

STATE OF CONNECTICUT

DISSOLUTION OF MARRIAGE PACKAGE

MINOR CHILDREN

With or Without Property

Control Number CT-006-D

This packet contains the following:

1. Information about Divorce
2. Form List
3. Form Explanations
4. Instructions and Steps
5. Checklist
6. Access to Law Summary

You and your spouse must agree to all terms of the divorce to use this packet.

All forms to be filed with the Clerk of Court must be printed on bond paper.

INFORMATION ABOUT DIVORCE

1. **WHO CAN USE THESE FORMS:** You may use this package for dissolution of marriage only when all of the following facts are true;
 - (a) Your marriage has broken down irretrievably;
 - (b) There are minor children of the marriage.
 - (c) You and your spouse agree on all terms of the divorce.

2. **THE BASICS:** In a typical dissolution of marriage proceeding, there are basic two requirements that must be met prior to filing for dissolution. Those requirements are below:
 - (a) You must satisfy the **residency** requirements.
 - (b) You must satisfy **the no-fault procedures**.

3. **RESIDENCY REQUIREMENTS:** A complaint for dissolution of marriage may be filed at any time after either spouse has established residency with the State of Connecticut. A decree of dissolution of marriage will not be issued by the court however, until:
 - (a) At least one of the parties to the marriage has been a resident of the state for a one year prior to the filing of the complaint, or;
 - (b) One of the parties was domiciled in the state at the time of marriage and returned to the state with the intention of remaining indefinitely prior to the filing of the complaint, or;
 - (c) The cause of the divorce arose after either party moved to the state.

4. **GROUND FOR DIVORCE:** A decree of dissolution of marriage shall be granted upon a finding that:
 - (a) The marriage has broken down irretrievably;
 - (b) The parties have lived apart due to incompatibility for eighteen months with no reasonable prospect of reconciliation;
 - (c) Adultery;
 - (d) Fraudulent contract;
 - (e) Willful desertion for one year with total neglect of duty;
 - (f) Seven years absence with no contact;
 - (g) Habitual intemperance;
 - (h) Intolerable cruelty;

- (i) Sentence to life imprisonment or conviction of infamous crime involving violation of conjugal duty punishable by more than one year in prison;
- (j) Legal confinement in mental institution for five years within the six years prior to filing.

This package is based upon the parties filing for dissolution of marriage on the grounds that the marriage has broken down irretrievably.

5. **SIMPLIFIED DISSOLUTION PROCEEDING:** The court may grant a request for dissolution of marriage if:

- (a) The parties execute a written stipulation that the marriage has broken down irretrievably, or;
- (b) The parties appear in court and stipulate that the marriage has broken down irretrievably and the parties have submitted an agreement covering all issues regarding the custody, care, education, visitation and support of any minor children and all issues relating to alimony and division of property.

This dissolution of marriage package is based upon the simplified dissolution of marriage proceeding.

6. **LEGAL SEPARATION:** A decree of legal separation will be granted in the State of Connecticut for the same grounds as a decree of dissolution of marriage.

This package does not contain forms for a legal separation.

7. **WAITING PERIOD:** There is a ninety day waiting period from the date of return on the complaint for dissolution before the court will hear and grant dissolution of marriage.

8. **ALIMONY/SUPPORT:** Since this is an agreed upon divorce, you and your spouse will decide issues of alimony. The forms assume that no alimony will be paid and is waived but you may add provisions for alimony if you desire. In a contested case, alimony may be awarded to either spouse in the State of Connecticut after consideration of the following factors:

- (a) The length of the marriage;
- (b) The cause of the dissolution, annulment or separation;
- (c) The age, health, and station of each party;

- (d) The occupation, amount and source of income of each party;
- (e) The vocational skills and employability of each party;
- (f) The estate and needs of each of the parties;
- (g) The desirability of a custodial parent obtaining employment.

