

## DEFINITIONS

1. Acknowledgment of Service - a document signed by the defendant to say to the Court that he/she has received a copy of the complaint.
2. Consent Agreement - when both parties agree to sign an Order without the Judge holding a hearing.
3. Consent to Try - a document to be signed by both parties in order for the Court to enter a Final Judgment and Decree of Divorce 31 days after the Respondent signs the Acknowledgment of Service or 31 days after the Respondent is served with the Petition.
4. Custodian - a parent or any other person who has physical custody of the child.
5. Enter - how a judges order becomes effective. An order is entered when a judge signs it and it is filed with the county clerk.
6. Final Judgment and Decree of Divorce - the order signed by the Judge which grants the parties' divorce.
7. First Class Mail - a way of delivering Court papers to the other party by regular mail.
8. Guardian ad Litem - a person appointed by the Court who represents the best interests of the child. The guardian cannot be one of the child's parents, and is usually an attorney
9. Hearing - a Court meeting where both parties explain why the Judge should or should not do something.
10. Legal Custody - the right to make major decisions affecting a child, such as school and health care.
11. Marital Property - things and money acquired during the marriage, except for inheritances and gifts, up until the Final Judgment and Decree of Divorce is entered.
12. Moral Turpitude - an act or behavior that gravely violates the accepted moral standards of the community, such as fraud, rape, and murder.
13. Motion - a request made by either party for the Court to take action in a pending case.
14. Non-Custodial Parent - the parent who does not have physical custody of a child (although he or she might have visitation rights).
15. Order - a decision signed by a Judge requiring certain actions.
16. Party - person involved in a case. May include someone other than a spouse if the Court grants that person's request to be part of a case.
17. Pending Case - a Court case where no final judgment order has been entered.
18. Petition for Divorce - a written complaint filed with the Court to start the divorce proceeding.
19. Petitioner - the person who starts a case.

**If you require materials in alternate format, please notify the Family Law Information Center as soon as possible.**

20. Physical Custody - the right to have physical control over a child; that is where the child will live.
21. Pro Se - when a person files a court action without being represented by an attorney.
22. Respondent - the person against whom a case is originally filed.
23. Rule Nisi - a hearing held by the Court to determine any issue on a temporary basis.
24. Proposed Order - an order which has not yet been signed by the Judge.
25. Separation - when the spouses no longer share the same living quarters or bedroom.
26. Separation Agreement - the agreement the parties enter which decides all issues before a divorce is granted, including, but not limited to, custody, child support, alimony, debts, and property division.
27. Service - how a party receives legal papers.
28. Summons - the cover sheet placed on a Complaint which notifies the Defendant to file an answer within 30 days of receiving a complaint. The summons also lets the Defendant know if the Plaintiff is represented by an attorney.
29. True Copy - a copy of a Court paper imprinted with the seal of the Court to show that the copy is real.
30. Verification - the document signed by the plaintiff swearing that all facts in the complaint are true and correct.

**Please note that all papers in a divorce, including the complaint, the verification, the acknowledgment of service, the consent to try, and the separation agreement must be signed in front of a notary public.**

(It may be best, if children are involved, or if there is a dispute regarding a division of property or debts, to consult with an attorney.)

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