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Qualifying for a Civil Annulment in Connecticut

A civil annulment is the process by which a marriage is recognized by a state court as being void or voidable due to some statutory or common law ground at the time of marriage. In effect, the judgment declares that the marriage never existed. In Connecticut, to qualify for an annulment of marriage you must meet one of the required statutory or common law grounds. If you do not meet one of these grounds, you will have to file for a divorce. Simply being married for a very short period of time is not a qualifying ground.

A civil annulment is different from a religious annulment. A civil annulment is granted by a court based on statutory and common law grounds. A religious annulment is granted by a religious institution based on its own practices. The information contained on this card addresses civil annulments.

An annulment is not a quick alternative to a divorce. The process for requesting an annulment is similar to requesting a divorce and may take the same amount of work and time.

The following are recognized statutory and common law grounds for an annulment in Connecticut:

- Consanguinity and Affinity – when parties are not allowed to legally marry under Connecticut General Statutes § 46b-21 due to the degree of their family relationship.

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- Bigamous Marriage – where one party was already legally married at the time of the marriage.
- Defects in the Marriage Ceremony – where the individual officiating at the wedding is not authorized under state law to perform a legal marriage.
- Misrepresentation or Concealment – when one party hides from the other party a health or physical condition that negatively impacts his or her ability to perform the duties and obligations of the marriage relationship or that is dangerous to the health of others.

This is not intended as a complete list of possible grounds for annulment. Other grounds for annulment may exist but have not yet been addressed by the courts in our state. Note, however, that a marriage is presumed to be valid; there is a high burden of proof to have a marriage declared void. You will need to research the Connecticut General Statutes and case law to decide if your reason is strong enough to support a claim for annulment. For more information and to begin your research, please see Connecticut General Statutes §§ 46b-20 to 46b-38i (Marriage) and § 46b-40 (Grounds for Dissolution of Marriage). You may also want to consult secondary research sources, available in the Judicial Branch Law Libraries, for more detailed discussion of the grounds for annulment.

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