



## DIVORCE

Divorce is the legal process to end a marriage. Divorces in North Dakota may be granted for different reasons. These reasons include adultery, extreme cruelty, willful desertion, willful neglect, abuse or alcohol or controlled substances, conviction of a felony, or irreconcilable differences.

The most common reason for divorce is irreconcilable differences. The court will not have to find fault in the parties but instead will need to only decide that there are substantial reasons for why the marriage should not continue.

To file for divorce in North Dakota, the plaintiff or the person seeking a divorce must have lived in North Dakota for six months before the entry of divorce. However, a divorce action may be filed while the plaintiff is waiting to reach the six month time period.

When people seek a divorce, common issues come up. These issues include custody, visitation, child support, medical coverage, spousal support, division of property, and division of debts. The court makes an equitable or fair distribution of the property and debts in a divorce action. A person in a divorce also has a right to return their name to their original name before they were married.

Once a divorce action has begun, which is when the divorce papers are served, neither of the spouses can sell or get rid of property unless a court allows them to do so. Within 30 days of service of the divorce papers, both people and their attorneys must meet. At this meeting, a joint informational statement, property listing, and debt listing must be done. Both spouses will be required to share certain information. This information includes employment and pay information, tax return information, and pension information.

[North Dakota Century Code Chapter 14-05](#)

[Legal Self Help Forms](#)