

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 + 2)
- 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 located at 2145 Main Street, Wailuku, Maui, Hawai`i.

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 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, an Asset and Debt Statement, the appropriate Child Support Guidelines Worksheet *(signed by you and your spouse if you have minor children together)* and the Decree Granting Divorce and Awarding Child Custody (signed by you and your spouse), if your spouse signs the Appearance and Waiver.

File the documents in **Room 106** at the Courthouse located at 2145 Main Street, Wailuku, Maui, Hawai`i.

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

To obtain copies of your Divorce Decree, you may purchase copies online at www.courts.state.hi.us on eCourtKokua or you may purchase copies at the Legal Documents Branch in Room 106 of the Courthouse located at 2145 Main Street, Wailuku, Maui, Hawai'i.

Please Note:

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

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

Questions? Please contact:
JUDICIARY SERVICE CENTER
HOAPILI HALE
2145 MAIN STREET, Room 141
WAILUKU, HI 96793
Telephone: 808-244-2706

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