



Your Way to a Simplified Divorce

A Guide to Getting Divorced More Quickly and Easily



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This pamphlet explains the ways to make the divorce process as easy and quick as possible. You may be able to use one of these divorce processes if you and your spouse agree on all of the issues or if your spouse has not filed an appearance. Please read the information in this pamphlet to see which way is right for you.

Note: The information in this pamphlet also applies to dissolution of civil unions that were performed in a foreign jurisdiction, such as in a different state or country.

1. Nonadversarial Divorce – How to Get a Divorce Without Coming to Court

To be used with the Nonadversarial Divorce Forms Supplement JDP-FM-251

Nonadversarial Divorce (also called Nonadversarial Dissolution of Marriage or Non ad) is a simplified divorce process that permits eligible parties to obtain a divorce within 35 days without having to come to court and appear before a judge.

What are the Benefits of Nonadversarial Divorce?

- You can obtain a divorce in much less time, as compared to the regular process
- You don't have to come to court
- You can move on with your life more quickly

Are You Eligible?

If you and your spouse meet the following criteria, you may be eligible:

- We have been married 9 (nine) years or less
- Neither of us is pregnant
- No children were born to us or adopted by us before or during the marriage
- Neither of us has any interest or title in any real property
- The total value of all property owned by us is less than \$80,000
- Neither of us has a defined benefit pension plan
- Neither of us has a pending bankruptcy
- There is no other action for dissolution of our marriage pending
- There are no restraining or protective orders between us

If you do not meet these requirements, you may still be able to get divorced more quickly under section 2 of this pamphlet.

Obtain a divorce in **much less time**, as compared to the regular process.

Filing for a Nonadversarial Divorce (All of the forms below can be found in the Nonadversarial Divorce Forms Supplement JDP-FM-251 and on the Judicial Branch website at www.jud.ct.gov/webforms.)

To file for a Nonadversarial Divorce, you will need to complete the following form and each spouse must have an acknowledgment and oath taken by a notary public or other proper officer:

- Joint Petition – Nonadversarial Divorce (Dissolution of Marriage (JD-FM-242))

You must complete and attach to your joint petition the following:

- Notice of Automatic Orders (JD-FM-260)
- A financial affidavit (either Financial Affidavit (JD-FM-6-LONG) or Financial Affidavit (JD-FM-6-SHORT) for each spouse
- An Appearance (JD-CL-12) for each spouse
- Certification of Notice in Family Cases (Public Assistance) (JD-FM-175) Please note that you do not need to complete this form if you or your spouse never received public assistance.

If you have a settlement agreement that you are asking the court to include in the divorce decree, you must file that agreement with the joint petition:

- Agreement – Nonadversarial Divorce (Dissolution of Marriage) JD-FM-243

Once you complete all of the papers, file them with the Clerk of the Court along with the entry fee. A judge will review your papers and make a decision without you having to attend a hearing in court. The court will notify you by mail when you are divorced.

2. Waiver of the 90-day Statutory Waiting Period – How to Expedite Your Divorce (Get Divorced More Quickly)

(The forms mentioned can be found in the Divorce Forms Supplement JDP-FM-264 and on the Judicial Branch website at www.jud.ct.gov/webforms.)

If you and your spouse do not qualify for Nonadversarial Divorce, you can still get divorced quickly and easily if you agree on all of your issues or if your spouse has not filed an appearance. Connecticut requires a 90-day waiting period to get divorced. However, if you and your spouse have an agreement as to all issues, you may ask the court to waive (not require) the 90-day waiting period that is otherwise required for divorces. If your spouse has not filed an appearance after 30 days from the return date, you can also ask the court to waive the waiting period.

What Are the Benefits of Requesting that the 90-Day Waiting Period Be Waived?

The two biggest benefits of requesting that the 90-day waiting period be waived are:

- You can obtain a divorce sooner, subject to the court's availability, as compared to the regular process, which takes at least 3 months.
- You can move on with your life more quickly.

