Order to Appear

NOTICE: Family and divorce laws change often. These forms may not be appropriate for all situations. They are intended to be useful in many cases and may have to be changed in some way to fit your case. Talk to a lawyer if you are unsure that these forms are the most appropriate for your situation. **Court staff cannot give legal advice.**

The **Order to Appear (FA-4142V)** is the form that a party uses to inform the other party that they are ordered by the court to appear for the final divorce/legal separation hearing on a specific date, time, and place. The information you will need to complete this form will be provided by the court. Although the other party will also receive this information and know the date of the hearing, you must use this form to officially order them to appear.

NOTE: If the other party does not appear for court and you cannot prove that they were ordered to appear, the court may not proceed with the final hearing and may reschedule it. If the other party does not appear and you can provide proof that they were ordered to appear, the court may decide to go ahead with the final hearing without the other party.

If you and the other party *filed a **Joint Petition** for Divorce/Legal Separation this form **IS NOT** required: **Do not** complete it.*

Procedural Checklist

☐ 1. Complete the **Order to Appear (FA-4142V)** form**.**

☐ 2. Take the completed form to the court to obtain a court official's signature at the bottom.

☐ 3. Make at least one (1) copy.

☐ 4. You must now have the other party(s) served. For information on the methods that are acceptable to the court to have the other party served, see the **Service Packet (FA-5000V).**

☐ 5. Take the proof that you served the other party [**Admission of Service (FA-4119V)** form or **Affidavit of Service (FA-4120V)** form] and the original **Order to Appear (FA-4142V)** form to the final hearing.

> **Remember:** If you do not have these forms and the other party does not come to court, the court **may** not proceed with the final hearing and **may** reschedule it.