

YORK COUNTY NO-FAULT DIVORCE FORMS AND INSTRUCTIONS

York County gratefully acknowledges the invaluable guidance and support provided by the Lancaster County and Dauphin County Self-Help Centers in the preparation and institution of these no-fault divorce forms and instructions.

DISCLAIMER

NO PERSON IN THE COURT SELF-HELP CENTER, PROTHONOTARY'S OFFICE, DIVORCE MASTER'S OFFICE OR IN ANY COURT OFFICE IS PERMITTED TO PROVIDE YOU WITH LEGAL ADVICE. THE INFORMATION IN THE PACKETS IS NOT A SUBSTITUTE FOR PROFESSIONAL LEGAL ADVICE. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS.

IT IS STRONGLY RECOMMENDED THAT YOU CONSULT WITH AN ATTORNEY. THE YORK COUNTY ATTORNEY CONNECTIONS PROGRAM WILL REFER YOU TO A FAMILY LAW ATTORNEY WHO WILL MEET WITH YOU FOR THIRTY MINUTES TO REVIEW YOUR RIGHTS. THE FEE FOR THIS SERVICE IS \$50. YOU CAN CONTACT ATTORNEY CONNECTIONS AT (717) 854-8755.

IMPORTANT NOTICES

Proper use of these forms will enable you to obtain a no-fault divorce that will legally end your marriage. In most cases, once the divorce decree is granted, both parties to the divorce lose their rights to request financial support from the other party and/or a division of marital property unless the divorce decree specially directs that support is to be paid and/or property divided. These forms do not provide you with the documentation necessary for you to raise and preserve these economic claims. ACCORDINGLY, BEFORE PROCEEDING FURTHER WITH THESE FORMS IT IS IMPORTANT THAT YOU CAREFULLY READ, UNDERSTAND, AND CONSIDER THE FOLLOWING:

- These packets are intended for use by Pennsylvania residents. Out-of-state residents wishing to file for divorce in York County should seek the help of a local York area attorney.
- These packets do not address fault-based divorce so if you desire a fault based divorce, you should consult with an attorney before proceeding further.
- If you decide to represent yourself (known as "pro se") in your divorce action, it may take a lot of time, and cause you difficulty, confusion, and frustration. You will not be given any leeway because you are not an attorney. You will be held to the same standard as an attorney. You must follow the Rules and Procedures of York County and of Pennsylvania.
- This packet is not a substitute for professional legal advice about your specific situation. Speaking with an attorney is highly recommended if you want to bring up issues in addition to legally ending your marriage – such as making claims for items of property and other money such as support after divorce, known as alimony.
- A divorce decree terminates a spouse's obligation to support the other spouse, unless an award of alimony is included in the divorce decree. If you are financially dependent on your spouse or your spouse is financially dependent on you, you should consult with an attorney before doing anything more. The alimony claim must be raised in pleadings before the divorce decree is granted, or it is lost forever.
- A divorce decree terminates a spouse's obligation to pay for the other spouse's medical insurance coverage, unless an award for medical insurance coverage is included in the divorce decree. If your medical insurance is currently provided by your spouse or you provide your spouse's medical insurance coverage, you should consult with an attorney before doing anything more. A claim for medical insurance coverage must be raised in the pleadings before the divorce decree is granted, or it is lost forever.

- The right to have the Court divide marital property (called equitable distribution) ends when the divorce decree is granted. If you want the Court to divide the property that you and your spouse acquired during the marriage, you should consult with an attorney before doing anything more. The claim for equitable distribution must be raised in the pleadings before the divorce decree is granted, or it is lost forever. Property may be marital regardless of whose income or assets paid for the property, regardless of the type of property (real estate, vehicles, retirement assets, financial accounts, etc.) and regardless of how the property is titled.
- No person in the York County Prothonotary's Office or any court office is permitted to provide legal advice or to help you decide which set of forms to use.

If you still want to file for divorce without the assistance of an attorney after reading this introduction, then go to "Packet C" for instructions and forms relating to a No-Fault mutual consent divorce or go to "Packet D" for instructions and forms relating to a No-Fault divorce based on a two-year (or longer) separation by clicking on the appropriate links, below.

IMPORTANT: All forms and instructions are available on-line in portable document format (pdf). You will need Adobe Acrobat® or Adobe Reader® to open the forms. You can download and install Adobe Reader® for free at <http://get.adobe.com/reader/>.

USE "PACKET C" INSTRUCTIONS AND FORMS WHEN YOU AND YOUR SPOUSE WILL BOTH CONSENT (AGREE) TO THE DIVORCE AND NO PROPERTY MUST BE DIVIDED AND NO SUPPORT ISSUES MUST BE ADDRESSED. You can purchase the "Packet C" Instructions and Forms in the York County Court Self-Help Center, or download the "Packet C" forms and instructions for free on the Court Self-Help website.

USE "PACKET D" INSTRUCTIONS AND FORMS WHEN YOUR SPOUSE WILL NOT SIGN A CONSENT TO THE ENTRY OF A DIVORCE, BUT YOU AND YOUR SPOUSE HAVE BEEN SEPARATED FOR AT LEAST TWO YEARS AND NO PROPERTY MUST BE DIVIDED AND NO SUPPORT ISSUES MUST BE ADDRESSED. You can purchase the "Packet D" Instructions and Forms in the Court Self-Help Center or download the "Packet D" forms and instructions for free.
