

Divorce Flowchart

Petition is filed by the Petitioner

Service on Respondent within 120 days

Answer filed by Respondent. Must be filed within 21 days

No answer filed by Respondent, then file final divorce documents plus

If children, both parties must attend the Divorce Education and Divorce Orientation (available online) before the divorce can be finalized, unless waived.
If no children the courses are not required unless relief is sought from the Court.
The Divorce Orientation Class must be taken before a motion for temporary orders will be heard by the Court

If children: Petitioner attends two mandatory courses: Divorce Education and Divorce Orientation (available online) and filed a Motion to Waive Requirement for Respondent. The 30 days waiting period must expire.
If no children: the 30 day waiting period must expire.
The 30 day waiting period may be waived in extraordinary circumstances.

Motion for Temporary Orders (if needed) may be filed by either party before or after mediation

Move for Default

Initial Disclosures and Financial Declarations: The parties must exchange disclosures of known witnesses and documents, including a completed Financial Declaration

Final Documents are prepared and a Decree is entered

Discovery (if needed): either requests for information from the other party, depositions, subpoenas, etc.

Custody Evaluation (if necessary) typically lasts 6-8 months. Upon completion a conference is held at the court to hear custody recommendations

Mediation this may take place anytime after and answer is filed. If the parties settle then final documents are prepared. If the parties do not settle, parties will proceed toward trial.

Pre-trial conference with the Commissioner. If the parties settle it is read into the record and final documents are prepared. If the parties do not settled the issues are certified for trial before the judge

Pre-trial settlement conference with the Court. If the parties settle the agreement is read onto the record and final documents are prepared.

Trial. File Decree of Divorce based on Judge's decision