Divorce Options in Connecticut

In Connecticut, all parties must ordinarily wait at least 90 days to get a divorce. However, other options may take less time. Match the color from the chart below to the same color on page 2 for the options that apply to your case.



Do you and your spouse have, or expect to have, a full agreement on **ALL** issues (e.g., alimony, child support, visitation, custody, division of property/money, payment of debts)?



Below are **TWO** options for getting a divorce without waiting the 90 days.



OPTION 1 Attendance in Court NOT Required

You and your spouse may get a divorce <u>without</u> the need to see a judge, if you meet all of the following conditions:

- 1. Married 9 years or less
- 2. Neither you nor your spouse is pregnant
- 3. No children
- 4. No interest or title in real property
- 5. Property owned is less than \$80,000
- 6. No defined benefit pension plan
- 7. No pending bankruptcy proceedings
- 8. No other divorce action pending
- 9. No restraining or protective orders between you and your spouse

See "Nonadversarial (Simplified) Divorce" on page 2.

OR

OPTION 2 Divorce at Any Time Without Waiting

You and your spouse may get a divorce at <u>any</u> <u>time</u> by asking the court to "waive" the 90-day waiting period.

 ${\it See~"Divorce~with~an~Agreement-Waive~90"~on~page~2.}$

- * Appearance: A form your spouse fills out to tell the court that he or she will be participating in the divorce proceedings.
- ** Return Date: Day that marks the beginning of the 90-day waiting period. Date is located on the summons.

Begin the initial divorce paperwork.

See "Divorce Without an Agreement - Part 1" on page 2.



Has your spouse filed an Appearance?*

NO: If it has been at least 30 days from the *Return Date*,** you may get divorced without your spouse by asking the court to "waive" the 90-day waiting period.

See "Default - Waive 90" on page 2.

YES: Proceed to the next box.



Have you and your spouse reached an agreement on all issues before the 90-day waiting period is over?

YES: Go to "Divorce at Any Time Without Waiting."

NO: Proceed to the next box.



You and your spouse must wait at least 90 days to get a divorce. Any unresolved issues will be decided by the judge.

See "Divorce Without an Agreement - Part 2" on page 2.

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

"Nonadversarial (Simplified) Divorce"

Complete and file the following forms with the court:

- Joint Petition Nonadversarial Divorce (Dissolution of Marriage) (JD-FM-242)
- Financial Affidavits (JD-FM-6) for each spouse
- Notice of Automatic Court Orders Nonadversarial Divorce (JD-FM-260)
- Appearance (JD-CL-12) for each spouse
- If either spouse has ever received public assistance: Certification of Notice in Family Cases (Public Assistance) (JD-FM-175)
- If dividing property, money, or debt: Agreement Nonadversarial Divorce (Dissolution of Marriage) (JD-FM-243)

Divorce may be granted in approximately 35 days without the need to see a judge.

"Divorce with an Agreement - Waive 90"

Complete and file Motion to Waive Statutory Time Period by Agreement of the Parties - Divorce or Legal Separation (JD-FM-247) with the court. If you have not already done so, also complete and file the following with the court:

If minor children:

(JD-FM-71)

Guidelines (CCSG-1)

- Summons Family Actions (JD-FM-3)
- Divorce Complaint (Dissolution of Marriage) (JD-FM-159)
- Notice of Automatic Court Orders (JD-FM-158)
- Financial Affidavits (JD-FM-6) for each spouse
- Dissolution Agreement (JD-FM-172)
- Certification of Waiver of Service of Process Divorce, Legal Separation, Annulment (JD-FM-249)
- Appearance (JD-CL-12)

(JD-FM-149) for each spouse

• Advisement of Rights Re: Income Withholding

• Affidavit Concerning Children (JD-FM-164)

• Worksheet for the Connecticut Child Support and Arrearage

• Parenting Education Program - Order, Certificate and Results

• If either spouse has ever received public assistance: Certification of Notice in Family Cases (Public Assistance) (JD-FM-175) You and your spouse will be provided a court date. Both you and your spouse must see a judge on that date.

"Default - Waive 90"

Complete and file the following forms with the court:

- Motion to Waive Statutory Time Period Upon Defendant's Failure to Appear and Affidavit - Divorce or Legal Separation (JD-FM-272)
- Financial Affidavit (JD-FM-6)
- Affidavit Concerning Military Service (JD-FM-178)

If papers were delivered ("served") to the other spouse and certain conditions are met, the court may waive the 90-day waiting period and grant the divorce without having to see a judge. If the conditions are not met, a court date will be provided and you will be required to see a judge.

"Divorce Without an Agreement - Part 1"

Step 1: Begin the process by completing the following forms and bring to the clerk's office:

- Summons Family Actions (JD-FM-3)
- Divorce Complaint (Dissolution of Marriage) (JD-FM-159)
- Notice of Automatic Court Orders (JD-FM-158)
- If you need temporary orders: Motion for Orders Before Judgment (Pendente Lite) in Family Cases (JD-FM-176)
- If either spouse has ever received public assistance: Certification of Notice in Family Cases (Public Assistance) (JD-FM-175)

Step 2: Deliver ("serve") the completed forms, along with a blank Appearance (JD-CL-12) to the other spouse

NOTE: Your spouse can agree to waive service by completing and filing a Certification of Waiver of Service of Process – Divorce, Legal Separation, Annulment (JD-FM-249) and an Appearance (JD-CL-12)

Step 3: After paperwork has been delivered ("served") to the other spouse, return the original paperwork with proof of delivery to the clerk's office

"Divorce Without an Agreement - Part 2"

If other spouse files an appearance and there is still no agreement, you and your spouse must wait the required 90 days for the Case Management Date. A conference is scheduled this day to determine how your case will proceed. File the following forms with the court on or before the Case Management Date:

- Case Management Agreement/Order (JD-FM-163)
- Financial Affidavits (JD-FM-6)
- Parenting Plan (if custody of minor children in dispute)

You and your spouse may be required to see a judge on the Case Management Date depending on the issues.