

Non-Contested Divorce

May 2010



Sara K. Wahl, Partner
Family Law
Collaborative Law

Office: 253.520.5000
 Toll Free: 877.520.5252
 Fax: 253.893.5007

Email: swahl@hiplawfirm.com



Hanis Irvine Prothero, PLLC
Attorneys At Law

6703 South 234th Street
 Suite 300
 Kent, Washington 98032

Phone: 253.520.5000
 Toll Free: 877.520.5252

www.hiplawfirm.com

For people who can agree to all aspects of their divorce, the divorce can proceed as a “non-contested Divorce.” A non-contested divorce is an inexpensive and efficient alternative to litigation; one can be divorced in as quickly as 90 days from the date of filing. If a case proceeds as a contested divorce, a judge will ultimately decide all the issues and the control is taken away from the parties. In fact a judge may decide things that neither party likes. In an uncontested divorce the parties maintain control of their future and their agreements, agreements that will be in place for many years to come.

Obviously there are many details involved in even a non-contested divorce. The parties have to decide how all their property and debts shall be divided, if spousal maintenance should be paid to one spouse, and if there are children, decide what the visitation will be as well as the child support. If one chooses to do an uncontested divorce, the parties must be in agreement regarding all of the above issues that apply to their case.

The procedure for completing your divorce uncontested is both parties work together to come to agreement on all issues as stated above, before filing the case. The agreements as to property division, parenting and child support will be drafted into the Petition for Dissolution. One party will be the Petitioner and the other party will be the Respondent; it does not matter who chooses what in a non-contested divorce. The person who is the respondent will sign or “join” in the Petition, meaning they agree to what the Petitioner is asking for. After all parties have signed the Petition for Dissolution, it is filed with the clerk of the court in the county you live in. In Washington State, after the Petition is filed, one has to wait 90 days as a cooling off period before the court will finalize the divorce. The reason this is done is because people frequently file a divorce can and then change their minds about following through with it. After 90 days, the parties can go to court to have a judge sign their final Divorce documents; once the judge signs those final documents and they are filed with the court clerk, the divorce is final.

It is wise to have an attorney help with even an uncontested divorce; there are many important details in all of these documents that one may not notice. One can hire an attorney to complete the non-contested divorce altogether, or one can simply have an attorney review the documents for accuracy; there are options that work for everyone’s financial situation.

Non-contested divorce is a good option for people who do not want to wait a year to get divorced and who don’t want to spend many thousands of dollars litigating in court.