

INSTRUCTIONS FOR COMPLETING AND FILING DIVORCE FORMS

填写并提交离婚表格说明

Do I need a lawyer?

我是否需要律师?

Probably YES if:

如果是下列情况则很可能需要:

- The case is contested (you do not agree).
案件存在争议(您有异议)。
- Your spouse has a lawyer.
您的配偶有律师。
- You do not have an address for or cannot locate your spouse to serve them with court documents.
您没有您配偶的地址或不知其身处何处而无法向其送达法院文件。
- You cannot get the evidence you need to prove your case.
您无法得到为您的案件作证所需的证据。
- Your case involves complex issues:
您的案件涉及复杂问题:
 - You or your spouse have a house, a pension/retirement account, or a large amount of property or income.
您或您的配偶有房子、养老金/退休金账户或大额财产或收入。
 - You and your spouse disagree on child custody (parenting time or decision-making authority).
您和您的配偶在子女监护权上未达成一致意见(教养时间或决定权)。
 - You want an annulment.
您希望宣布婚姻无效。
 - You have been married for more than 10 years and you want alimony.
您已经结婚超过 10 年, 您希望得到赡养费。
 - You or your spouse own a business.
您或您的配偶拥有公司。
 - You are seeking support for an adult destitute child.
您在寻求得到成年贫困子女的抚养费。

Where do I file my forms?

我在何处提交我的表格?

File with the Clerk of the Circuit Court for the county in which you live, or in which your spouse lives or works.

在您居住的县或您的配偶居住或工作的县向巡回法院书记官提交文件。

What are the steps?

相关步骤有哪些?

1. Complete a complaint form. There are two (2) different divorce complaint forms:
填写诉状。离婚诉状分为二 (2) 种:

SAFETY CONCERNS

安全考量

If you want your personal information to remain confidential for safety or domestic violence concerns, do **not** include your address or contact information on the complaint form. To ask the court to seal a case record or to limit inspection of a portion of the record, file a Motion to Seal or Otherwise Limit Inspection of a Case Record (CC-DC-053).

如果您希望您的个人信息出于安全或家庭暴力考量保持保密, 请勿在诉状中填入您的地址或联系信息。要求法院封存案件记录或限制检视部分记录, 请提出封存或此外限制检视案件记录(CC-DC-053)。

- Complaint for Absolute Divorce (CC-DR-020): Use this form if you want to file for divorce.

绝对离婚诉状 (CC-DR-020): 如果您希望申请离婚请使用此表格。

- Counter-Claim for Absolute Divorce (CC-DR-094): Use this form if your spouse has filed for an absolute divorce and you wish to ask the court for relief different from what your spouse requested in their complaint.

绝对离婚反诉 (CC-DR-094): 如果您的配偶已经申请绝对离婚, 而您希望提出别于配偶在诉状要求的救济, 请使用这个表格。

2. Complete other forms as required.

按照要求填写其他表格。

- Civil Domestic Case Information Report (CC-DCM-001): Required for all divorce cases.

民事家庭案件信息报告 (CC-DCM-001): 所有离婚案件必填。

- Parenting Plan (Custody Agreement): Required in all cases involving custody of a minor child. Read the Maryland Parenting Plan Instructions (CC-DRIN-109). You can use the Maryland Parenting Plan Tool (CC-DR-109) or create your own plan. If you are not able to agree on a comprehensive parenting plan, you must file a Joint Statement of the Parties Concerning Decision-Making Authority and Parenting Time (CC-DC-110). Learn more at mdcourts.gov/parentingplan.

