

# The Divorce Process

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**Qualify for a Divorce** | To get divorced, you or your spouse must live in the state for a certain amount of time. Also, one of the state's legal reasons (grounds) for getting a divorce must fit your situation. Read the specific [requirements in your state](#) on our Divorce page.



## File the Divorce Petition

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- If you are filing without a lawyer, you can usually find the petition at the courthouse, or it might be available [online](#).
- The person who files must pay a filing fee unless s/he qualifies for a fee waiver.
- Make sure to include all the issues that need to be resolved on your petition, such as custody, child support, division of property and debt, spousal support, etc.

By Yourself



With Your Spouse



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## Notifying Your Spouse

The clerk can tell you how to serve the divorce petition.



### Contested Divorce

If your spouse files response papers to object to anything in your petition, the issues will be decided in court, ending with a settlement agreement or a trial.

### Uncontested Divorce

The divorce is considered uncontested if your spouse files response papers to consent to the divorce or if a specific period passes without any response.



**Joint Divorce Petition** | Some states allow spouses to file a joint petition if they agree on everything that needs to be resolved.



## Court Hearings

- Depending on the type of divorce, there might be zero, one, or many hearings in court.
- If you filed the divorce petition and you didn't show up to court, the judge could dismiss the case. If your spouse was served and s/he doesn't show up to court, the judge could postpone it or issue a "default judgment."
- In a contested divorce, each spouse will try to convince the judge to grant the specific things they want. Also, you may have to prove that you qualify for the divorce in terms of residency requirements and grounds.
- If you will represent yourself, see our [Preparing for Court - By Yourself](#) page.

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## Divorce Decree



### By Agreement

Read it thoroughly to make sure it's accurate.

### After a Trial

If you disagree with the judge's decision, talk to a lawyer to see if you can file a [motion for reconsideration or an appeal](#).