DIVORCE PACKET

YOUR LEGAL RIGHTS MAY BE BETTER PROTECTED WITH THE HELP OF AN ATTORNEY

IF YOU AND YOUR SPOUSE HAVE A **CHILD OR CHILDREN**, OWN A **HOME** OR **BUSINESS**, OR IF EITHER SPOUSE HAS A **PENSION OR RETIREMENT PLAN**, YOU SHOULD **SEE AN ATTORNEY**. IF YOU DO NOT HAVE THE MONEY TO PAY AN ATTORNEY, YOU MAY ASK THE COURT TO ORDER YOUR SPOUSE TO PAY YOUR LEGAL COSTS.

You may get a divorce in West Virginia without an attorney, but your custody, property, and support rights may be better protected with the help of an attorney. Staff in the Circuit Clerk and the Family Law Master offices **CANNOT GIVE LEGAL ADVICE**.

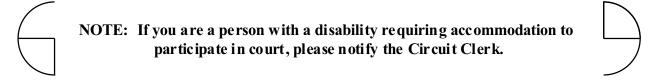
Please **READ** the instructions carefully and clearly fill in the blanks. You are the Petitioner and your spouse is the Respondent. Some of the legal terms used in this packet are explained at the end of these instructions.

YOU CAN FILE YOUR OWN DIVORCE USING THESE FORMS ONLY IF:

- 1) You (or your spouse) have lived in West Virginia at least one year before starting the divorce, **OR**
- 2) You now live in West Virginia and were married in West Virginia.

YOU CAN FILE IN THIS COUNTY IF:

- 1) Your spouse lives in this county, **OR**
- 2) You last lived with your spouse in this county, **OR**
- 3) Your spouse's address is unknown or out of state, and you reside in this county or last lived with your spouse in this county.



FORMS INCLUDED IN THIS PACKET:

- 1) <u>PETITION FOR DIVORCE</u>: This is the first paper filed in a divorce. The Petition tells the Court what you want and why you want the divorce. You will need to file an original and one copy of the Petition and Verification with the Circuit Clerk.
- 2) <u>VERIFICATION</u>: This form tells the Court that everything stated in the Petition is true. You must sign it under oath before a **NOTARY PUBLIC**.
- 3) <u>CIVIL CASE INFORMATION STATEMENT FOR DOMESTIC RELATIONS CASES</u>: This form gives the Court important information on your case. It is used by the Family Law Master to track cases on the Court's docket. You must file **THREE (3) COMPLETED COPIES** of this form with the Circuit Clerk. The case number, Judge, days to answer and type of service will be filled in by the Circuit Clerk.
- 4) <u>VITAL STATISTICS FORM</u>: This form is used to update vital statistics records. After the divorce is granted, the Circuit Clerk sends the form to the state office of vital statistics.
- 5) <u>APPLICATION AND INCOME WITHHOLDING FORM FROM THE CHILD SUPPORT</u>
 <u>ENFORCEMENT DIVISION</u>: If there are **MINOR CHILDREN** from the marriage, this form **MUST BE COMPLETED** by **BOTH** parties. This form for services from the Child Support Enforcement Division must be **FILED WITH THE CIRCUIT CLERK** when you file the Petition and the Respondent files an Answer.
- 6) <u>ACCEPTANCE OF SERVICE</u>: This form must be signed before a Notary Public, and filed with the Circuit Clerk when a Respondent voluntarily picks up a copy of the Petition instead of being served by the Sheriff.
- 7) <u>FINANCIAL STATEMENT</u>: This form which asks about the parties' property and income must be completed by each party. It is available from the Circuit Clerk. You must send a copy of the completed form to the other party and **FILE THE ORIGINAL** with the **CIRCUIT CLERK** within forty (40) days after the Petition is served on Respondent. The Family Law Master **MUST HAVE THIS FINANCIAL INFORMATION** before he or she can approve an agreement between the parties or divide marital property and award support.
- 8) NOTICE OF HEARING: This form states when and where the hearing will be held. When you schedule the time for your hearing, you must **SEND THIS NOTICE TO YOUR SPOUSE** at least **TEN (10) DAYS BEFORE THE HEARING**. Fill in the bottom part of the form which tells the Court when you sent the notice. Make 2 copies of the notice and file the original notice with the Circuit Clerk and mail a copy to your spouse and keep a copy.

