

Chart 4: Grounds for Divorce and Residency Requirements*

STATE	No Fault Sole Ground	No Fault Added to Traditional	Incompatibility Irreconcilable Differences, or Similar Ground	Living Separate and Apart	Judicial Separation	Durational Requirements
Alabama		x	x	2 years	x	6 months
Alaska		x	x		x	none
Arizona	x	x ²	x			90 days
Arkansas		x ²		18 months	x	60 days
California	x		x		x	6 months ¹
Colorado	x		x		x	90 days
Connecticut		x	x	18 months	x	1 year
Delaware		x	x	6 months	x	6 months
District of Columbia	x			6 months ⁴ ; 1 year	x	6 months
Florida	x		x			6 months
Georgia		x	x			6 months
Hawaii	x		x	2 years	x	6 months
Idaho		x	x	5 years		6 weeks
Illinois		x		2 years	x	90 days
Indiana	x		x		x	6 months
Iowa	x		x		x	1 year
Kansas	x		x		x	60 days
Kentucky	x		x		x	180 days
Louisiana		x ²		6 months ³	x	6 months
Maine		x	x		x	6 months
Maryland		x		12 months	x	1 year
Massachusetts		x	x		x	none
Michigan	x		x		x	180 days
Minnesota	x		x		x	180 days
Mississippi		x	x ⁴			6 months
Missouri	x		x		x	90 days
Montana	x		x	180 days	x	90 days
Nebraska	x		x		x	1 year
Nevada	x		x	1 year	x	6 weeks
New Hampshire		x	x		x	1 year
New Jersey		x	x ⁷	18 months	x	1 year
New Mexico		x	x			6 months
New York		x		1 year ⁵	x	1 year
North Carolina		x		1 year	x	6 months
North Dakota		x	x		x	6 months
Ohio		x	x	1 year		6 months
Oklahoma		x	x		x	6 months
Oregon	x		x		x	6 months
Pennsylvania		x	x ⁴	2 years		6 months
Rhode Island		x	x	3 years	x	1 year
South Carolina		x		1 year	x	1 year ⁶
South Dakota		x	x		x	none
Tennessee		x	x	2 years	x	6 months
Texas		x	x	3 years		6 months
Utah		x	x	3 years	x	3 months
Vermont		x		6 months		6 months
Virginia		x		1 year	x	6 months
Washington	x		x ⁴	12 months		none
West Virginia		x	x	1 year	x	1 year
Wisconsin	x			12 months	x	6 months
Wyoming		x			x	60 days

* Chart prepared by Liz Brandt, with the assistance of Elizabeth Ferrin, University of Idaho, class of 2009.

1. California requires domicile as distinguished from residency for jurisdictional purposes.

2. Covenant marriage statutes establish specific grounds for divorce for covenant marriages.

3. Two years for covenant marriages.

4. Available in a jointly filed petition.

5. New York requires that the parties live separate and apart after the execution of a written separation agreement.

6. South Carolina's one-year residency requirement only applies where the Plaintiff is a resident of the state but the defendant is not. If both parties are residents of South Carolina, the durational requirement is three months.

7. New Jersey requires that irreconcilable differences cause the breakdown of the marriage for six months.