DIVORCE FLOWCHART

PETITION filed by Petitioner

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Service on Respondent within 120 days

ANSWER filed by Respondent. Must be filed within:

- 20 days in-state
- 30 days out-of-state

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If **children**:
Both parties attend two mandatory courses: Divorce Education and Divorce Orientation

If **no children**:
90 Day Waiting Period, or Motion to Waive Divorce Education and Orientation not required

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No Answer filed by Respondent:
File final divorce documents, PLUS

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If **children**: Petitioner attends two mandatory courses: Divorce Education and Divorce Orientation and files Motion to Waive Requirement for Respondent.
If **no children**:
90 Day Waiting Period, or Motion to Waive Divorce Education and Orientation not required.

OR

Temporary Orders (if needed)
Either party may file Motion for Temporary Orders (before or after mediation)

Discovery (if needed)
Request to other party for information (i.e. Interrogatories, depositions, Request for Documents, Subpoenas)

Custody Evaluation (if custody is contested)

Mandatory Mediation
If parties settle, then file final documents.
If parties do not settle, parties may proceed with temporary orders, discovery, or pre-trial.

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Pre-Trial Settlement Conference with **Commissioner** If parties settle, read the agreement into record and file final documents. If parties do not settle, certify to Judge.

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Pre-Trial Settlement Conference with **Judge** If parties settle, read the agreement into record and file final documents. If parties do not settle, set for trial.

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