

Divorce / Ehescheidung / Le divorce

Marriage is dissolved before the court on the basis of the court's decision on dissolution. If a marriage has been dissolved before a foreign court, the concerned national of the Republic of Serbia will apply to a Serbian court for the recognition of the effective and enforceable foreign judicial decision. Only after the recognition by the Serbian court of the foreign judicial decision can the dissolution of marriage be registered in the registers kept in the Republic of Serbia.

If a marriage has been divorced in front of a Swiss court, a citizen of the Republic of Serbia must initiate the process of the recognition of a foreign court's decision in front of a competent court in the Republic of Serbia. **This can be done in person or through an authorized person – legal representative.** Necessary documentation, along with the request, consist of the original decision on divorce (in German language: Urteil), verified with "Apostille" and translated to Serbian language by a certified court interpreter for Serbian language (both the verdict and the "Apostille" must be translated).

Only when a court in Serbia confirms a foreign decision by a verdict, will the divorce be entered in civil registry books in the Republic of Serbia. Our citizens who change their last name (for example, return to their maiden name) will be given a deadline of 60 days to initiate a procedure for changing a personal name before the competent authority. In this so called shortened procedure, it is necessary to enclose a copy of birth and marriage certificates, certificate of citizenship and identity card.

If the person misses this 60 days deadline and doesn't change the surname, the change is still possible but through the administrative procedure where, in addition to the above mentioned documents, it will be necessary to attach the confirmation that the applicant is not under investigation, a marriage divorce judgment and a proof that the applicant regularly pays taxes.