INFORMATION CONCERNING THE FILING OF A DIVORCE

PLEASE READ CAREFULLY\*\*\*PLEASE READ CAREFULLY

THE BLADEN COUNTY CLERK’S OFFICE DOES NOT HAVE SELF-HELP DIVORCE KITS AND WE ARE NOT ALLOWED TO GIVE LEGAL ADVICE CONCERNING DIVORCES. WE ARE INVOLVED ONLY IN PROCESSING THE PAPERS THAT ARE FILED AND COLLECTING THE FEES INVOLVED.

In order to file a divorce action, you must have the following:

* COMPLAINT – (Form not provided by clerk’s office) You will need the original and two copies. The complaint must be typed or written legibly on 8 ½ x 11 paper. It must be signed by the plaintiff and that signature must be notarized.
* SUMMONS – (Form provided by clerk’s office) You will need the original (white) and two copies (yellow). The summons should show the correct name and address of the plaintiff and defendant. If mailing address is a P.O. Box number, the address where the defendant can be located for service by the sheriff should also be given. The summons will be dated and signed by the clerk.
* $135.00 in cash or money order is the filing fee, which must be paid when the complaint is filed.
* $15.00, in cash or money order, is the service fee. If the defendant does not live in Bladen County, the summons will be given back to you and you will be responsible for getting it to the sheriff of the county where the defendant resides and for paying the service fee to that office (Note: If the defendant is out of state or cannot be located, you may need the services of an attorney to accomplish service.)

After service of the summons, you must file the following:

* CALENDAR REQUEST - (Form is provided by the clerk’s office) You will need an original to mail to Michelle Nance, 112-D Smith Street, Whiteville, NC 28472 and a copy for the court file. This calendar request is required to get the case scheduled for trial and should be sent to Ms. Nance a minimum of 23 days prior to Court. You can ask the clerk for available court dates and the trial must be at least 30 days after the date of service on the defendant. (It is best to come to the clerk’s office to file your calendar request so the clerk can work with you on a date for the trial.)

At the time of trial, you must have the following:

* JUDGMENT – (Form is not provided by clerk’s office) You will need an original and one copy. The judgment must be typed on 8 ½ x 11 paper and will be dated and signed by the presiding judge.
* CERTIFICATE OF ABSOLUTE DIVORCE OR ANNULMENT – (Form is provided by clerk’s office) Only the original of this form is needed. This form must have all information typed or printed legibly in permanent black ink. This form will be dated and signed by the clerk.

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