

## **Divorce Sequence of Events - If You Are Applying as a Sole Petitioner**

1. Get the Divorce Forms either on line at [http://web2.gov.mb.ca/laws/rules/forms\\_e.php?set=1](http://web2.gov.mb.ca/laws/rules/forms_e.php?set=1) or at the Law Courts – 408 York.
2. Order your Marriage Certificate from the Department of Vital Statistics or its equivalent in the jurisdiction where the marriage took place (see page 10). If it is in a language other than English or French, you will need to have it translated by a certified translator.
3. Fill out the Petition for Divorce (Form 70A) and Financial Statement (Form 70D) if necessary.
4. File the Petition for Divorce and your marriage certificate at the court registry office (take 3 copies), and pay the fee of \$160.00. The Court will apply for the CDR search and clearance certificate.
5. Find out spouse's whereabouts so he or she can be served with the Petition for Divorce (Form 70A).
6. Find a process server.
7. Give the process server a photograph of your spouse, the Affidavit of Service (Form 70I) and the Acknowledgment of Service (Form 70C).
8. Ask the process server to do three things:
  - 1) Serve your spouse with the Petition for Divorce (Form 70A).
  - 2) Ask your spouse to fill out the Acknowledgment of Service (Form 70C)
  - 3) Fill out the Affidavit of Service (Form 70I).
9. File the Affidavit of Service with the court.
10. Wait for the default period to expire (see page 12), then go to court to get default noted. Ask if the CDR certificate has arrived. If not, you can call the court registry office later. (It will take about 6-8 weeks)
11. Decide whether you want an affidavit divorce or an oral hearing.
12. Go to the court registry office and fill out a requisition for either a) An oral hearing or b) an affidavit divorce. The form will be given to you at the court registry office. Deputy Registrars and any court staff cannot assist you in filling out your forms. Take with you: a) three copies of a completed Divorce Judgment (Form 70O) and b) two envelopes with postage; one addressed to you and one to your spouse. If you request an affidavit divorce, at this time you must also file an Affidavit of Petitioner's Evidence (Form 70M). If you ask for an oral hearing, your hearing date will be set.
13. Prepare for and attend the oral hearing (if you have chosen to have one).

14. You will be informed whether the court has granted your divorce either in person at the hearing or by mail in the case of an affidavit divorce. If the judge signs the divorce judgment, one copy will be mailed to you and one copy will be mailed to your spouse, unless the judge orders otherwise. The court staff will include information about CPP credit splitting.
15. You can order a Certificate of Divorce, 31 days after your divorce is granted from the Court of Queen's Bench Registry Office where your divorce was granted.