

# E-file Instructions

## Divorce (No Children): Petitioner

### 1. Check your e-mail frequently.

Once you e-file, you will receive an email for each document submitted. A clerk will review each document and email the result:

**If your filing is accepted**, download your e-filed forms from the emails within 30 days.

**If your e-filing is returned (rejected)**, an explanation will be included in the email.

- Return to Guide & File. Go to “My Interviews” and start a copy of your interview. Correct your answers and submit the e-filing again.

If you want to keep the original filing date, resubmit within 3 business days and contact the court about it.

### 2. Serve the forms.

Print the e-filed *Summons* and *Petition* and any temporary orders to serve (give a copy to) your spouse.

- A. If your spouse will voluntarily sign that he or she received the Divorce forms, send the *Acknowledgment of Service by Respondent* with the forms.
- B. Otherwise, have someone serve the forms and fill out the *Affidavit of Service*.

Who can serve the forms ?

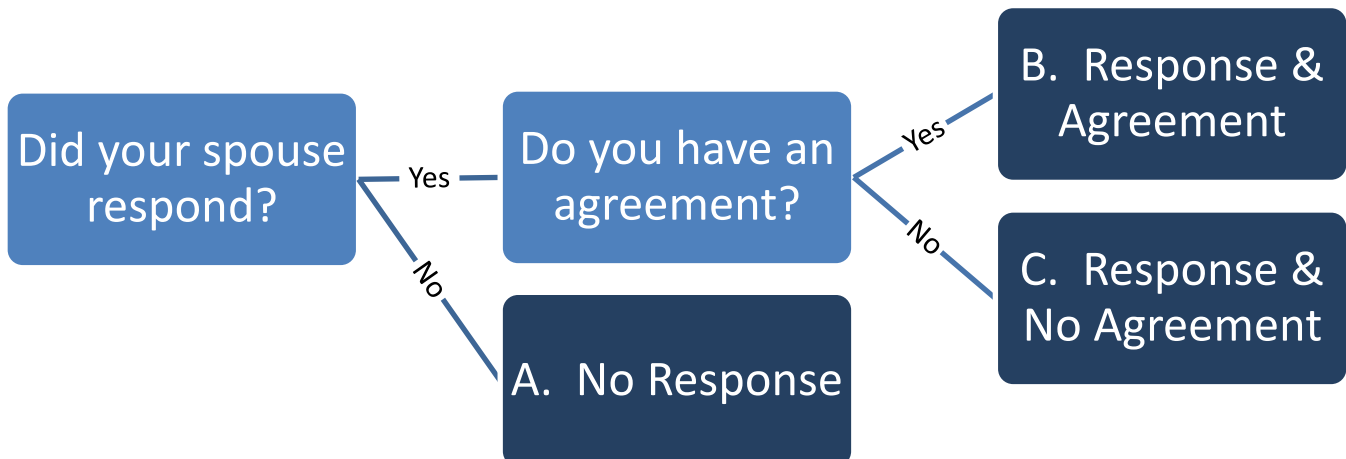
- A person 18 or older who is not involved in the case.
- A professional process server.
- The county Sheriff.

E-file either the *Acknowledgment* or the *Affidavit*:

- Scan your signed document as a PDF. If you do not have a scanner, your local [Court Assistance Office](#) and your local court should have a scanner you can use.
- Return to Guide & File and select **Step 2: Serve**. Upload and e-file your form.

### 3. Wait 21 days for a response.

You should receive a *Response* in the mail if your spouse files one. You can also contact the court or check online at <https://mycourts.idaho.gov/odysseyportal> to see if your spouse filed a *Response*.



## A. No Response:

If your spouse does not file a response within 21 days after service, you can ask to finalize your Divorce by *Default*.

- Return to Guide & File and select **Step 4: Finalize**. Choose **Default** and e-file your forms. You will need to pay a mailing fee.
- File the *Certificate of Divorce*. You cannot e-file this form and it is not available online. To get a blank form, go to your local courthouse or call your local [Court Assistance Office](#) and ask for a form to be mailed to you. Fill out the form and then file it in person or mail it to the courthouse.

In some counties, you may be required to attend a hearing on your *Default*. The Clerk will notify you if a hearing is scheduled and the time and day for you to appear.

## B. Response & Agreement:

If you and your spouse can agree on all issues and you will both sign the forms, you can finalize your Divorce by *Stipulation*.

- Return to Guide & File and select **Step 4: Finalize**. Choose **Stipulation** and then **A. Prepare Stipulation and Decree**.
- Print and sign your forms and send them to your spouse to sign.

Once you receive the *Stipulation* and *Decree* documents signed by your spouse, e-file the signed *Stipulation* and *Decree*.

- Scan your signed *Stipulation* and *Decree* together in one PDF. If you do not have a scanner, your local [Court Assistance Office](#) and your local court should have a scanner you can use.
- Return to Guide & File and select **Step 4: Finalize**. Choose **Stipulation** and then **B. E-file Stipulation and Decree**. Upload and e-file your documents. You will need to pay a mailing fee.

- File the *Certificate of Divorce*. You cannot e-file this form and it is not available online. To get a blank form, go to your local courthouse or call your local [Court Assistance Office](#) and ask for a form to be mailed to you. Fill out the form and then file it in person or mail it to the courthouse.

In some counties, you may be required to attend a hearing on your *Stipulation*. The Clerk will notify you if a hearing is scheduled and the time and day for you to appear.

## C. Response & No Agreement:

If your spouse responds and you disagree on any issues, you can schedule mediation to see if you can both agree. Your county may require you to try it. If you can't agree, your case will go to trial. You can consult with an attorney about your options.

You may receive notices and orders from the court. Read them carefully and ask the Court Assistance Office or an attorney for help if you do not understand them.

- Attend any hearings, conferences or trials that are scheduled.

### ***Inventory of Property and Debts***

Unless your case is resolved **within 35 days**, you must fill out the *Inventory of Property and Debts* and send a copy to your spouse. To download the *Inventory*, *Certificate of Service* and *Instructions*, go to <https://courtsselfhelp.idaho.gov/Forms/Divorce> and click on "Step B – Complete Mandatory Disclosures" under "Step 3 – Respond".

Do not file the *Inventory* with the court. Fill out and sign the *Certificate of Service*. E-file only the *Certificate of Service*:

- Scan your signed *Certificate of Service* as a PDF. If you do not have a scanner, your local [Court Assistance Office](#) and your local court should have a scanner you can use.
- Return to Guide & File and select **Step 2: Serve**. Upload and e-file your form.

**Your divorce is not final until the Judge signs the *Decree of Divorce* and the clerk files it.**