

UNCONTESTED DIVORCE W/O CHILDREN FILING INSTRUCTIONS

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

- 1). Complaint for Divorce; Automatic Restraining Order; Summons to Answer Complaint (Orig + 3)
- 2). Memo Regarding Automatic Restraining Order (Orig +1)
- 3). Matrimonial Action Information (Orig + 1)
- 4). Income and Expense Statement (Orig + 1)
- 5). Asset and Debt Statement (Orig + 1)

Step 2: File the documents in **Room 106** at the Courthouse.
The filing fee is: **\$215.00** without 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.
 - A). Your spouse must fill out an Income and Expense Statement (Orig + 1), an Asset and Debt Statement (Orig + 1), and the Divorce Decree (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). Affidavit of Plaintiff (Orig + 1)
- 2). Request for a Non-Hearing Uncontested Divorce (Orig + 1)
- 3). Divorce Decree (Orig + 3)

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

Americans with Disabilities Act 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.