkowski v. Gutkowski</strong>, Superior Court, Judicial District of Hartford-New Britain at Hartford, No. FA96712571S (November 4, 1996) (18 Conn. L. Rptr. 101) (1996 Conn. Super. LEXIS 2882) (1996 WL 651641).</td>
</tr>
</tbody>
</table>
Section 4: Defenses to Annulment

SCOPE:

Bibliographic sources relating to defenses to actions for annulment

COURT RULES:

  - Chapter 25. Procedure in Family Matters
    § 25-9. —Answer, Cross Complaint, Claims for Relief by Defendant
    § 25-10. —Answer to Cross Complaint

FORMS:

  § 25. Answer—Divorce obtained from former spouse in another state
  § 34. Answer—Defense—Parties of lawful age in state where marriage performed
  § 52. Answer—Defense—Statute of limitations

CASES:

  “In the counterclaim to the complaint, the defendant sought an annulment of the marriage based on the plaintiff’s fraudulent nondisclosure at the time of the marriage of her prior marital status and of the previous birth of a child. Although there is evidence in the record to the contrary, the defendant alleges that he did not learn of the nondisclosed facts until the commencement of this action, over twenty-five years after the wedding ceremony, and never condoned the plaintiff’s fraud or cohabitated with her after discovering it. The trial court decided that a valid marriage existed between the parties and dissolved it, rather than declare it null and void. The defendant claims on appeal that the trial court erred.”

WEST KEY NUMBERS:

- Marriage 59. Defenses

ENCYCLOPEDIAS:

  III. Defenses
    In General
    § 33. Generally
    § 34. Equitable defenses: clean hands; estoppel
    Postnuptial Conduct; Ratification of Marriage
    § 35. Condonation
    § 36. Marriage induced by fraud or duress
    § 37. Marriage under age of consent
    § 38. Cohabitation with knowledge of bigamous marriage
    § 39. Refusal of intercourse; refusal to have children
    § 40. Impotence
    § 41. Mental incompetence
Antenuptial knowledge of ground for annulment
§ 42. Generally
§ 43. Existence of undissolved prior marriage
§ 44. —Application of doctrine of estoppel and clean hands

IV. Action for Annulment
   Time for Bringing Suit
   § 54. Limitation of actions
   § 55. —Depending on grounds for which annulment is sought
   § 56. Delay in bringing action; laches
   § 57. Bringing action after death of party
   § 58. —For particular causes of invalidity

  IV. Annulment
  § 73. Defenses
  § 75. Time to Sue; Laches; Limitations

- Cause Of Action To Annul Marriage, 65 COA2d 617 (2014).
  Defenses
  § 23. Defenses, generally
  § 24. Prior knowledge of annulment grounds
  § 25. Ratification
  § 26. —Ratification or validation of void marriage
  § 27. Nonessential fraud
  § 28. Res judicata and collateral estoppel
  § 29. Laches, equitable estoppel, and unclean hands

TEXTS & TREATISES:
  Chapter 18. Annulment
  § 18.2. Defenses

  Chapter 5. Annulment
  § 5.03. Defenses; Generally
Section 5: Children and Annulment

A Guide to Resources in the Law Library

**SCOPE:**

Bibliographic resources relating to children and annulment including child support, custody and visitation

**STATUTES:**

  - § 46b-60. Orders re children and alimony in annulment cases.
  - § 46b-84. Parents’ obligation for maintenance of minor child. Order for health insurance coverage.
  - § 46b-86. Modification of alimony or support orders and judgments.

**CASES:**

- **Hames v. Hames**, 163 Conn. 588, 593, 316 A.2d 379, 382 (1972). “Section 46-28 of the General Statutes provides that the issue of any void or voidable marriage shall be deemed legitimate and permits the Superior Court to order alimony, custody and child support as it might in a divorce proceeding.”

- **Sarantos v. Sarantos**, 18 Conn. Supp. 472, 474 (1953). “Our statute . . . empowers our court to annul a marriage illegal under the laws of the foreign state in which it was celebrated. It does not purport to carry over to Connecticut the foreign law of the state in which the marriage was celebrated as to the legitimacy of the offspring of such marriage. The question of legitimacy under the facts here is governed by the law of Connecticut, which at the time of the child’s birth was, and up to the present time continuously has been, the domicil of both parents and of the child.”

**ENCYCLOPEDIAS:**

  - § 9. "Where child’s parents’ marriage is annulled."


- E. LeFevre, Annotation, *Court’s Power As To Custody And Visitation Of Children In Marriage Annulment Proceedings*, 63 *ALR2d* 1008 (1959).