- 9) <u>ANSWER</u>: This is the written response to the Petition which the Respondent must file with the Circuit Clerk within twenty (20) days after he/she has been served with the Petition. Included is a sample Answer to be used in a divorce which is based on the ground of "irreconcilable differences". The Verification simply states that everything stated in the Answer is true. Sign the Answer and Verification before a **NOTARY PUBLIC**.
- 10) <u>SUMMONS</u>: The legal notice served with the Petition for Divorce that tells the Respondent when the Answer must be filed and lists the address of the Petitioner where it must be served.

Make photocopies of your completed forms before filing the originals with the Circuit Clerk.

OPTIONAL FORM

<u>PROPOSED PARENTING PLAN</u>: If there are minor children subject to this case, then the parties must attempt to agree to a proposed parenting plan for the court's consideration. If the parties cannot agree, then each party must file a proposed individual parenting plan for the court's consideration prior to the first hearing / conference held in the case.

If the required forms are not filed when you file the Petition for Divorce, your case may be delayed.

Make photocopies of your completed forms before filing the originals with the Circuit Clerk.

IF YOUR SPOUSE'S ADDRESS IS UNKNOWNOR OUT OF STATE, USE THESE FORMS:

- A) <u>AFFIDAVIT OF NON-RESIDENCY OR UNKNOWN RESIDENCY</u>: This Affidavit must be completed if your spouse cannot be served in West Virginia because the spouse's address is unknown or out of state. This form must be signed before a **NOTARY PUBLIC**.
- B) <u>ORDER OF PUBLICATION</u>: This form must be completed so that your spouse can be served by the publication of a notice in the newspaper.
- C) <u>AFFIDAVIT OF PUBLICATION</u>: After the legal advertisement has been published, the newspaper sends this Affidavit to the party who will pay the cost or to the Circuit Clerk's Office if the party qualifies for a waiver of Court costs. **If you receive this form, you MUST take it to the hearing to prove that notice of the hearing was published.**

STEP 1. COMPLETE THE CORRECT FORMS.

Everyone who files a divorce action must complete the following forms:

- Petition for Divorce and Verification (Forms 1 and 2)
- Civil Case Information Statement (Form 3)
- Vital Statistics Sheet (Form 4)
- Financial Disclosure Statement (Form 7)

If there are **minor children** of this marriage you must also complete and file the following form:

- Application and Income Withholding Form (Form 5)
- Proposed Parenting Plan

and if there are minor children of this marriage and/or you are requesting alimony:

- 1. You must attach to Form 7, the Financial Disclosure Statement, a copy of your most recent wage or salary stub stating the gross pay, deductions for taxes and other items itemized, and net pay, both for a normal pay period and for year-to-date earning; and
- 2. a copy of the parties' income tax returns for the two years immediately preceding the hearing date and the federal income tax Form W-2 for those years and for any year for which tax returns have not yet been filed; and
- 3. a copy of any financial statement prepared for you or your business if you are self-employed; and
- 4. a copy of any invoices, receipts, etc., showing the cost of any **EXTRAORDINARY** medical expenses, child care, and other special needs of the children; and
- 5. a copy of any other document regarding an item to be used in the calculation of child support or alimony.

The following Court costs must be paid when you file these forms:

- 1) Filing fee \$125
- 2) If you have minor children of this marriage, both you and your spouse must pay to the Circuit Clerk \$25 each for parent education classes.
- 3) Sheriff's Service fee \$20 or
- 4) Certified mail fee \$10

If you can not afford the filing fees you must ask the Circuit Clerk for an "Affidavit of Indigency and Application: Eligibility For Waiver of Fees, Costs, or Security in a Civil Case". Fill this out completely and the Clerk will inform you if you qualify for a waiver of the fees. NOTE: The \$25 for parent education classes can not be waived.

STEP 2. FILE YOUR COMPLETED FORMS WITH THE CIRCUIT CLERK.

You will need to determine the county where your papers must be filed. One of the following rules will apply to you:

- 1. <u>If your spouse lives in West Virginia</u>, you may file in either the county where your spouse now lives (at the time of the filing) <u>or</u> in the county where you and your spouse last lived together.
- 2. <u>If your spouse does not live in West Virginia</u>, you may file either in the county where you live <u>or</u> in the county where you and your spouse last lived together.

Once you have determined the county in which to file, take your completed forms to the Circuit Clerk's Office and give them to the Clerk's employees (known as Deputy Clerks) for filing.

