

Basic Steps in the Family Law Court Process

_____ (1) _____ (2) _____ (3) _____ (4) _____ (5) _____
Petition for Divorce & Temporary Restraining Order Temporary Orders Discovery Period Mediation Final Hearing

- (1) **Petition for Divorce & Temporary Restraining Order**-an order by the court to restrain the parties from emptying bank accounts, purchasing big-ticket items, changing beneficiaries on policies, charging a large amount on credit cards, etc. This order is valid for 14 days.
- (2) **Temporary Orders**-After the 14 day period, a temporary orders hearing is held. At this hearing, the court will decide who stays in the home, which parent the children will primarily live with, and a visitation schedule. The court also decides who pays what bills and whether or not temporary spousal support is awarded. This decision by the court usually dictates what will happen at the final hearing.
- (3) **Discovery Period**-Through discovery, both parties gather information regarding the assets and liabilities of the marital estate and the position each side is taking in regards to custody. This must be completed 30 days before any final hearing and is helpful to have accomplished before mediation.
- (4) **Mediation**- In an effort to avoid the cost and time associated with a final hearing, the parties are required to attend mediation with a third-party neutral (mediator).
- (5) **Final Hearing**-If mediation is unsuccessful, the parties will present their case before the judge (or jury) and the court will make the ultimate decision in regards all matters presented.