

STEPS FOR DIVORCE WITHOUT MINOR CHILDREN

STEP 1: File

Petitioner (person filing for divorce):

- Complete the Petition, Summons, and Family Law Case Information Sheet.
- Sign Petition in front of a Notary.
- Make 2 copies of Petition and Summons. Make 1 extra copy of the Exhibits (to attach later to Decree).
- Have forms reviewed at full-service Court Assistance Office.
- File originals and copies with Clerk and pay the filing fee. The Clerk will keep the original Petition, stamp your copies and return them to you (one for you, one for Respondent). Some courts issue temporary orders (one for each of you). If the Clerk gives you the original Summons, keep it safe to return after Service.
- Pick up Certificate of Divorce to complete and return to the Clerk.

STEP 2: Serve

Respondent Will Sign In Front of a Notary.

or

Third Party Will Deliver to Respondent

- Fill out Acknowledgment of Service and deliver it to Respondent with 1 copy of the Petition, Summons, and any temporary orders.
- Respondent completes and signs Acknowledgment of Service, gets a Notary to sign and returns form to you.
- Make 2 copies of notarized Acknowledgement of Service.
- Keep 1 copy, mail 1 copy to Respondent, file original with the court. Return original Summons if you have it.

- Fill out Affidavit of Service and deliver it with 1 copy of the Petition, Summons, any order to attend parent education class and temporary orders to:
 - A person 18 or older not a party to the case; professional process server; or the County Sherriff; for service.
- Server completes and signs Affidavit of Service in front of a Notary.
- Make 2 copies of notarized form.
- Keep 1 copy, mail 1 copy to the Respondent, file original with the court. Return original Summons if you have it.

STEP 3: Finalize

You and Respondent **Agree and Both will Sign**

or

Respondent Does Not File a Response (Default)

or

Respondent Files a Response

- Fill out Sworn Stipulation for Entry of Decree, Certificate of Divorce and Decree. Make 1 extra copy of the Decree to attach to the Stipulation.
- Each sign Sworn Stipulation in front of a Notary.
- Make 2 copies of Sworn Stipulation and Decree.
- File Sworn Stipulation. Deliver Decree with copies, and completed Certificate of Divorce to the Clerk. Provide self-addressed pre-stamped envelopes, 1 for you and 1 for Respondent.

- Wait 20 days (including weekends and holidays) after date of service.
- Fill out Motion and Affidavit for Default, Default, Affidavit in Support of Default Decree, and Decree of Divorce.
- Sign default motions in front of a Notary. Make 2 copies of the default forms and Decree.
- File default forms. Deliver Decree with copies and Certificate of Divorce to the Clerk. Provide self-addressed pre-stamped envelopes, 1 for you and 1 for Respondent.
- Attend hearing if required.

- Respondent files a response before 20 days (includes weekends and holidays) after date served.
- Consult with an attorney about your options or schedule mediation to see if you both can agree. If you can't agree, your case will go to trial.