



DESK ORDER DIVORCE

by Bryn C. Hirsch

Many separated couples delay divorce proceedings because they are intimidated by the paperwork and the legal jargon, or are reluctant to appear in court. Most are also concerned about legal and court costs. The desk order divorce procedure can provide a relatively inexpensive and quick solution, and best of all, there is no need to appear in court.

The desk order divorce procedure is a written application to the court. The parties must satisfy the court that all issues between them have been settled and that all they seek is an Order granting the divorce. The court staff and the judge review the documents, and, if they find everything to be in place, an Order granting the divorce is made. In most cases, this Order will be effective on the 31st day after it is granted. Generally, the complete procedure takes only a few months from start to finish.

Of course, there are some situations in which a desk order divorce will not be available to parties. For example, the courts will refuse the application if there are outstanding issues regarding property division, child support, spousal support, or custody of and access to children. The first step for any individual contemplating a separation or divorce is to seek legal advice. A lawyer will evaluate your personal situation and provide you with options and advice that fit your specific needs.

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