子女抚养计划(监护协议): 在涉及未成年子女监护权的所有案件中都需要提供。

请阅读马里兰州教养协议说明 (CC-DRIN-109). 您可以使用马里兰州教养协议工具 (CC-DR-109) 或制定您自己的协议。若您无法就全面的教养协议达成一致, 则您必须提交一份双方就决定权和教养时间的联合声明 (CC-DC-110)。更多信息详见 mdcourts.gov/parentingplan。

- Financial Statement (CC-DR-030): Required for cases seeking child support and the parents' combined monthly income is \$30,000 or less. Each spouse must file this form.
- Financial Statement (CC-DR-031): Required for cases seeking alimony, property distribution, or child support if the parents' combined monthly income is more than \$30,000. Each spouse must file this form.
- Joint Statement of the Parties Concerning Marital Property (CC-DR-033): Required if you or your spouse is seeking division or transfer of marital property or a monetary award. File at least 10 days before your trial or by any other date set by the court.

财务报表 (CC-DR-030): 寻求获取子女抚养费而且父母双方月收入总和美金 \$30,000 或以下的案件必填。配偶双方均须填写此表格。

财务报表 (CC-DR-031): 如果父母月收入总计超过 30,000 美元, 寻求离婚抚养费、财产分配或抚养子女的案件要求。配偶双方均须填写此表格。

双方关于婚姻财产的联合声明 (CC-DR-033): 如果您或您的配偶寻求分割或转移婚姻财产或金钱判决, 则此文件必填。在您的审判或法院规定的任何其他日期前至少 10 天提交。

- Marital Settlement Agreement (CC-DR-116): Required if the basis of your complaint for divorce is mutual consent.
婚姻和解协议 (CC-DR-116): 如果您的离婚诉状是基于相互同意之依据, 则此文件必填。
- Division of Vital Record's Report of Absolute Divorce or Annulment of Marriage (get this form from a court clerk). Submit a completed form before the end of your hearing. The court will not mail you your divorce decree unless you file this form.
人口记录司, 绝对离婚报告或婚姻无效(从法院书记官处获取此表格)。在您的听证会结束之前提交填写完成的表格。在您未提交此表格的情况下, 法院不会向您邮寄您的离婚判决书。



GET HELP 获取帮助

- [Maryland Court Help Center](https://mdcourts.gov/helpcenter) (phone & chat):
mdcourts.gov/helpcenter
马里兰州法院帮助中心 (电话与聊天室):
mdcourts.gov/helpcenter
- [Family Law Self-Help Centers](https://mdcourts.gov/family/familylawassistance) (walk-in):
mdcourts.gov/family/familylawassistance
家庭法自助中心 (无需预约):
mdcourts.gov/family/familylawassistance
- [People's Law Library](https://peoples-law.org) (website): peoples-law.org
民众法律图书馆 (网站): peoples-law.org
- [Self-Help Video Library](https://mdcourts.gov/videos) (video): mdcourts.gov/videos
自助视频库 (视频): mdcourts.gov/videos

3. Prepare to file your completed forms. 请做好准备提交您填写完成的表格。

- Call the court to ask about filing fees and method of payment.
致电法院询问申请费用和付款方法。
- If you cannot afford the fee, complete a Request for Waiver of Prepayment of Prepaid Costs (CC-DC-089).
如果您无法负担相关费用, 请填写预付费费用预付豁免申请 (CC-DC-089)。
- Make two copies of everything you file. File the originals with the court. Keep one copy for your records; the other copy is for service of process on the other party.
您提交的所有文件均须备有两份副本。请将原件提交至法院。保留一份副本供您存档; 另一份副本请送达至另一方当事人。

4. File your completed forms, along with the filing fee, at the clerk's office. 在书记官办公室提交您填写完成的表格以及申请费。

- If you are representing yourself, you can either file completed paperwork in person, or by mail directly to the clerk's office OR you can E-file.
如果您代表自己, 您可以当面提交填写完成的文件, 或直接邮寄至书记官办公室, 或者您可以通过电子方式提交。
- E-filing is NOT mandatory if you do not have a lawyer.
如果您没有律师, 以电子方式提交并非强制性要求。
- For more information and directions about E-filing see: mdcourts.gov/mdec/efilingpublic
如需了解关于以电子方式提交的更多信息与指示, 请参阅: mdcourts.gov/mdec/efilingpublic

