

Complaint for Divorce Pursuant to G.L. c.208, Section 1B form instructions

SEE G.L. c.208 (more specifically Section 1B)

The following must be filed with this complaint:

Certified copy of civil marriage certificate.

R-408 -Certificate of Absolute Divorce or Annulment Statistical Information form.

(SEE G.L. c. 208, Section 6B)

Affidavit of Care and Custody if parties have child(ren) together.

(form available at the courthouse)

SEE Uniform Fee Schedule for applicable filing fees.

Service of complaint on defendant is to be made in accordance with

Rules of Domestic Relations Procedures Rule 4

Financial Statements

SEE Uniform Probate Court Practice XXX and
Supplemental Probate Court Rule 401

Short form or Long form

Child Support Guidelines Worksheet if support for child(ren) is requested.

All requests for temporary relief must be made my motion, although several requests
may be contained on one. For temporary restraining orders,
SEE Massachusetts Rules of Domestic Relations Procedure Rule 65, affidavit requirement.

If attachment or trustee process is desired, a motion with affidavit must be filed.
A certificate of insurance is normally not required in domestic relations cases.
SEE Massachusetts Rules of Domestic Relations Procedures Rules 4.1 and 4.2.

All parties to a divorce action in which there is/are minor child(ren) are required to attend and participate in an approved Parent Education Program unless requirement waived by the court.
SEE Probate and Family Court Standing Order 1-03.

Each party to a divorce action shall deliver to the other within 45 days from date of service of summons, specific financial documents.
SEE Supplemental Probate Rule 410.

An automatic restraining order applies to both parties in a complaint for divorce.
It prohibits either party from engaging in any action which changes the present financial status of the parties. SEE Supplemental Probate Court Rule 411.

If, prior to entry of judgment under this section, the parties jointly file a sworn affidavit that an irretrievable breakdown of the marriage exists and a notarized separation agreement, then said action for divorce shall proceed under Section 1A with the court scheduling a speedy hearing on the dissolution agreement.

Affidavit of Irretrievable Breakdown

Attorneys are required to file Uniform Counsel Certification form.