IMPORTANT NOTE - The Deputy Clerks do not "check" your forms to see if they are correct and they absolutely cannot give you legal advice. They cannot assist you in completing your forms, so do not go there expecting to receive help with your forms. If you cannot complete the forms after reading these instructions then you need to see a lawyer.

The Clerk's Office is required to collect a fee of \$125.00. You must pay this fee when you present your papers for filing. This fee is not refundable if you change your mind later. If you cannot afford to pay the filing fee you can ask the Deputy Clerk for an affidavit to waive the court costs. You can complete this form while you are in the office and have a Deputy Clerk review the form. If you meet the financial guidelines then you will not have to pay the \$125.00 filing fee or the fee to have your papers served. If the Deputy Clerk tells you that you do not qualify financially to have the fee waived you can ask the Circuit Judge or the Family Law Master to review the Clerk's decision.

As noted above, parties with children are required to attend a **Parent Education Class** prior to their final divorce hearing. After filing the divorce you will be given a class schedule and directions for each party to pay a \$25 fee to the Circuit Clerk prior to attending the class.

STEP 3. OBTAINING SERVICE OF PROCESS ON YOUR SPOUSE.

Before any type of hearing - - except an emergency hearing - - can be held on your case, your spouse must be served with a copy of the papers that you filed. This can be done by any of several methods.

1. **PERSONAL SERVICE BY THE SHERIFF** - A copy of the papers you filed are delivered to your spouse by the Sheriff's Department. If you wish to have service made in this way you need to give two copies of the papers you filed to the Sheriff's Office, along with directions to your spouse's

residence or place of employment. (The more specific your directions are the more likely they are to find him/her.) Service by the Sheriff usually costs \$20.00, but if you filled out an affidavit to waive the filing fee and if it was approved by the Deputy Clerk then your service of process fee will also be waived.

- 2. **ACCEPTANCE OF SERVICE** If your spouse is willing to accept service of process you can give your spouse a copy of the papers that you filed and a Summons issued by the Circuit Clerk's Office. Then your spouse would have to complete and sign the Acceptance of Service form in this packet (Form 6). The Acceptance of Service form must be filed in your court file for this type of service to be valid.
- 3. **SERVICE BY PRIVATE PROCESS SERVER** Other persons may serve the papers on your spouse. However, service cannot be made by a party to the case, or by a person who is not at least 18 years of age. If you use this method of service the person who serves your spouse must complete and file an affidavit to verify that service was made. If you hire a private process server make sure that they file the affidavit. If they will not do that then do not attempt to use this method.
- 4. **SERVICE BY CERTIFIED MAIL** If you wish to use this method you must have the Circuit Clerk's Office mail a copy of the papers to your spouse by certified mail, <u>restricted delivery</u>. The Clerk's Office will receive a green postcard back with the signature of the person who picked up the papers. <u>If someone other than your spouse signs for the papers the service is not valid.</u>
- 5. **SERVICE BY PUBLICATION** This method of service is generally only used in two circumstances:
 - a. If you **DO NOT KNOW** where your spouse is located,

OR

b. If your spouse resides **OUT-OF-STATE** and will not sign the return postcard for certified mail.

If "a" or "b" applies to your case, do not use this method of service if the only reason for the divorce listed in your Petition for Divorce is irreconcilable difference. If irreconcilable differences **IS NOT** the only reason listed **AND** if one of these two circumstances applies to your case, then you may attempt service of process by publication. Complete Form 10 through the part where it says "including any related counter claim of defense" by leave everything after those words blank. Take the form to the Circuit Clerk's Office and ask the Deputy Clerk to complete the rest of the form.

NOTE - Make sure the date to answer by, as completed by the Deputy Clerk, is at least **6 WEEKS** after the date you are taking the notice to the newspaper for publication.

After the form is completed by the Deputy Clerk, take the form immediately to the office of a

newspaper in the countywhere your divorce is filed. The notice must be published in the newspaper **ONCE A WEEK** for **TWO SUCCESSIVE WEEKS**. You will have to pay the newspaper for the publication fee.

After the notice is published in the paper, the publisher will complete an affidavit to confirm that the publication occurred. In some counties the newspaper mails this document directly to the Circuit Clerk, but in other counties the Publisher's Affidavit is mailed back to you. If it is mailed to you, you <u>must</u> take it to the Circuit Clerk's Office to be placed in your court file before you have a hearing.

