

1A DIVORCE FILING INSTRUCTIONS

A. Papers Needed in all 1A Divorces

1. Joint Petition for Divorce - signed by both parties
2. Affidavit of irrefragable Breakdown - Signed by both parties. "Signed this _____ day, _____, 2_____, under pains and penalties of perjury.
3. Separation Agreement - Signed by both parties and notarized. Agreement is made up by both and must address issues such as division of real and personal property, child support, custody, visitation, alimony, etc.
4. Certified Copy of Marriage Certificate.
5. Financial Statements - Each party must file a statement and all lines must be filled out completely. Even if there are no children, this form must be completed by both parties.
6. R-408 Statistical Form
7. Filing Fee of \$215.00 - Payable by Money Order or Bank Check. Personal Checks and Cash will not be accepted.

B. Additional Requirements in 1A Divorces with Minor Children (under 18 years of age)

8. Affidavit Disclosing Care or Custody Proceedings
9. Child Support Guidelines Worksheet.

Exceptions: 1) Cases where combined gross income of both parties exceeds \$1000,000.00 and where the income of the non-custodial parent exceeds \$75,000.00

2) Cases where there is Shared or Split Physical Custody

10. Parent Education Certificate

In order to receive a court hearing in this matter both parties MUST attend a Parent Education Program. You MUST file your Parent Education Certificate with the Court. This is the yellow certificate that you receive at the completion of your attendance to the program.

C. Hearings

1. Both Parties Must be Present in the Courtroom on the Hearing Date.

Exception: Only in cases where it would create a severe hardship for one of the parties to appear one party's appearance may be waived if an Affidavit Re: Agreement is signed and notarized by the party who is unable to appear.

2. Entry of Findings by the Judge: If the Judge approves of your Separation Agreement, the Judge will enter a Findings and Order. Copies will be sent to both parties or their attorneys.

D. Divorce Judgment

Thirty days following the entry of the Findings and Order the Judgment of Divorce enters automatically. Copies will be sent to both parties or attorneys.

E. Certificate of Divorce Absolute

May be obtained 90 days after entry of the Divorce Judgment. The Certificate costs \$20.00 and must be specifically requested. It will NOT be automatically issued.