

Order To Appear

The **Order to Appear** (FA-4142) is the form that a party uses to inform his/her spouse that he/she is 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 your spouse will also receive this information and know the date of the hearing, you must use this form to officially order him/her to appear.

NOTE: If your spouse does not appear for court and you **cannot** prove that he/she was ordered to appear, the court **may** not proceed with the final hearing and **may** reschedule it. If your spouse does not appear and you **can** provide proof that he/she was ordered to appear, the judge **may** decide to go ahead with the final hearing without him/her.

*If you and your spouse 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**.
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**.
5. Take the proof that you served the other party [**Admission of Service** (FA-4119) or **Affidavit of Service** (FA-4120)] and the original **Order to Appear** 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.