

Domestic Relations

Domestic Relations is a division of the Circuit Court in which divorces are filed. By law, the Circuit Clerk's Office is not permitted to give any legal advice. We strongly recommend that you consult an attorney before filing court documents. If you decide to file a divorce on your own (pro se), we will not refuse your filing, **but we cannot advise you on how to complete your documents.**

Instructions for Filing an Uncontested or Contested Divorce

The following is a general list of documents required for a Divorce, and should be seen as a *courtesy* from the Circuit Clerk's Office and not legal advice. The state does **not** have "fill in the blank" forms for many of the documents which are required to be filed. For assistance or to obtain some of the forms you may go to websites established by the Alabama State Bar Association, such as www.AlabamaLegalHelp.org, or www.AlabamaATJ.org, and/or the website for some of the forms at <http://eforms.alacourt.gov>. Once your case is entered and upon payment of a base filing fee of \$222.00, your divorce will be assigned a case number and designated to a circuit judge.

IMPORTANT: All signatures must be signed in front of a notary public.

List of Documents Required for any Divorce Filing in Alabama

Uncontested Divorce With/Without Children:

Complaint (Form PS-08)
Answer & Waiver
Agreement
Testimony of Plaintiff (Form PS-09)
Separation Agreement
Divorce Decree (proposed Order)
Child Support Information Sheet*(Form CS-47)
Certificate of Divorce (get at eforms.alacourt.gov)

Contested Divorce With/Without Children:

Complaint (Form PS-08)
Summons
Agreement
Testimony of Plaintiff (Form PS-09)
Separation Agreement
Divorce Decree (proposed Order)
Child Support Information Sheet*(Form CS-47)
Certificate of Divorce (get at eforms.alacourt.gov)

**the CS-47 form is mandatory whether there are children involved or not.*

Parties Who Have Minor Children, the Following Is Also Required:

Child Support Obligation Income Statement/Affidavit (Form CS-41) *from BOTH parties*

Child Support Guideline Form (Form CS-42)

Child Support Guideline Notice of Compliance (Form CS-43)

Order/Notice to Withhold Income for Child Support

Effective January 1, 1994, when any order of Child Support is entered, the Withholding Order payment of Child Support shall be served immediately, unless the parties have reached an alternative agreement and the judge approves such agreement. The following forms must be completed and filed when the Withholding Order of Child Support is served immediately:

Withholding Order (CS-1)

Notice to Defendant (CS-33)

Answer to Order of Withholding (CS-35)

Fee Chart

Fee Description	Filing Fee
Domestic Relations Docket Fee	\$222.00*
Subpoena Fee	\$12.00*
*Service Fee (via Personal Service -or- via Certified Mail)	\$30.00 -or- \$CM cost
Motion for judgment, default judgment (PS-10) or summary judgment	\$50.00
Modify/Enforce (contempt)	\$325.00*

* plus service fees if/when required.

Certified Mail - When the defendant’s address provided is a post office box, or is out of state, the documents must be served by certified mail. *Certified Mail costs change frequently, please call for quote.*

Escambia County Circuit Clerk’s Office

P.O. Box 856

Brewton, AL 36427

Domestic Relations Division: 251-867-0305 ext. 285

effective 08/31/2022