



# WHAT IF I AM SERVED WITH DIVORCE PAPERS?

## WHAT TO DO IS YOU ARE SERVED WITH DIVORCE PAPERS

If your spouse files for divorce, they have to send ("serve") you papers called "Summons With Notice" or "Summons" and "Verified Complaint." Then you have 20 days to consent to or contest the divorce. Review the papers now and get legal help if you do not understand.

If you agree to a divorce, it is "uncontested." This means you agree with everything in the "Summons With Notice" or "Summons" and "Verified Complaint."

## IF YOU AGREE

- Sign the "Affidavit of Defendant" (you are the "Defendant"). You should have received this form with the "Summons With Notice" or "Summons" and "Verified Complaint." Make a copy of the signed Affidavit of Defendant for your records.
- Mail the "Affidavit of Defendant" form to your spouse or their lawyer. Next, your spouse or their lawyer files it and the other divorce documents with the County Clerk.
- Then, a Judge signs the Judgment of Divorce.
- The divorce is final when your spouse serves you with a copy of the signed Judgment of Divorce that has been date stamped as filed with the County Clerk.

## IF YOU DISAGREE

If you disagree with the divorce, you can "contest" it. You have 20 days to answer and contest the divorce when you are served divorce papers. That includes filing or mailing documents. If you do not contest the divorce, or your answer is late, the divorce can be granted without your agreement.

A contested divorce can be complicated.

[Legal Services of the Hudson Valley](http://www.lshv.org)

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