9. **DISTRIBUTION OF PROPERTY:** Since this is an agreed upon dissolution of marriage proceeding, the parties will agreed to property distributions. Connecticut is an equitable distribution state, which means that after setting aside to each spouse that spouse's separate property, the court shall divide the marital property between the parties as it deems equitable and just, after consideration of the following factors:

- (a) The length of the marriage;
- (b) The cause of the dissolution, annulment or separation;
- (c) The age, health and station of each party;
- (d) The occupation, amount and source of income of each party;
- (e) The vocational skills and employability of each party;
- (f) The estate, liabilities and needs of each of the parties;
- (g) The opportunity of each party for future acquisition of capital, assets and income;
- (h) The contribution of each party to the acquisition, preservation or appreciation of each party's estate.

10. **CHILD CUSTODY/VISITATION:** The court will consider the best interests of the child in determining issues relating to custody of minor children. There is a presumption that joint custody is in the child's best interests. Joint custody means an order awarding legal custody of the minor child to both parents, providing for joint decision-making by the parents and providing that physical custody shall be shared by the parents in such a way as to assure the child of continuing contact with both parents. In making any order with respect to custody or visitation, the court shall:

- (a) Be guided by the best interests of the child, giving consideration to the wishes of the child if the child is of sufficient age and capable of forming an intelligent preference, provided in making the initial order the court may take into consideration the causes for dissolution of the marriage or legal separation if such causes are relevant in a determination of the best interests of the child, and
- (h) Consider whether the party satisfactorily completed participation in a parenting education program.

11. **PARENTING EDUCATION PROGRAM:** A parenting

education program designed to educate persons, including unmarried parents, on the impact on children of the restructuring of families is required of parties to a divorce action involving minor children unless:

- (a) The parties agree, subject to the approval of the court, not to participate in such program,
- (b) The court determines that participation is not deemed necessary, or
- (c) The parties select and participate in a comparable parenting education program.

The course shall include, but not be limited to, information on the developmental stages of children, adjustment of children to parental separation, dispute resolution and conflict management, guidelines for visitation, stress reduction in children and cooperative parenting. No party shall be required to participate in such program more than once. A party shall be deemed to have satisfactorily completed such program upon certification by the service provider of the program.

12. **CHILD SUPPORT:** Either parent may be ordered to pay child support after consideration of the following factors:

- (a) The age, health, station, occupation, earning capacity, amount and sources of income, estate vocational skills and employability of each of the parents, and;
- (b) The age health, station, occupation, educational status and expectation, amount and sources of income, vocational skills, employability, estate and needs of the child.

Connecticut has enacted child support guidelines which establish the presumptively correct amount of child support to be paid. Any deviation from the guidelines must be accompanied by a written finding that the application of the guidelines would be inequitable or inappropriate in the particular case.

13. **NAME CHANGE:** The court, upon request, may change the name of either spouse to that spouse's former or maiden name.

For more information, see the Connecticut Divorce Law Summary.

FORMS LIST

The forms included in this package are:

1. Complaint – **(CT-JD-FM-159)**
2. Summons – **(CT-JD-FM-3)**
3. Notice of Automatic Court Orders – **(CT-JD-FM-158)**
4. Certification (Public Assistance) – **(CT-JD-FM-175)** (If needed)
5. Appearance – **(CT-JD-CL-12)**
6. Answer – **(CT-JD-FM-160)** (If needed)
7. Financial Affidavit Short – **(CT-JD-FM-6)**
8. Financial Affidavit Long – **(CT-JD-FM-6-L)**;
9. Divorce Agreement – **(CT-JD-FM-172)**
10. Affidavit Concerning Children – **(CT-JD-FM-164)**
11. Case Management Agreement – **(CT-JD-FM-163)**
12. Parenting Education Program – List of Approved Programs - **(CT-JDP-FM-151)**
13. Parenting Education Program Order, Certificate, and Results - **(CT-JD-FM-149)**
14. Divorce Judgment – **(CT-JD-FM-177)**
14. Dissolution of Marriage Report - **(CT-JD-FM-181)**
15. Affidavit Concerning Military Service - **(CT-JD-FM-178)** **(If needed)**
16. Child Support Guideline Worksheet - **(CT-CCSG-1)**
17. Advisement of Rights - **(CT-JD-FM-71)**
18. Case Management Dates – **(CT-JD-FM-165)**

FORM EXPLANATIONS

All forms included in this package are identified below.