NOTE - Simply taking a copy of the notice which is printed in the paper is not sufficient. The Court must have the Publisher's Affidavit from the newspaper before a hearing can be held.

NOTE - If you intend to use publication as your method of service of process, you <u>must</u> include in your Petition some other grounds for divorce in addition to irreconcilable differences. (For instance "living separate and apart for over a year" or "cruel and inhuman treatment".)

STEP 4. TIME FOR YOUR SPOUSE TO FILE AN ANSWER.

Once your spouse is served the Petition or accepts service, he/she has **TWENTY (20) DAYS TO FILE AN ANSWER** (Form 8) which is a written response to the Petition.

[The Divorce - Answer Packet is available from the Circuit Clerk for your spouse, or your spouse may use the Answer form (Form 8) in this packet.].

If your spouse was served by publication in the newspaper, he/she has **THIRTY (30) DAYS** to file an Answer with the Circuit Clerk.

By filing the Answer (Form 9), your spouse agrees to the ground of "irreconcilable differences" commonly called a "no-fault" divorce. To obtain a "NO-FAULT" DIVORCE, your spouse MUST FILE AN ANSWER with the Circuit Clerk agreeing to the ground of "irreconcilable differences" and send a copy to you.

If your spouse does not file an Answer, you can still seek a divorce based upon other grounds listed in WV Code, §48-2-4, such as "living separate and apart for one year" or "cruel and inhuman treatment." You must mark the paragraph in your Petition with the additional ground for the divorce.

NOTE: For any ground except "irreconcilable differences," you must bring a witness to the hearing to testify for you.

STEP 5. A CASE MANAGEMENT CONFERENCE / HEARING WILL BE SCHEDULED BY THE FAMILY LAW MASTER.

IF THERE ARE MINOR CHILDREN OF THIS MARRIAGE, THEN BOTH PARTIES MUST SCHEDULE AND ATTEND PARENT EDUCATION PRIOR TO ATTENDING THE FIRST HEARING/CONFERENCE.

A case management conference/hearing will be scheduled in your case by the family law master. In the order setting this conference/hearing, the Family Law Master will include the date and time for the conference/hearing and will tell you what other actions you may need to take or forms you need to complete prior to the conference/hearing. One of the purposes of this conference/hearing is to determine what matters will be contested and how much hearing time will be needed. If the case is not contested, the parties agree, the final hearing will be held at this time. Another purpose of this conference/hearing will be to determine whether parties who have minor children have agreed on a proposed parenting plan. If the parties have agreed, the Family Law Master can review the proposal and determine whether to enter it as an order. If the Family Law Master determines at the case management conference/hearing that the parties cannot agree on a proposed parenting plan, then the Family Law Master will refer to the parties to premeditation screening to determine whether it would be helpful for the parties to meet with a mediator to try to agree on a proposed parenting plan.

If there are minor children who are involved in this divorce, then you need to prepare and file a proposed parenting plan:

- 1. You may contact your spouse and try to work together to develop a proposed agreed parenting plan to submit to the court.
- 2. If either of you or your spouse files a proposed individual parenting plan, and the other party agrees with all of the provisions in this plan, then the two of you can file the plan together.
- 3. If your spouse has filed a proposed individual parenting plan, and you do not agree with all of the terms and conditions set forth in this plan, then you should file your own proposed individual parenting plan.

In some counties, the Family Law Master routinely schedules a pre-trial hearing in divorce cases. In these counties, the Family Law Master will send you a scheduling order with the date and time for a pre-trial hearing. The purpose of the pre-trial hearing is to determine what matters will be contested and how much hearing time will be needed. If the case is not contested, the final hearing will be held at this time.

STEP 6. CHANGING THE DATE FOR ANY HEARING SET BY A SCHEDULING ORDER.

Following the case management conference/hearing, and all other hearings, the Family Law Master will send to both parties a scheduling order setting the date and time for the next hearing. If you have received a scheduling order from the Family Law Master, and you cannot attend the hearing on this date for some reason, then you must send to the Family Law Master office a written request stating the reason you are requesting that the date and time be hanged. You must send this written request to the Family Law Masters office not less than seven (7) days before the date of the hearing you wish to be changed.

