

Divorce

COURT PROCESS: MAIN STEPS

APPLICATION FOR DIVORCE

The process starts when one of the spouses files this document in court.

A spouse can also make a **formal request for a safeguard order** to deal with emergencies or **for provisional measures** to settle issues temporarily (for example, parenting time with children).



The other spouse gets official notice of the application and other requests. This is called **service**. That spouse has **15 days to answer**.

1



PRESENTING REQUESTS

The spouses go to court if a safeguard order or provisional measures are requested.

This is not the trial.

2



Requests for provisional measures must be made **10 days or more after service**. Requests for a safeguard order can be made earlier.

FILING A CASE PROTOCOL

The spouses agree in writing on what to do before trial and how to do it (question witnesses, get an expert opinion, set deadlines, etc.).

3



The case protocol must be filed in court **within three months of service**.

HEARING ON PROVISIONAL MEASURES

The judge listens to both spouses and decides on provisional measures. This happens a few months after the court process started.

4



The judge decides on provisional measures (e.g., parenting time with children and child custody).

The decision is temporary.

FIXING THE TRIAL DATE

To get a trial date, all documents must be ready **within one year after the judge accepts the case protocol**.

5



TRIAL

The trial can last from a few hours to a few days.

The judge must make a decision **within six months**.

6



The spouses can also get a divorce by agreement. The court process is different.

To learn more, go to the **Separation and Divorce** section of our Website.