1. **Complaint – (CT-JD-FM-159)** The Complaint for Dissolution of Marriage is the document is the document is which you are asking the court to grant your divorce along with any other relief requested.
2. **Summons – (CT-JD-FM-3)** This document is used to inform the Defendant that a suit has been filed against him or her and orders the Defendant to appear before the court and file any pleadings necessary on or before the second day after the Return Date listed on the Summons.
3. **Notice of Automatic Court Orders – (CT-JD-FM-158)** Filing for divorce in the State of Connecticut triggers certain automatic court orders designed to protect both parties to the action. These orders prohibit either party from disposing of marital property, going into unreasonable debt, removing any children of the marriage from the state, or removing either party from insurance policies. These orders apply to the Plaintiff once the Complaint is signed and apply to the Defendant once served with the Summons and Complaint.

You must fill in the Case Management Date at No. 4 on the Notice of Automatic Court Orders form. This date must be at least ninety (90) days after the Return Date listed on the Summons.
4. **Certification (Public Assistance) – (CT-JD-FM-175)** This form is used to provide notice of the suit for divorce to either the Attorney General if state aid has been received by the parties, or if assistance was received from a town, then to the town clerk.
5. **Appearance – (CT-JD-CL-12)** This document is used by the Defendant to enter an appearance and to inform the Court that the Defendant is representing himself/herself in the proceeding.
6. **Answer – (CT-JD-FM-160)** This form is used by the Defendant to respond to the allegations contained in the petition for divorce.

7. **Financial Affidavit – (CT-JD-FM-6)** Use this document if either your gross annual income is less than \$75,000 or your total net assets are less than \$75,000. Otherwise use the long version form JD-FM-6-L. This document is used to identify the income and expenses as well as the assets and debts of the parties and to acknowledge whether those assets and debts are joint assets and debts of the parties or individual assets and debts. Each party must complete and exchange with each other a Financial Affidavit within 30 days of the Return Date.
8. **Financial Affidavit Long (CT-JD-FM-6-L)** – Use this document if either your gross annual income is more than \$75,000 or your total net assets are more than \$75,000 or if both are more than \$75,000. Otherwise use the short version form JD-FM-6. This document is used to identify the income and expenses as well as the assets and debts of the parties and to acknowledge whether those assets and debts are joint assets and debts of the parties or individual assets and debts. Each party must complete and exchange with each other a Financial Affidavit within 30 days of the Return Date.
9. **Divorce Agreement – (CT-JD-FM-172)** This form is used to document the agreement reached by the parties concerning division of property and debt, custody and support.
10. **Affidavit Concerning Children – (CT-JD-FM-164)** This form is used to provide the Court with information regarding minor children of the marriage.
11. **Case Management Agreement – (CT-JD-FM-163)** This form is used to inform the Court as to the type of case before it, whether the case is contested or uncontested, provides the Court with a date for final hearing in an uncontested matter, and informs the Court of any matters still in dispute.
12. **Parenting Education Program – List of Approved Programs – (CT-JDP-FM-151)** This form is used if you have children under the age of 18. You must take part in a parenting education program within 60 days after a family case is filed. There is a separate fee for the classes that you will have to pay unless the court has decided that you do not have to.
13. **Parenting Education Program Order, Certificate and Results - (CT-JD-FM-149)** This form is used if you have children under the age of 18. You must take part in a parenting education program within 60 days after a family case is filed. There is a separate fee for the classes that you will have to pay unless the court has decided that you do not have to.

