

## How Long Will this Take?

The complexity, circumstances and facts of each case are different. Thus, the length of the divorce process varies case by case. If the parties have already come to an agreement regarding the issues concerning the divorce, the divorce is considered uncontested. An uncontested divorce may be granted thirty (31) days after the defendant has been served with the complaint for divorce. Of course this 31 day projection is subject to two major variances: 1) the parties have already come to a formal agreement; 2) the judge is able and willing to sign on the 31st day. In practice, the process of coming to a formal agreement often takes an additional 30-60 days (or even longer) as parties negotiate the exact terms and conditions that will be included in the formal divorce agreement. Similarly, judges have numerous cases before them so realistic expectations need to include the fact that your particular judge probably is not just sitting around waiting for the 31st day to arrive and likely will not be able to get to review your divorce filing immediately after the 31st day has past.

If the divorce is contested, meaning that there is a disagreement as to any matter pertaining to the divorce agreement, the divorce will be obtained once the case is heard, reviewed and decided by the court. In general, assuming thirty (30) days to have an answer filed, six (6) months of discovery, potential motions to be heard by a court prior to a trial being able to be granted and some additional time waiting for your final trial date, it is not uncommon for the entire process to take six (6) months to several years. In practice, the six (6) month discovery period is often extended by the parties to enable all relevant documents to be obtained and all relevant witnesses to be interviewed. This period may be further elongated if either party files additional motions, or seeks a continuance of the proceedings, or if the matters concerning the case, like child support, custody or alimony are passionately disputed. In addition, in child custody cases, there are often additional individuals involved in your case (such as GALs and custody evaluators) that may need additional time to perform their investigations and give their recommendations to the court.