



## Why California Family Law has a Six-Month Waiting Period for

# Divorce

In California, there's a mandatory six-month waiting period before a divorce can be finalized. This "cooling-off period" starts when the non-filing spouse is served. It's intended to give both parties time to reflect, possibly reconcile, and make careful, informed decisions about their future and any related matters.

California's six-month waiting period for divorce reflects a public policy aimed at fostering stability, particularly for families with children. Lawmakers understand that divorce can be an emotional decision, and this timeframe helps ensure it's not made hastily. It also provides a necessary window to address key matters like property division, custody, and support before the divorce becomes final.

Importantly, the six-month period is the minimum time required; divorces can take

longer depending on the complexity of the case or how long it takes the parties to reach an agreement. However, no divorce in California can be finalized in less than six months, regardless of circumstances.

The waiting period shows the state's attempt to balance the right to divorce with the goal of preventing rushed decisions that could harm families, offering time for reflection and possibly reconciliation before finalizing such a significant life change.

### About Arlene:

Engaged for decades in the Northern California legal community, Arlene D. Kock is a past member of the Alameda County Bar Association (ACBA) Board of Directors. She served on their Attorney Referral Panel for many years and was the past chair of their Ethics and Civility Committee. In her capacity on that committee, Arlene was instrumental in assisting the team in preparing and creating the ACBA statement of professionalism and civility, a policy that is expected to be adhered to today by the court and litigants. She is currently a member of the ACBA and the Contra Costa County Bar Association.



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