14. **Divorce Judgment – (CT-JD-FM-177)** This document grants the divorce along with any other relief requested.
15. **Dissolution of Marriage Report – (CT-JD-FM-181)** This form need to be completed and filed with the court.
16. **Affidavit Concerning Military Service (CT-JD-FM-178)** A military service affidavit is required in cases where the defendant has not filed an Appearance form with the court clerk's office by the time of the court hearing. The purpose is to protect men and women serving in the U.S. military from getting a court judgment against them without first receiving notice of the lawsuit and a chance to defend the case. The affidavit gives the court the necessary facts to find that the defendant is not in the U.S. Military.
17. **Child Support Guideline Worksheet – (CT-CCSG-1)** This form is used to calculate the correct amount of child support to be paid based upon income of the parties.
18. **Advisement of Rights – (CT-JD-FM-71)** This form is used to provide advisement rights for income withholding and a waiver of right to immediate income withholding.
19. **Case Management Dates – (CT-JD-FM-165)** This form is provided to assist in selecting an appropriate Case Management Date to be included on line number 4 on the Notice of Automatic Court Orders (CT-JD-FM-158)

INSTRUCTIONS AND STEPS

Note: If a form contains a space for the signature of a Notary Public, it must be signed by you (and if necessary by your spouse) in front of a Notary Public, who must notarize the document. Prepare an original and several copies of each of your completed documents. Your spouse should have a copy of everything you file, stamped “filed” by the clerk. You should keep copies and the court must have originals.

STEP 1: The Plaintiff should complete the *Complaint (CT-JD-FM-159)*, *Summons (CT-JD-FM-3)* and *Notice of Automatic Court Orders (CT-JD-FM-158)*. A Case Management Date must be included on line number 4 on the *Notice of Automatic Court Orders (CT-JD-FM-158)*. Select the appropriate date using the *Case Management Dates* form (*CT-JD-FM-165 A, B or C*) that applies to you, or simply ask the Clerk for the correct case management date.

When completing the *Complaint (CT-JD-FM-159)* and *Summons (CT-JD-FM-3)*, you should select a Return Date of a Tuesday at least four (4) weeks after the date you bring the forms to the Clerk for filing. A Return Date is the date on which the ninety (90) day waiting period for a divorce begins. Nothing happens on this date and there is no need to go to court on this date.

STEP 2: The above listed documents are then filed with the Clerk of the Circuit court in your County. A filing fee is paid.

STEP 3: The Defendant must next be served with copies of the *Complaint (CT-JD-FM-159)*, *Summons (CT-JD-FM-3)* and *Notice of Automatic Court Orders (CT-JD-FM-158)*. Contact a sheriff in the county in which the Defendant lives or works and arrange for the sheriff to serve the papers on the Defendant. Speak to the Sheriff to make certain that he or she will be able to serve your spouse at least twelve (12) days before the return date listed on the *Complaint (CT-JD-FM-159)* and *Summons (CT-JD-FM-3)*. The sheriff will charge a small fee for this service.

After the Defendant has been served, the *Return of Service* form prepared by the sheriff must be filed with the Court. Either the sheriff or you may file this form with the Court.

STEP 4: If you or your spouse has ever received public assistance from either the State of Connecticut or a town in Connecticut, you must complete *Certification (Public Assistance) (CT-JD-FM-175)*. In the case of assistance received from the State of Connecticut, copies of all forms filed and the sheriff's return must be sent to the Attorney General's Office. The *Certification (Public Assistance) (CT-JD-FM-175)* must then be completed and filed as proof to the Court that you mailed the forms to the Attorney General. If assistance was received from a town in Connecticut, you must send a copy of all forms filed and the sheriff's return to the town clerk where the assistance was received. You must then complete and file the *Certification (Public Assistance) (CT-JD-FM-175)* as proof to the Court that the forms were mailed to the town clerk.

