

UNCONTESTED DIVORCE WITH CHILDREN FILING INSTRUCTIONS

Step 1: Fill out the following documents. You can type or print legibly with black ink.

- 1). Kids First Information Sheet (Orig + 1) * both pink
(If you and your spouse have minor children together)
- 2). Complaint for Divorce; Automatic Restraining Order; Summons to Answer Complaint (Orig + 3)
- 3). Memo Regarding Automatic Restraining Order (Orig +1)
- 4). Matrimonial Action Information (Orig + 1)
- 5). Income and Expense Statement (Orig + 1)
- 6). Asset and Debt Statement (Orig + 1)

Step 2: File the documents in **Room 106** at the Courthouse.
The filing fee is: **\$265.00 with children.**

Step 3: Serve your spouse the following documents:

- 1). Complaint for Divorce; Automatic Restraining Order; Summons to Answer Complaint
- 2). Memo Regarding Automatic Restraining Order

There are **3** ways to serve your spouse:

- 1). Your spouse can sign the document titled Appearance and Waiver (Orig + 1) in front of a Notary Public if your spouse agrees with the divorce, the division of assets and debts *(and the arrangement for custody, visitation and child support if you have minor children together)*.
 - A). Your spouse must fill out an Income and Expense Statement (Orig + 1), an Asset and Debt Statement (Orig + 1), the appropriate Child Support Guidelines Worksheet (Orig + 1) *(signed by you and your spouse if you have minor children together)* and the Decree Granting Divorce and Awarding Child Custody (Orig+3) (signed by you and your spouse), if your spouse signs the Appearance and Waiver (Orig + 1).

File the documents in **Room 106** at the Courthouse.

- 2). A reliable friend or relative, who is at least 18 years old, can hand deliver the documents to your spouse. The person who delivers the documents must then fill out the document titled Proof of Service (Orig + 1) and return it to you for filing with the Court. File Proof of Service after service is made.
- 3). Hire a Process Server to serve your spouse with the documents.

Step 4: Fill out the following documents *after* (1) your spouse has signed the Appearance and Waiver (see **Step 3**), *or* (2) **20 days** have passed since your spouse was served with the documents and no answer was filed by your spouse. You can type or print legibly with black ink.

- 1). Child Support Guidelines (Orig + 1)
- 2). Affidavit of Plaintiff (Orig + 1)
- 3). Request for a Non-Hearing Uncontested Divorce (Orig + 1)
- 4). Decree Granting Divorce and Awarding Child Custody (Orig + 3)
(if you and your spouse have minor children together)
- 5). Order/Notice to Withhold Income for Child Support (Orig + 4)
(if you and your spouse have minor children together)

Step 5: File the documents in **Room 106** at the Courthouse. It takes approximately 2 weeks for the judge to review and sign your documents. ****Give the clerks a self-addressed stamped envelope to mail you file stamped, certified copies of your Decree Granting Divorce and Awarding Child Custody and/or the Order/Notice to Withhold Income for Child Support. Make sure that you provide enough postage and the envelope is large enough for this purpose.**

Or:

****You may check the court jacket in **Room 106** for your Decree Granting Divorce and Awarding Child Custody and/or the Order/Notice to Withhold Income for Child Support.**

****The clerks can direct you to where this jacket is located.****

Please Note: The Order/Notice to Withhold Income for Child Support must be distributed to:

1. CSEA, 35 Lunalilo Street, Suite 201, Wailuku HI 96793
2. Obligor (person paying child support)
3. Obligor's Employer

Americans with Disability Notice



If you need an accommodation for a disability when participating in a court program, service, or activity, please contact the ADA Coordinator as soon as possible to allow the court time to provide an accommodation: Call (808) 244-2855 FAX (808) 244-2932 OR Send an e-mail to: adarequest@courts.hawaii.gov. The court will try to provide, but cannot guarantee, your requested auxiliary aid, service or accommodation.