

403.150 Procedure -- Commencement of action, pleadings, abolition of existing defenses.

- (1) All proceedings under this chapter are commenced in the manner provided by the Rules of Civil Procedure.
- (2) The verified petition in a proceeding for dissolution of marriage or legal separation shall allege the marriage is irretrievably broken and shall set forth:
 - (a) The age, occupation, Social Security number, and residence of each party, provided in accordance with KRS 403.135, and his length of residence in this state. If domestic violence and abuse, as defined in KRS 403.720, is alleged by either party, the party filing the petition shall certify the existence and status of any domestic violence protective orders. The party filing the petition and alleging the abuse may substitute the party's attorney's address as the address of the party and any minor children;
 - (b) The date of the marriage and the place at which it was registered;
 - (c) That the parties are separated and the date on which the parties separated;
 - (d) The names, ages, Social Security numbers, and addresses, provided in accordance with KRS 403.135, of any living infant children of the marriage, and whether the wife is pregnant;
 - (e) Any arrangements as to custody, visitation, and support of the children and the maintenance of a spouse; and
 - (f) The relief sought.
- (3) Either or both parties to the marriage may initiate the proceeding.
- (4) If a proceeding is commenced by one (1) of the parties, the other party must be served in the manner provided by the Rules of Civil Procedure and may file a verified response.
- (5) Previously existing defenses to divorce and legal separation, including but not limited to condonation, connivance, collusion, recrimination, insanity, and lapse of time, are abolished.
- (6) The court may join additional parties proper for the exercise of its authority to implement this chapter.
- (7) When the wife is pregnant at the time the petition is filed, the court may continue the case until the pregnancy is terminated.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 126, sec. 2, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 255, sec. 17, effective July 15, 1998. -- Created 1972 Ky. Acts ch. 182, sec. 5. -- Amended 1992 Ky. Acts ch. 169, sec. 1, effective July 14, 1992.