STEP 5: The Defendant should next complete and file the *Appearance (CT-JD-CL-12)*. This form should be completed no more than two (2) days after the Return Date. The Defendant may also file an *Answer (CT-JD-FM-160)* at this time, if desired. It must be noted, however, that if an *Answer (CT-JD-FM-160)* is filed, all responses should be in agreement with the *Complaint (CT-JD-FM-159)* or the case will become contested, which is outside the scope of this divorce package.

STEP 6: You must wait a minimum of ninety (90) days after filing your case to get a divorce order. The waiting period begins on the Return Date noted on the *Summons* and ends on the Case Management Date noted in the *Notice of Automatic Court Orders*.

You should complete and file the *Case Management Agreement (CT-JD-FM-163)*. You should check with the Court Clerk to select an appropriate date for an

uncontested divorce hearing.

During this waiting period, both parties should complete and exchange with each other the *Financial Affidavit (CT-JD-FM-6)*. This must be done within thirty (30) days of the Return Date.

The amount of child support to be paid by the parties is determined by the *Child Support Guidelines*. The chart in the guidelines will tell you the amount of child support to be paid based on the number of children and the combined income of the parties. You should obtain the *Guidelines* from the Clerk along with a copy of the *Child Support Guidelines Worksheet*. You must complete the *Child Support Guidelines Worksheet* prior to the final hearing.

Both parties should then jointly complete and file the *Divorce Agreement (CT-JD-FM-172)*, making certain to agree to all terms contained therein.

You should next complete an *Affidavit Concerning Children (CT-JD-FM 164)*.

Once you have completed the *Financial Affidavit (CT-JD-FM-6)*, *Child Support Guidelines Worksheet* and the *Divorce Agreement (CT-JD-FM-172)*, you should provide your spouse with completed copies of these forms.

STEP 7: Each parent should make arrangements to attend a court-approved Parenting Education Program. This must be done within sixty (60) days of the Return Date. The Certificate of Completion must be filed with the Court.

STEP 8: You should complete the Dissolution of Marriage Report. This form is for the Court's use only and need not be exchanged with your spouse.

STEP 9: The Court will notify you of the date of your final hearing. Bring all completed forms with you to the hearing. When the Judge calls your case, be prepared to answer any questions he or she may have regarding your marriage and forms.

The Judge does not prepare a record of your divorce for you. You must complete and file within thirty (30) days of the hearing a *Divorce Judgment (CT-JD-FM-177)* form. Once completed, you should give the completed form to the Clerk for filing.

Notes: When presenting Pleadings to the Clerk make sure you have at least 4 copies for the Clerk. The Clerk will return the copies to you that the Court does not need.

If a Certificate of Mailing is on any form, a copy of the form should be mailed to the person indicated.

CHECKLIST

- ☐ Plaintiff completes *Complaint (CT-JD-FM-159)*, *Summons (CT-JD-FM-3)* and *Notice of Automatic Court Orders (CT-JD-FM-158)*. Case Management Date included on line 4 of *Notice of Automatic Court Orders (CT-JD-FM-158)*. Appropriate date selected using *Case Management Dates* form (CT-JD-FM-165 A, B or C) or by asking Clerk for correct case management date.

When completing *Complaint (CT-JD-FM-159)* and *Summons (CT-JD-FM-3)*, Return Date of a Tuesday at least four (4) weeks after date forms provided to Clerk for filing selected.

