

When to File for Divorce in Maryland

May 19, 2022

By Sandra A. Brooks

Many people looking to file for divorce don't know where to start or how urgently they should proceed with the filing. Some couples, in the emotionally-charged act of separating from one another, make the mistake of jumping straight into filing without considering all of their options. Generally speaking, it's best if the parties can work things out with counsel before filing for divorce; this approach is ideal and may save them a lot of financial and emotional stress in the long run. Once a party files, the attorney's fees tend to increase due to court-imposed deadlines, so avoiding that time crunch altogether is beneficial for everyone involved.

If the parties manage to work with counsel to exchange all of the information and documentation before filing, counsel may be able to help the parties come to a resolution outside of court; if they are reaching an impasse, the next step may be to try mediation. If mediation fails and they've exhausted all settlement efforts, counsel may then recommend that they go ahead and file.

Obviously, some divorces are messier than others, and parties cannot always be collaborative like this, so sometimes it is necessary to file immediately—especially if the court needs to quickly intervene with regards to children and custody issues.

The first step when deciding to file for divorce should always be to seek the help of an experienced divorce or family law attorney. In the state of Maryland, it's possible that certain forms must be filed days or weeks before the trial (depending on the county)—an experienced divorce lawyer should be able to help you keep on top of these due dates. Some of the forms you may need to fill out may include documents detailing your property and how each party thinks it should be divided, financial documentation, request for financial support from one party to another, and more. The many forms, as well as the varying practices of each court, can make the process of filing for divorce a little muddy, which is why pursuing divorce without legal representation can be risky business.