  - IV. Action for Annulment
    - Judgment and Incidental Relief
      - Custody, Support, and Paternity of Children
        - § 87. Determination of custody and support of children
        - § 88. Determination of visitation rights
        - § 89. Determination of paternity or legitimacy
III. Custody of Children, Support, and Litigation Expenses

§ 77. Introductory Comments

IV. Annulment

§ 87. Relief awarded—Custody and support of children

TEXTS & TREATISES:

4. 7 Arnold H. Rutkin et al., Connecticut Practice Series, Family Law And Practice with Forms (3rd ed. 2010).
5. 1 Homer H. Clark, Law of Domestic Relations in the United States (2nd ed. 1987).
SCOPE: Bibliographic resources relating to property distribution and annulments in Connecticut

DEFINITION:

- “At the time of entering a decree annulling or dissolving a marriage or for legal separation pursuant to a complaint under section 46b-45, the Superior Court may assign to either the husband or wife all or any part of the estate of the other. The court may pass title to real property to either party or to a third person or may order the sale of such real property, without any act by either the husband or the wife, when in the judgment of the court it is the proper mode to carry the decree into effect.” Conn. Gen. Stat. § 46b-81(a) (2013).

- “In fixing the nature and value of the property, if any, to be assigned, the court, after hearing the witnesses, if any, of each party, except as provided in subsection (a) of section 46b-51, shall consider the length of the marriage, the causes for the annulment, dissolution of the marriage or legal separation, the age, health, station, occupation, amount and sources of income, vocational skills, employability, estate, liabilities and needs of each of the parties and the opportunity of each for future acquisition of capital assets and income. The court shall also consider the contribution of each of the parties in the acquisition, preservation or appreciation in value of their respective estates.” Conn. Gen. Stat. § 46b-81(c) (2013).

- “A direct action to annul a marriage not only affects the status of the marriage itself but may also affect property rights arising from this status.” Perlstein v. Perlstein, 26 Conn. Supp. 257, 258, 217 A.2d 481, 482-483 (1966).

STATUTES:

  § 46b-80. Prejudgment remedies available; lis pendens; notice; effect.
  § 46b-81. Assignment of property and transfer of title.

ENCYclopedias:

- Caroll J. Miller, Annotation, Prior institution of annulment proceedings or other attack on validity of one’s marriage as barring or estopping one from entitlement to property rights as surviving spouse, 31 ALR4th 1190 (1984).

  IV. Action for Annulment
    Judgment and Incidental Relief
      Alimony, Support, and Property Rights
      § 79. Generally
§ 80. Allowance of permanent alimony
§ 81. Allowance for services or necessaries
§ 82. Effect on property rights; division of property accumulated during marriage


IV. Annulment
   § 88. Relief awarded—Restitution or other disposition of property

**TEXTS & TREATISES:**

  Chapter 14: Procedure in Annulment Actions
  § 14:7. Judgment and orders in annulment actions

  Chapter 37. Principles of Property Distribution
  § 37.02[5][a]. Void marriages

  Chapter 3. The Suit to Annul
  § 3.5. —Alimony, Temporary and Permanent, and Division of Property
Section 7: Out of State and Foreign Annulments
A Guide to Resources in the Law Library

SCOPE:
Bibliographic resources relating to out-of-state and foreign annulments in Connecticut

DEFINITION:
- “A state has the authority to declare what marriages of its citizens shall be recognized as valid, regardless of the fact that the marriages may have been entered into in foreign jurisdictions where they were valid.” Catalano v. Catalano, 148 Conn. 288, 291, 170 A.2d 726, 728 (1961).
- “The Superior Court has authority to annul a marriage performed in another state if the marriage would have been invalid in that state or violates a strong public policy of this state.” Fattibene v. Fattibene, 183 Conn. 433, 437, 441 A.2d 3, 5 (1981).

STATUTES:
  Chapter 815j. Dissolution of Marriage, Legal Separation and Annulment
  § 46b-40(b). Grounds for dissolution of marriage; legal separation; annulment.

CASES:
- Delaney v. Delaney, 35 Conn. Supp. 230, 232, 405 A.2d 91, 93 (1979). “. . . a valid common-law marriage contracted in a state that recognizes such marriages would be upheld in this state.”
- Parker v. Parker, 29 Conn. Supp. 41, 43, 270 A.2d 94, 95 (1970). “The validity of the marriage between the plaintiff and the defendant is governed by the lex loci contractus. . . . where the ceremony was performed.”
- Browner v. Browner, 15 Conn. Supp. 77 (1947). “This marriage was contracted in the state of New York and consequently may be annulled by this court if, for any cause, it is void or voidable under New York law.”

TEXTS & TREATISES:
  Chapter 14: Procedure in Annulment Actions
  § 14.10 Annulment of foreign marriages

  II. Creation and Validity
  Ceremonial Marriage; Proxy Marriage
  Capacity to Marry
  §§ 18-20. In General
§§ 21-25. Mental capacity
§§ 26-27. Physical capacity
§§ 28-30. Consent
§§ 31-37. Formal requirements
Particular Impediments to Lawful Marriage
§§ 53-56. Relationship of parties; Incest
§§ 57-63. Prior marriage
§§ 64-66. Effect of Conflicting Foreign Law