- ☐ Above listed documents are filed with the Clerk of Court. Filing Fee Paid.
- ☐ Defendant served with *Complaint*, *Summons* and *Notice of Automatic Court Orders (Forms 1-3)*. *Return of Service* filed with Court.
- ☐ If you or your spouse ever received public assistance from State of Connecticut or town in Connecticut, *Certification (Public Assistance) (CT-JD-FM-175)* completed. *Certification (Public Assistance) (CT-JD-FM-175)* then filed as proof that form was mailed to Attorney General or town clerk.
- ☐ Defendant completes and files *Appearance (CT-JD-CL-12)*. Defendant may also file *Answer (CT-JD-FM-160)* at this time.
- ☐ Ninety (90) day waiting period begins on the Return Date noted on the *Summons (CT-JD-FM-3)* and ends on the Case Management Date noted in the *Notice of Automatic Court Orders (CT-JD-FM-158)*.
- ☐ *Case Management Agreement (CT-JD-FM-163)* completed and filed. Date selected for uncontested divorce hearing by checking with Court Clerk for appropriate date.
- ☐ Parties complete and exchange *Financial Affidavit (CT-JD-FM-6)*, *Child Support Guidelines Worksheet* and *Divorce Agreement (CT-JD-FM-172)*.

- ☐ Each parent attends Parenting Education Program (*CT-JDP-FM-151*). Certificate of Completion (*CT-JD-FM-149*) is filed with Court.
- ☐ *Dissolution of Marriage Report (Official form CT-JD-FM-181)*, completed.
- ☐ Court notifies you of date of final hearing. All completed forms brought to final hearing.
- ☐ Plaintiff completes and files *Divorce Judgment* form (*CT-JD-FM-177*) within 30 days of hearing.

LAW SUMMARY

You may access the law summary for your State by using the link below:

<http://secure.uslegalforms.com/lawsummary/CT/CT-006-D.htm>

DISCLAIMER

These materials were developed by U.S. Legal Forms, Inc. based upon statutes and forms for Connecticut. All Information and Forms are subject to this Disclaimer: All forms in this package are provided without any warranty, express or implied, as to their legal effect and completeness. Please use at your own risk. If you have a serious legal problem we suggest that you consult an attorney. U.S. Legal Forms, Inc. does not provide legal advice. The products offered by U.S. Legal Forms (USLF) are not a substitute for the advice of an attorney.

THESE MATERIALS ARE PROVIDED "AS IS" WITHOUT ANY EXPRESS OR IMPLIED WARRANTY OF ANY KIND INCLUDING WARRANTIES OF MERCHANTABILITY, NONINFRINGEMENT OF INTELLECTUAL PROPERTY, OR FITNESS FOR ANY PARTICULAR PURPOSE. IN NO EVENT SHALL U. S. LEGAL FORMS, INC. OR ITS AGENTS OR OFFICERS BE LIABLE FOR ANY DAMAGES WHATSOEVER (INCLUDING, WITHOUT LIMITATION DAMAGES FOR LOSS OF PROFITS, BUSINESS INTERRUPTION, LOSS OF INFORMATION) ARISING OUT OF THE USE OF OR INABILITY TO USE THE MATERIALS, EVEN IF U.S. LEGAL FORMS, INC. HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

THESE FORMS WERE PREPARED FOR STATEWIDE USE. HOWEVER, SOME COUNTIES OR JUDGES MAY REQUIRE CERTAIN MODIFICATIONS TO THE FORMS FOR USE IN YOUR PARTICULAR COUNTY AND MAY REQUIRE SPECIAL FORMS NOT INCLUDED. CHANGES REQUIRED BY PARTICULAR JUDGES ARE NOT UNCOMMON EVEN IF THE FORMS HAD BEEN PREPARED BY YOUR ATTORNEY. REGARDLESS, YOU SHOULD BE ABLE TO USE THESE FORMS AND INSTRUCTIONS, WITH ANY REQUIRED MODIFICATIONS, TO MAKE IT THROUGH THE PROCESS. IF YOU NEED TO MAKE CHANGES, OR IF SPECIAL FORMS ARE REQUIRED IN YOUR COUNTY, YOU CAN MAKE THE CHANGES AND REFILE, OR OBTAIN THE SPECIAL FORMS EITHER FROM THE CLERK OR A CLOSED DIVORCE FILE WHICH YOU CAN USE AS AN EXAMPLE.