



Divorce

Does my spouse have to agree to the divorce? No. Wyoming has what is called modified “no fault” divorce, which means that the only grounds needed for a divorce are “irreconcilable differences.” The fact that you no longer get along can be enough to get divorced.

Where do I file for divorce? To file for divorce, the filing spouse must have lived in Wyoming for at least 60 days before the divorce action is filed. If you were married in Wyoming and have been married for less than 60 days, you must have been a resident of the state since you married. The divorce action may be filed in the Wyoming county where either spouse resides.

How long does a divorce take? In Wyoming, a divorce decree may not be granted until at least 20 days have passed from the date the divorce action is filed. Most divorce actions take 6 to 18 months to complete.

Are children included in the divorce? Yes. If children were born during the marriage and are still under the age of 18, custody, visitation and child support must be a part of the divorce. If the parents can’t agree on issues of custody, child support and visitation, the court will decide these issues. See the Child Custody Handout for more information.

How will our property and debts be divided? In granting a divorce, the court divides the property of the parties in a way that it concludes is “just and equitable,” while considering the merits of the parties and the condition in which they will be left after the divorce. The court also looks at which party acquired the property as well as how the property impacts the parties and the children. The Wyoming Supreme Court has determined that “equitable” does not always mean equal.

Does Wyoming have alimony? It is rare, but possible, for a court to order alimony/spousal support. During the divorce case, the court may require either party to pay money for support of the spouse and the support of the children while the case is ongoing, including payments for attorney fees or costs. At the granting of the divorce, the court may order either party to pay alimony/spousal support for a specific time period or for life. After the decree of divorce is entered, on the request either party, the court may change the amount or term of alimony/spousal support.

Can I change my name? When the judge grants the divorce, the wife may change her name to her maiden name or previous name. This decision belongs only to the wife; the husband cannot demand that the wife’s name be changed or not changed.

Are there forms to help me file for a divorce if I can’t afford a lawyer? There are do-it-yourself forms you can use to file for divorce. The forms and instructions are free and available online at www.courts.state.wy.us/Forms/Index or you can purchase the forms for \$10 from any District Clerk’s office. The Court also has an Interactive Self-Help Center that will walk you through the forms packets and help you create the court papers you need to file for divorce. The Interactive Self-Help Center is online at wise.courts.state.wy.us.

