

403.140 Marriage -- Court may enter decree of dissolution or separation.

- (1) The Circuit Court shall enter a decree of dissolution of marriage if:
 - (a) The court finds that one (1) of the parties, at the time the action was commenced, resided in this state, or was stationed in this state while a member of the armed services, and that the residence or military presence has been maintained for 180 days next preceding the filing of the petition;
 - (b) The court finds that the conciliation provisions of KRS 403.170 either do not apply or have been met;
 - (c) The court finds that the marriage is irretrievably broken; and
 - (d) To the extent it has jurisdiction to do so, the court has considered, approved or made provision for child custody, the support of any child of the marriage entitled to support, the maintenance of either spouse, and the disposition of property.
- (2) If a party requests a decree of legal separation rather than a decree of dissolution of marriage, the court shall grant the decree in that form unless the other party objects, in which latter event the other provisions of this chapter shall apply.

History: Created 1972 Ky. Acts ch. 182, sec. 4.