NEXT STEPS — VTCourtForms  
Asking the court for a divorce, separation or dissolution

You have filled out the forms to ask the court for a divorce, separation or civil union dissolution in Vermont. Now learn what to do next.

## Next step – “file” your forms

1. You will need to fill in the Social Security number(s) for the court’s Statement of Confidential Information form. You can do so by hand, or on the PDF on your computer. If by hand, use a pen and write clearly.
2. If you have a lawyer, they should sign page 2 of the Summons and Complaint for a Divorce / Separation / Dissolution. Otherwise leave that signature line blank.
3. Keep a copy of the forms for yourself if you think it is safe to do so.
4. When you are ready, you will file these 5 forms with the court:

* Summons and Complaint for a Divorce / Separation / Dissolution
* Notice of Appearance for Self-Represented Party
* Family Court Information Form
* Department of Health Record of Divorce **or** Dissolution (Note: The court will fill in the Decree section of this form and will submit it.)
* Statement of Confidential Information

You may have other documents to submit with these forms. These may include copies of RFA orders / protective orders, or forms with details about agreements with your spouse, including:

* Final Stipulation Property, Debt and Spousal Support (an agreement about property, debt and spousal support)
* Agreement on Parental Rights & Responsibilities, Parent Child Contact and Provisions Relating to Children, and/or
* Child Support Order.

Visit Step 3 of the Divorce Roadmap at [https://vtlawhelp.org/roadmap/divorce](https://vtlawhelp.org/roadmap/divorce/step-3) for forms and details.

Choose how to file your forms:

* + Bring the forms to your local family courthouse, or
  + Mail the forms to a family court, or
  + Email the forms to a family court in Vermont, or
  + E-file the forms through the Vermont Judiciary’s Odyssey e-filing system.

Read more detailed instructions for each of these options on Step 4 of the Divorce Roadmap at: [https://vtlawhelp.org/roadmap/divorce](https://vtlawhelp.org/roadmap/divorce/step-4).

When you give your forms to the court, you must pay a filing fee. Visit the link above for the fee and how you can pay.

If you have a low income and cannot afford the filing fee, you can fill out a form to ask the court to waive the fee. See the link above to find the Application to Waive Filing Fees and Service Costs.

Details for the family court you selected:

**{{ address\_county }} {{ division }}  
{{ name }}**  
{{ address\_address }} {{ address\_unit }}  
{{ address\_city }}, {{ address\_state }} {{ address\_zip }}  
{% if arbitrary\_attribute %}  
Mailing address:  
{{ arbitrary\_attribute }}  
{% endif %}  
{{ email }}  
Phone: {{ phone }}

## “Serving” the other party

1. For the case to go on, your spouse must be “served” (sent or delivered) copies of the court forms. Read about service options and discuss that process with the court clerk. If you have children, the court may serve your spouse for you. The courts have a web page that describes the ways to serve papers to your spouse: [www.vermontjudiciary.org/family/divorce/serving-papers](http://www.vermontjudiciary.org/family/divorce/serving-papers)

* You pay the costs of serving your spouse unless the court gives you a fee waiver.

## Attend meetings and courses

* After you file your forms with the court and serve your spouse, the case in court begins.
* Check your mail often for documents related to your case. If you agreed to be served by email, check **both** your mail and your email often.
* Everyone gets an Interim Domestic Order and has a Case Manager Conference.
* If you have minor children, you will need to take a course called Coping with Separation and Divorce.
* Depending on what you agreed on in the Case Manager Conference and what comes up in your lives, you may need to have status conferences or hearings to create a temporary order.
* You, your spouse, or the judge can ask for the case to go to mediation or to meet with a parent coordinator.
* Don’t agree to anything you are not comfortable with.

## Go to final hearing and get a divorce order

* At the final hearing, the judge will confirm that you meet the requirements to get a divorce, separation or dissolution.
* An **uncontested** final hearing happens when you and your spouse have agreed on all the issues in the divorce case. The judge meets with you briefly to make sure you agreed voluntarily and understand what you are agreeing to. For a case with children, the judge also needs to make sure the agreement is in the best interest of the children.
* A **contested** final hearing happens when you and your spouse could not agree about one or more areas in the case. This could be about your money, property and debts, your parenting plan, or child support – or all of these.
* If you know or think there will be a contested final hearing, you should get legal help.
* A contested final hearing means that you will have to answer questions from the judge and your spouse (or their lawyer). You will also get to ask your spouse questions. In the hearing, only speak when the judge tells you it is your turn. Prepare by reviewing whatever part of your case is going to be “contested.”
* Practice for your hearing. In many cases, the court will decide based on testimony from you and your spouse.
* Sometimes you may have other kinds of evidence (“exhibits”) like texts, photos, or medical records to share with the court before your hearing. Be sure to talk about them at the hearing. Bring 3 copies with you. If you attend online, you need to file your exhibits in advance. Read the notice of hearing you get from the court and ask the court clerk if you have questions.
* Do you have a disability that makes it hard for you to communicate with the court or understand what is happening in your case? Ask [VermontCSP.org](https://www.VermontCSP.org) about getting a Communications Support Specialist for your case.
* Be on time. When your hearing starts, you may find out that your spouse has a lawyer. If they do, you may ask the court to “continue” (reschedule) the hearing, so you have the chance to get a lawyer.
* You can read more about preparing for your final hearing on Step 6 of the Divorce Roadmap: [https://vtlawhelp.org/roadmap/divorce](https://vtlawhelp.org/roadmap/divorce/step-6)

## After the final order

* After the final hearing, you have 30 days to decide if you want to appeal any part of your divorce case to the Vermont Supreme Court.
* You may be able to ask the court to “reopen” or “reconsider” within 28 days of getting the final order.
* Your divorce becomes final 90 days after the final order unless the judge allows you to “waive” (give up) the “nisi period.”
* If part of the divorce order is not being followed and you can’t work it out with your ex-spouse, you can file a motion with the court to get your ex-spouse to follow the order. These are called “motions to enforce.”
* You can also file a “motion to modify” if you want to ask for something in the final order to change to reflect a change in your lives. You can do this for parenting and child support issues, but generally not for issues about property and money.

## Get help

1. Follow the steps and videos in the Divorce Roadmap on the VTLawHelp.org website: <https://vtlawhelp.org/roadmap/divorce>
2. If you have questions about forms or the court process, contact the Vermont Judiciary Access and Resource Center (ARC) at [www.vermontjudiciary.org/self-help/ARC](http://www.vermontjudiciary.org/self-help/ARC) or 802-879-1185. The ARC does **not** give legal advice.
3. You can also ask the court clerk at your county’s family court. Find them on the Vermont Judiciary website: [www.vermontjudiciary.org/court-locations](http://www.vermontjudiciary.org/court-locations).
4. To hire a lawyer, or get a reduced-fee consultation, contact the Vermont Bar Association’s Lawyer Referral Service at 1-800-639-7036 or www.vtbar.org/find-a-lawyer/.
5. Contact us at Legal Services Vermont and Vermont Legal Aid at 1-800-889-2047 if you need quick advice or a referral for:

* a divorce with children, or
* a divorce that involves abuse or domestic violence.

Otherwise, we cannot help you with divorce issues.

