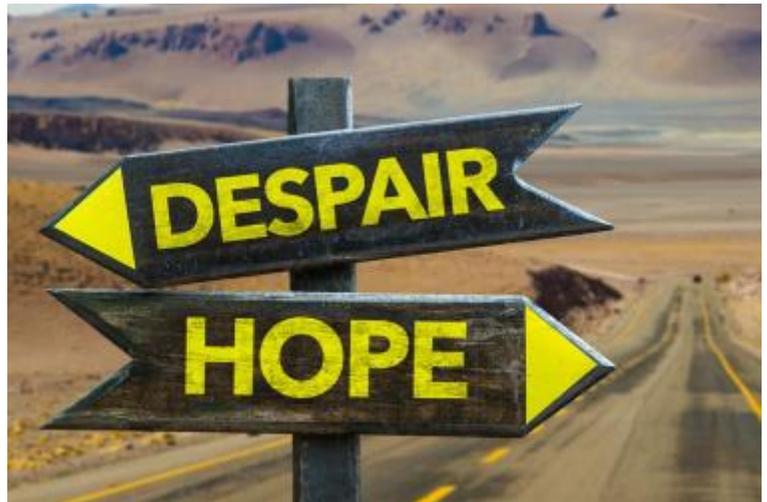


What Happens if I File for Divorce in San Diego and Change My Mind Before It Has Been Finalized?

By Bonnie A. Rabinovitch-Mantel, CFLS.

While this may be old news: In 2016, that famed Kardashian sister, Khloe, recently refiled her petition for divorce from former Los Angeles Lakers player Lamar Odom. Though the two wed back in 2009, Kardashian filed for divorce in California in 2013, citing “irreconcilable differences.” As the state of California is a no-fault state, “irreconcilable differences” are commonly cited as the reason for petitioning for divorce.



In 2013, when Kardashian first filed her petition for divorce in Los Angeles court, the two managed to negotiate [a division of property](#) that proved acceptable to both sides. Furthermore, Kardashian and Odom each signed a prenuptial agreement before their much-publicized wedding in 2009. However, after Kardashian’s initial petition in December 2013, the divorce never became final. In California, a petition for divorce will not become finalized for at least six months after its filing (assuming that all details are sorted out, without delay). When Odom overdosed at a Nevada brothel just a few days shy of his and Kardashian’s divorce finalization, Kardashian decided to hold off on the proceedings and dismiss her initial divorce petition, so that Odom could peaceably recover from his life-threatening episode.

Though getting back together was never in the equation, [according to reports](#), it seems that things between Kardashian and Odom have remained amicable. Before the recent refiling of her divorce petition, Kardashian’s public relations camp said that Odom had been given a heads-up before the petition was filed. With a prenuptial agreement in place and additional negotiations already

completed during round one of Kardashian's divorce petition, the finalization of the Kardashian-Odom divorce comes down to a matter of time—just until the six-month post-filing period elapses, as is required in California.

That's the Hollywood story, of course—but what if you file for divorce in San Diego and change your mind before it's been finalized?

You can change your mind at any time before the Judgment of Dissolution has been filed. If the other side has not filed a Response, you can simply file a Request for Dismissal without needing the consent of the other party. However, if the other party has filed a Response, you will need him or her to sign the Request for Dismissal to remove the case from the court's processes. On the other hand, if your divorce paperwork has been drafted, but not filed, it may be a simple matter of instructing your San Diego divorce attorney to hold off on filing your petition.

The decision to file for divorce in San Diego is often as multi-faceted as the decision to marry in the first place. It's not uncommon that divorce petitioners have a change of heart as the ebbs and flows of life and relationships unfold. The best way to explore your options when it comes to reversing a divorce or divorce petition is to consult with a top San Diego divorce attorney who has experience and in-depth knowledge of the law. All told, if you filed for divorce in San Diego and then ultimately changed your mind—it may be entirely possible to dismiss or reverse your petition for divorce. Simply consult with an experienced San Diego divorce attorney and begin the next chapter of your life, wherever it may lead you.

For questions, concerns, inquiries, or to explore our free 30 minute phone consultations, please use the links below:

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