5. Complete Service of Process on your spouse. Service is the way the court knows the other side receives copies of the papers you filed with the court. Learn more at mdcourts.gov/ccservice 完成对您配偶的送达。送达是法院知道另一方当事人已经收到您提交至法院的文件副本的方式。请访问 mdcourts.gov/ccservice 了解详情。

- The clerk will send you a "writ of summons" for service of process on your spouse.
书记官将向您寄送“传讯令状”以供您送达至您配偶。

- You must arrange for a third party to serve a copy of the summons, the complaint, and all other papers filed with the court on your spouse within 60 days of the date on the writ of summons.
您必须安排第三方将传票、诉状和提交至法院的所有其他文件之副本在传讯令状日期后 60 天内送达至您配偶。
- You may not serve the documents yourself. Another person must do it.
您不可以亲自送达文件。必须由另一人送达。
 - You may request the Sheriff's office in the county where your spouse lives to serve the other side. A fee is required, unless the court granted you a fee waiver.
您可要求您的配偶所居住的县警办公室完成对另一方当事人的送达。您必须支付相关费用, 除非法院批准豁免您的费用。
 - You may pay for a private process server or have a friend or family member (free) who is over 18 and not a party to the case serve the other side. If the papers are served at your spouse's home, your server may hand them to your spouse or to a competent co-resident who is at least 18 years old.
您可以付钱聘请私人文件送达人员, 或让朋友或家庭成员(免费)为您完成送达, 此等人员必须年满 18 岁且并非是一方。如果文件送达至您配偶的住宅处, 您的送达人员可当面将文件交给您的配偶或其已年满 18 岁的具备行为能力的同住人员。
 - You may have an adult who is not a party to the case perform the service by certified mail requesting **“Restricted Delivery – show to whom, date, address of delivery.”** Your spouse must sign the green card, which you must file with the court.
您可以让并非案件当事人的成年人通过挂号信(certified mail) 实施送达, 但须要求: **“限制投递——表明投递对象、日期和地址。”** 您的配偶必须在绿卡上签字, 且您必须将该绿卡提交至法院。
- Personal delivery means that papers are handed to your spouse. If service is made at your spouse's home, documents may be handed to your spouse or to a person over age 18 who also lives in the home.
个人送达是指文件当面交给您的配偶。如果文件送达至您配偶的住所处, 文件可当面交给您的配偶或同样在该住所居住的年满 18 岁的人员。

6. Your server should complete the Affidavit of Service to prove your spouse was served. File the Affidavit of Service with the court.

您的送达人员应该填写送达证明书, 从而证实已完成对您的配偶的送达。向法院提交送达证明书。

- Use CC-DR-056 if service was by certified mail.
如果通过挂号信(certified mail) 完成送达, 请使用 CC-DR-056。
- Use CC-DR-055 if service was by private process.
如果通过私人完成送达, 请使用 CC-DR-055。
- If the sheriff served your spouse, the sheriff's office will file the Affidavit of Service.
如果县警向您的配偶完成送达, 县警长办公室将提交送达证明书。
- If you cannot have your spouse served (for any reason, such as you cannot locate them or they are evading service), you probably need to seek legal advice.
如果您(因为任何原因例如您无法找到您的配偶或其避开送达)无法对您的配偶完成送达, 您可能需要寻求律师建议。

7. Wait for your spouse to file an answer or counter-claim. Deadlines to respond to a divorce complaint:

等待您的配偶提交答辩或反诉。回复离婚诉状的截止时间:

- If your spouse was served in Maryland: 30 days after service of process.
如果您的配偶在马里兰州接受送达: 送达后 30 天。
- If your spouse was served in another state: 60 days after service of process.
如果您的配偶在其他州接受送达: 送达后 60 天。
- If your spouse was served in another country: 90 days after service of process.
如果您的配偶在其他国家/地区接受送达: 送达后 90 天。
- If your spouse does not respond in the time allowed, file a Request for Order of Default (CC-DR-054).
如果您的配偶未在获准时间内做出回复, 请提交默认命令申请 (CC-DR-054)。