

STAGE 1 : BEGINNING THE DIVORCE PROCESS

FILE A COMPLAINT FOR DIVORCE WITH THE COURT.

The court then returns the complaint with a docket number. The first party to file is named as the **PLAINTIFF** in the case, the other is the **DEFENDANT**.

IF THERE IS A CO-RESPONDENT (IF ADULTERY IS INVOLVED)

Serve notice of the complaint to co-respondent within 30 days, if applicable. The co-respondent has the right to file an application with the court to intervene in the action. An affidavit of compliance is then filed with the court.

PLAINTIFF serves the **DEFENDANT** with the summons and complaint within a reasonable period of time after receiving the filed complaint” back from the court. Then **PLAINTIFF** files proof of service. The **DEFENDANT** is required to file an appearance or answer, which may include a counterclaim, within 35 days.

Did the **DEFENDANT** answer within 35 days?

YES

NO

SPOUSE RESPONDED, NOW WHAT?

The **PLAINTIFF** files an answer to the counterclaim within 20 days. Soon after, the court will send notices for a parenting program workshop for each party (if applicable). Each party will attend the workshop at different times.

SPOUSE DIDN'T RESPOND! NOW WHAT?

A request to enter default is filed after 35 days.

Is there a *signed* settlement agreement?

YES

NO

A default hearing and uncontested divorce is conducted.

Serve the **DEFENDANT** with a notice of the proposed final judgment 20 days before the default hearing. Attach the **PLAINTIFF'S** case information statement and terms of the proposed settlement.

A default hearing to obtain a judgment of divorce is then conducted.

INITIAL PLEADINGS HAVE BEEN FILED, NOW WHAT?

The New Jersey Divorce Process has 7 Stages.
This is the First Stage. To get more information on all stages go to: <http://www.wlg.com/divorce-roadmap>



Divorce is never easy. Retaining the right legal representation can make a real difference. Weinberger Divorce & Family Law Group is solely focused on New Jersey divorce and family law, making us uniquely qualified to understand the challenges you are facing, as well as the intricate rules and protocols of family mediation.

For a free consultation, call us at (888) 888-0919.