

2. Jurisdiction & Venue

DOMESTIC COURTS BY STATE

- **Alabama:**
Circuit Court
- **Georgia:**
Superior Court
- **Mississippi:**
Chancery Court

The first step to a divorce is to ascertain where you want to file your petition. The legal terminology for this step is called “jurisdiction.” Jurisdiction simply means that the court has the authority to hear the case and give a ruling. There are two types of jurisdiction: personal jurisdiction and subject matter jurisdiction.

Personal jurisdiction requires that the person being sued (i.e. your spouse) be sued in the county in which he or she lives. For a divorce action, the person must have resided in the county he is being sued in for a minimum of six months prior to filing the petition. Subject matter jurisdiction means that you must sue in the right division of the court in the specific county. Each state has a specific court that handles domestic cases—that is the court to file the divorce petition.

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