

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 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 11). 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 and Demand for Financial Information (Form 70D.1), 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 \$210.00. The Court will apply for the CDR search and clearance certificate.
5. Find out your spouse's whereabouts so they can be served with the Petition for Divorce (Form 70A).
6. Find a process server.
7. Give the process server a photograph or at least a physical description 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), one set of the pamphlets that the court will provide you after filing the Petition for Divorce and Demand for Financial Information (Form 70D.1), if necessary;
 - 2) Ask your spouse to fill out the Acknowledgment of Service (Form 70C); and
 - 3) Fill out the Affidavit of Service (Form 70I).
9. File the original Affidavit of Service with the court.
10. Wait for the default period to expire (see page 17), then go to court to get default noted. Ask if the CDR certificate has arrived. If not, then you can call the court registry office later or check online. (It will take about six to eight weeks).
11. Go to the court registry office and fill out a requisition (Form 4E) for an affidavit divorce. The form will be given to you at the court registry office or you can get it online. 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.

At this time, you must also file an Affidavit of Petitioner's Evidence (Form 70M).

12. You will be informed whether the court has granted your divorce by mail within 90 days of you having set the matter down for a hearing without an oral hearing. 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 applying for CPP credit splitting.



13. 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. The cost is \$30.00.

