

STEPS IN AN UNCONTESTED DIVORCE

DRAFT THE PLEADINGS

- We will draft your Original Petition for Divorce, as well as the other documents that need to be filed with the petition.
- Once drafted, we will file the pleadings with the court and pay the court fees from your retainer.

SERVICE BY WAIVER

- For a divorce to remain “uncontested,” your spouse cannot hire his or her own attorney, your spouse must sign a waiver of service, and all terms of the divorce must be mutually agreed.
- We will draft the waiver of service, meet with your spouse in our office to sign the waiver, have our paralegal notarize the waiver once signed, and file the waiver with the court.

REVIEW AGREEMENT AND DRAFT DOCUMENTS

- We will review financial documents, property records, and any written agreements you submit to draft the final divorce decree.
- We will also draft any other appropriate legal documents, including Power of Attorney for motor vehicle title transfers, income withholding orders for child support, deeds, and deeds of trust.

COURT APPEARANCE AND FINAL DECREE

- We will send you the draft of the final decree for you to review, revise, and ask questions, before you approve.
- Both you and your spouse will need to sign the final decree and any accompanying documents.
- We will accompany you to court for a short hearing during which we will ask you questions in front of the judge to “prove up” the divorce.
- After the hearing, the judge will sign the decree and the divorce will be finalized.
- We will send you instructions for getting a certified copy of the final decree.