The Family Law Master CANNOT HOLD THE CASE MANAGEMENT CONFERENCE/HEARING UNTIL TWENTY (20) DAYS AFTER THE PETITION FOR DIVORCE was personally served or thirty (30) days after the notice first appeared in the newspaper. If you are not sure about the date your spouse was served, ask the Circuit Clerk.

STEP 7. GO TO THE CASE MANAGEMENT CONFERENCE/HEARING.

NOTE - If you are seeking **ALIMONY** or **CHILD SUPPORT**, or if you have **MARITAL DEBTS** that need to be divided, make sure your court file contains current pay information for both you and your spouse -pay stubs, W-2 forms, or tax returns will be acceptable. If you do not have these items with you at the hearing or in your court file with your Financial Statements then the Family Law Master may have to reschedule your hearing to another date, causing a delay in the granting of your divorce.

Find out where the Family Law Master hearings are held and be there *before* the time your hearing is scheduled. If the grounds for divorce are irreconcilable differences, either you or the Respondent must attend the hearing. If any other ground is used, the Petitioner and a witness must be present. If possible both parties should attend the final hearing.

NOTE: It takes two persons to obtain a divorce, either 1) the Petitioner and Respondent must agree on irreconcilable differences; or 2) the Petitioner and a witness must testify at the hearing on the grounds for the divorce. When the Respondent has not filed an Answer admitting irreconcilable differences, the Petitioner **MUST** bring a **WITNESS** to the hearing or the divorce cannot be granted.

Divorce hearings are not open to the public, therefore only the parties and any necessary witnesses are allowed to be present. The Family Law Master will tape record the hearing. The Family Law Master will ask everyone who testifies to raise his/her hand and swear or affirm to tell the truth. You will need to **TESTIFY ABOUT THE INFORMATION IN YOUR PETITION**. Some Family Law Masters will question the parties, while other Masters want the parties to present all of the information from the Petition, including the ground for divorce, and any request for **custody**, **child support and medical support**, **alimony**, **possession of property**, **division of debts**, **restraining order**, **or use of your maiden name**. Ask the Master's Assistant how your

Family Law Master wants the information to be given during the hearing.

If you have minor children subject to this action, bring the receipt for payment of the fee and the certificate of attendance at parent education to the first hearing/conference in your case.

If your spouse attends the hearing, he/she will be permitted to testify. The Family Law Master may permit each party to question their spouse about his/her testimony. At the end of the hearing, the **FAMILY LAW MASTER WILL ANNOUNCE HIS/HER DECISION**. When the hearing is concluded you may leave, but you will **NOT BE DIVORCED**.

STEP 8. WAITING FOR YOUR ORDER.

If either party has an attomey, the Family Law Master may assign the attorney to prepare the order, and the Rules to Practice and Procedure for Family Law require that the attorney submit the order within a short period of time to the Family Law Master and send both parties copies of the proposed order. If there is no attomey, and sometimes even when there are, the Family Law Master will decide that the Family Law Master prepare the order. The Rules of Practice and Procedure for Family Law require that the Family Law Master prepare the order within a short period of time following the hearing. If you hearing was held as a final hearing, then the order will be prepared as a RECOMMENDED ORDER and copies of the recommended orderwill be sent to both parties. Always READ and order you receive CAREFULLY.

IF YOU DO NOT AGREE with the Recommended Order and wish to appeal, you must **FILE WRITTEN OBJECTIONS** with the **CIRCUIT CLERK** within **TEN (10) DAYS** after you receive the Order from the Family Law Master. The deadline for filing your objections is written on the "Notice of Recommended Order" which is attached to the Recommended Order. You should ask a lawyer to help you with your objections. But if you cannot find a lawyer, you must file your list of objections before the end of the ten (10) day period. The Judge will review the Recommended Order and any objections filed by the parties. Ask the Judge's secretary whether the Judge will hold a hearing on your objections. If no hearing is held, you must wait for the Judge to issue the Final Order. The Rules of Practice and Procedure for Family Law require that the Judge decide within a short period of time whether or not to enter the order, but no decision will be made by the Judge until after the end of the ten (10) day period for you to file your objections to the Recommended Order of the Family Law Master.

If you and your spouse agree with the Recommended Order, you simply need to wait for the Final Order to be signed by the Judge. The Circuit Clerk will send you a copy of the Final Order. Parties may obtain additional copies from the Clerk's office. **YOU ARE NOT DIVORCED UNTIL THE CIRCUIT JUDGE ENTERS THE FINAL ORDER**.

