

PURPLE INSTRUCTION BOOKLET

Additional Instructions

Uncontested Divorce

Jefferson County Supreme Court
317 Washington St.,
Watertown, NY 13601

May 2017

The Court Clerk's Office is prohibited from providing legal advice. The Court Clerk's Office cannot assist you in the completion of these forms. If you require assistance, seek the advice of an attorney.

FILING FEES: (*Matrimonial Checklist Steps 1 & 2*)

You must pay the following fees to the Jefferson County Clerk to begin your action for an Uncontested Divorce unless you are granted Poor Person status by the Court.

Index Number.....	\$210.00
Note of Issue	\$ 30.00
Request for Judicial Intervention.....	\$ 95.00
Certificate of Dissolution.....	\$ 5.00

(Matrimonial Checklist Step 3)

After receiving notice from the Court that your Divorce has been filed at the Jefferson Co. Clerk's Office you will need to purchase a copy of your divorce to serve upon the Defendant.

Certified Copy of Judgment of Divorce	\$1.25 per page (\$5.00 minimum - \$40.00 maximum)
Regular Copy of Judgment of Divorce	\$0.65 per page (\$1.30 minimum - \$40.00 maximum)

All filings and fee payment are at the Jefferson Co. Clerk's Office at 175 Washington St., Watertown, NY 13601.

POOR PERSON:

Submit all documents from Filing Step One and Step One (A) as listed on the "Uncontested Matrimonial Checklist" in triplicate to the Jefferson County Clerk's Office.

An Affidavit of Service of Proposed Poor Person's Order (Eff. 1/25/16) must be served upon the DEFENDANT and the JEFFERSON COUNTY ATTORNEY at 175 Arsenal Street, Watertown, New York 13601. Service CANNOT be by a party to the action.

Make sure to include a copy of the Notice of Automatic Orders, Notice of Guideline Maintenance and Notice Concerning Continuation of Health Care Coverage when serving Summons on Defendant.

YOU WILL ONLY HEAR FROM THE COURT IF YOUR APPLICATION IS DENIED. Proceed with *Matrimonial Checklist Step 2*.

DENIAL: If your Poor Person's Order is denied a written Order will be mailed to you and you will be given notice that the case will be dismissed if the fees are not paid within 120 days of the date of the Order.

NOTE: If you are incarcerated you will need to submit an application pursuant to CPLR 1101 (f).

SERVICE OF SUMMONS & COMPLAINT:

Service of the Summons with Notice or Summons and Verified Complaint and Notice of Automatic Orders **MUST BE MADE** within **120 DAYS** of their filing with the County Clerk's Office.

DO IT YOURSELF (DIY) PROGRAM:

You may use the Supreme Court Uncontested Divorce DIY Program at www.nycourts.gov/courthejp/diy/divorce.shtml if (a) you have no children under 21 years of age and (b) your marriage has been broken for at least six (6) months and (c) all marital property issues, including debts, have been settled.

REVISED FORMS:

The Uniform Uncontested Divorce Packet Forms and Instructions have been revised effective March 1, 2016.

You may always obtain the most up-to-date copies of the Uniform Divorce Uncontested Divorce Packet Forms and Instructions from the Unified Court System's CourtHelp website at www.nycourts.gov/divorce/forms.shtml

ADDITIONAL FORMS:

Copy of Separation Agreement or Family Court Order. A copy of any Separation Agreement, or Family Court Support Orders must be attached to the Judgment of Divorce (Form UD-11) if the terms are being incorporated into the Judgment of Divorce.

CHECKING ON YOUR DIVORCE:

Do not contact the Jefferson County Clerk's office for information regarding how long it takes your divorce to be completed, which Judge is assigned to your case or any other procedural questions. The Jefferson County Clerk's office is the place of record for your file, but they are not the Court.

For questions on your divorce you may call Supreme Court at (315) 221-5818 between 8:30 a.m. and 4:30 p.m. Please have your Index Number when calling.

It may take up to **6 Months** to complete your divorce. Once completed you will receive a letter from Supreme Court.

Contact Supreme Court if your phone number or address changes.

NOTE: Please read purple instruction booklet prior to completing your paperwork.

Jefferson County Clerk's Office
Uncontested Matrimonial Checklist
(Receipt for Filings)

PLEASE NOTE THAT THIS CHECKLIST IS FOR INFORMATIONAL PURPOSES ONLY! NOT ALL OF THE FORMS LISTED BELOW MAY BE REQUIRED IN YOUR CASE, OR ADDITIONAL INFORMATION MAY BE REQUIRED. PLEASE CONSULT YOUR INSTRUCTIONS FOR ADDITIONAL INFORMATION.

FILING STEP ONE - \$210.00:

- Index Application: Obtained at the Jefferson County Clerk's Office (**\$210.00**)
- The following forms are typically filed as one document:
(One original and two copies are required)
 - Summons (Form UD-1a) OR Summons With Notice (Form UD-1)
 - Notice of Automatic Orders
 - Notice of Guideline Maintenance (For actions commenced after 01/25/2016)
 - Notice concerning continuation of Health Care Coverage
 - Verified Complaint (Form UD-2)

FILING STEP ONE(A) – If Applying for Poor Person Status:

(One original and two copies are required)

- Affidavit in Support of Application to Proceed as Poor Person
- Proposed Poor Person Order
- Proof of Income, For Example; W-2 or Benefit Statement

Proceed to Filing Step Two. Do not wait to hear from the Court regarding your Poor Person status.

FILING STEP TWO - \$130.00:

- Request for Judicial Intervention "RJI" (**\$95.00**) (Form UD-13) Addendum to RJI (Form 840M)
(One original and two copies are required)
- Note of Issue (**\$30.00**) (Form UD-9)
(One original and one copy are required)
- Certificate of Dissolution of Marriage (**\$5.00**)
- Affidavit of Service (Form UD-3)
- Affidavit of Service of Proposed Poor Person Order (Eff. 1/25/16)
- Sworn Statement of Removal of Barriers to Remarriage (Form UD-4)
 - Affidavit of Service (Form UD-4a)
- Affirmation (Affidavit) of Regularity (Form UD-5)
- Affidavit of Plaintiff (Form UD-6)
- Affidavit of Defendant (Form UD-7)
(One copy is required if being filed prior to filing the RJI)
- Annual Income Worksheet (Form UD-8(1))
- Maintenance Guidelines Worksheet (For actions commenced after 01/25/2016) (Form UD-8(2))
- Child Support Worksheet (Form UD-8(3))
- Support Collection Unit Information Sheet (Form UD-8a)
- Qualified Medical Child Support Order (Form UD-8b)
- Part 130 Certification (Form UD-12)
- Findings of Fact/Conclusions of Law (Form UD-10)
- Judgment of Divorce (Form UD-11)

FILING STEP THREE:

- Supreme Court forwards the finalized Judgment of Divorce directly to the County Clerk's Office. A letter notifying the parties that the Divorce has been filed will be sent by the Court.