Forms to Complete in Order to File for Divorce and Waive the 90-Day Waiting Period

There are a number of forms that you will need to complete in order to file for divorce and waive the 90-day statutory waiting period.

To Start the Process

You will need to complete the following forms:

- Summons Family Actions (JD-FM-3)

- Divorce Complaint (Dissolution of Marriage) (JD-FM-159) or, if you are filing to dissolve a civil union, not a marriage, the Dissolution of Civil Union Complaint (JD-FM-159A)
- Notice of Automatic Court Orders (JD-FM-158)

You must also serve a blank Appearance (JD-CL-12) on your spouse with the other papers.

To Ask a Judge to Waive the 90-Day Waiting Period

When you and your spouse have an agreement, you will need to complete and file the following form, which each spouse must sign under oath:

- Motion to Waive Statutory Time Period by Agreement of the Parties – Divorce or Legal Separation (JD-FM-247)

When your spouse has not filed an appearance, you will need to complete and file the following form, under oath:

- Motion to Waive Statutory Time Period Upon Defendant's Failure to Appear and Affidavit – Divorce or Legal Separation (JD-FM-272)

How to Waive Service of Process to Avoid the Time and Expense of Having a State Marshal Deliver the Papers to Your Spouse

Your spouse can agree to waive service by completing under oath and filing the following two forms:

- Certification of Waiver of Service of Process (JD-FM-249) *Do not sign this form until you are in front of a court clerk or a notary public.*
- Appearance (JD-CL-12)

Move on with your life more quickly.

Other Forms You Will Need to File

- Certification of Notice in Family Cases (Public Assistance) (JD-FM-175) Please note that you do not need to complete this form if you, your spouse or your child never received public assistance.

- Financial Affidavit (JD-FM-6-LONG) or Financial Affidavit (JD-FM-6-SHORT) for each spouse
- Dissolution Agreement (JD-FM-172) if you and your spouse agree on all issues
- Affidavit Concerning Military Service (JD-FM-178) if your spouse has not filed an appearance

If you have children, you will also need to complete the following forms:

- Worksheet for the Connecticut Child Support and Arrearage Guidelines (CCSG -1)
- Advisement of Rights (JD-FM-71)
- Affidavit Concerning Children (JD-FM-164)

Please file all forms with the Clerk's Office. It is recommended that you keep copies of all of the forms that you file.

Parenting Education Program

- If you have children under the age of 18, each spouse must take part in a Parenting Education Program within 60 days after a family case is filed.
- There is a fee for the classes that you will have to pay unless the court decides that you cannot afford to pay.
- You will need the following forms to participate in the class:
 - Parenting Education Program – List of Approved Programs (JDP-FM-151)
 - Parenting Education Program – Order, Certificate and Results (JD-FM-149) one for each spouse

On the Day of Your Divorce Hearing

The day of your divorce:

- Be sure to come to court early because it can take some time to get into the courthouse since everyone must go through a metal detector.
- Be sure to bring your filled-out court forms and copies of any other forms you may have filed.
- Go to your assigned courtroom and wait for instructions.
- If you are not sure where to go, check with the Clerk's Office or Court Service Center.

Additional Information and Where to Get Help

Please be aware that:

- Every case is different and this information is to be used as a guide only.
- If you think you need more help, you may want to speak with an attorney.
- You can also go to a Court Service Center or contact the Connecticut Network for Legal Aid or find additional information at the Law Libraries. For information on these and other resources, please visit the Judicial Branch website at www.jud.ct.gov and click on the Divorce link on the left side of the home page.
- Court staff can answer procedural questions and help you understand the legal process but cannot give you legal advice.
- If you cannot afford the fee to file your case, you can ask the court to waive it by filing an Application for Waiver of Fees/Appointment of Counsel Family (JD-FM-75) form to show the court why you cannot afford to pay. *Do not sign this form until you are in front of a court clerk or a notary public.*