NOTE: Call the Circuit Clerk to find out if the Judge has signed your order.

SOME LEGAL TERMS USED IN THIS PACKET

AFFIDAVIT A sworn statement of facts in writing.

ALIMONY Money paid by a spouse for the support of the their spouse or former spouse.

Alimony is not the same as child support.

ANSWER This is the written response to the Petition which the Respondent must file

> with the Circuit Clerk within twenty (20) days after he/she has been served with the Petition. The sample Answer in this packet is for a no-fault divorce

based on the grounds of "irreconcilable differences."

APPLICATION AND INCOME WITHHOLDING FORM FROM THE CHILD SUPPORT

ENFORCEMENT DIVISION

(formerly the Child **Advocate Office)**

This is a form requesting child support enforcement services from the Child Support Enforcement Division, formerly known as

the Child Advocate Office. The form must be filed

by both spouses before a hearing can be held.

CHILD SUPPORT The money paid by one parent to the other parent to help pay the expenses

of the child or children of the marriage. The Family Law Master sets the

amount of support by using West Virginia's child support formula.

This is the elected official at the Court House who is responsible for all of CIRCUIT CLERK

the documents which are filed in cases before the Circuit Court.

CIVIL CASE INFORMATION STATEMENT

This form must be filed with the Petition at the Circuit Clerks Office

when the divorce case is filed.

CUSTODY Primary physical care of the children of the marriage.

DIVORCE The legal termination of a marriage by a court based upon proof provided by

the parties.

FAMILY LAW

The person who hears divorce cases and recommends an order for the MASTER Circuit Judge. In most divorce cases, the hearing will be held before

the Family Law Master. The Family Law Master can not give legal advice.

LEGAL TERMS Cont.

FINANCIAL **STATEMENT FORMS**

Forms which each spouse must fill out listing income and property

information.

IRRECONCILABLE DIFFERENCES

Both spouses ask a Circuit Judge or Family Law Master to end their marriage because they cannot get along with each other. This is a

ground for 'no fault' divorce in West Virginia

NO FAULT This term is commonly used to describe divorces in West Virginia that are

based on irreconcilable differences or one-year separation.

OBJECTIONS TO RECOMMENDED ORDER

Written objections to the Family Law Master's Recommended Order that must be filed with the Circuit Clerk by a party within ten (10) days after

receiving the Recommended Order.

ORDER This is the document that contains the terms agreed upon by the parties or ordered

by the Court. Temporary orders may be signed by a Family Law Master or Circuit

Judge. Final orders are always signed by a Circuit Judge.

ORIGINAL Any legal paper that parties actually sign which is then filed with the Circuit

Clerk. Not a copy.

PARENTING PLAN

This is a plan proposed to the court by one or both parents individually, or by both parents jointly by agreement. The plan contains the details of each

parent's specific responsibilities and obligations for parenting their children.

PETITION FOR DIVORCE

The legal document which contains your grounds for divorce, your requests

for relief, and gives the court information about your marriage.

PETITIONER The person who files (starts) the divorce.

PRO SE or SELF Representing yourself in Court without an attorney. Means "for yourself".

REPRESENTATION

ORDER

RECOMMENDED The final written decision made by Family Law Master. This document explains what final relief the Family Law Mater is recommending that the

Court order in your case.

RESPONDENT The person against whom the divorce case is filed.

LEGAL TERMS Cont.

SEPARATION When a husband and wife no longer live together as husband and wife, they

are separated.

SERVICE OR

SERVE

The process of giving a certified copy of a Court paper to the person who

is the other party in the divorce.

SHARED PARENTING The way in which care and decision making for the children of the

marriage is divided between the parents.

SPOUSE Your husband or wife.

VISITATION With shared parenting, this is one term used for the time spent with the

children by the parent who does have physical custody and does not spend

the majority of the time with the children.

NOTE: Due to changes in West Virginia's laws, if you have children from this marriage, you are now <u>required</u> to attend parenting classes prior to the final hearing. The circuit clerk's office has a schedule of the place, dates and times, so you will need to contact the circuit clerk's office a month prior to the hearing.

Also, most divorce cases are now referred to a mediator who will try to help you work out your parenting plan and visitation schedules. These are scheduled through your county Family Law Master's office and you are required to attend these mediation sessions also.

ADD PARENTING PLAN, FINANCIAL STATEMENT and FEE WAIVER APPLICATION