

# INSTRUCTIONS & CHECKLIST

## PACKET “C-2” -- DISSOLUTION WITHOUT CHILDREN

### III. REACHING AGREEMENT:

#### STEP 5. -- Final Agreements.

It is best if you are able to reach an agreement between yourselves on property.

- Form #42 Once you've reached agreement, complete this form and sign **before a notary public**.
- Make 2 copies of each form - one for yourself and one for your spouse.
- File original Form #42 with the Clerk of Court.
- Form #44 Complete and sign **before a notary public**. Mail copy to spouse.
- Form #45 Complete & sign **before a notary public**. Mail copy to spouse.
- File #45 with the Clerk of Court. Do not file #44.**

**SKIP TO STEP 7.**

### IV. UNABLE TO REACH AGREEMENT:

#### STEP 6. -- Asking the Court to Decide.

- Form #43 If you can't agree on property division, complete this form, sign, and file the original with the Clerk of Court. Mail a copy to your spouse. You should receive notice from the Court of the next step in your case.
- Form #44 Complete and sign **before a notary public**. Mail copy to spouse.
- Form #45 Complete & sign **before a notary public**. File the original with the Court and mail copy to your spouse.

### V. FINAL PAPERWORK:

#### STEP 7. -- Just a Little More Paperwork !!!

- Form #46 Complete - do not sign. The Judge will sign at the hearing.
- Form #47 Complete caption - do not sign. (You will sign later - see Step #14.)
- Form #48 Complete the sections you can. After the hearing you will be expected to **fully** complete the form.
- Form #49 Complete caption only.
- Form #50 If you are changing your name back to your former name as part of the divorce, complete this Order for Name Change. This will be a confidential document since it contains your birth date. This Order may then be used to change your name with various agencies such as the Dept. of Motor Vehicles, Social Security office, etc.
- Make 1 copy of Form 46, 47, 48, 49 and 50 for your records.
- Make 3 copies of Form #46. Keep one for your records.
- Deliver the originals of these forms and the two copies of Form #46 to the Clerk of Court -- **with Form #48 and 49.**
- If you have filed Form #42 (Settlement Agreement) you will be notified of the hearing date for the final decree of dissolution.
- If you have filed Form #49 (Request for Hearing) you will be notified of the hearing date to decide the issues.

### VI. HEARING IN COURT:

You have chosen to represent yourself. Arrive at the courthouse early. While divorce can be very difficult and emotional, the

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Court expects the parties to be civil and remain focused on the legal issues.

### STEP 8. -- Court Hearing - on Contested Issues.

Be prepared to present evidence to the Court and discuss your position. In order to understand what is involved in a hearing, you may wish to observe a contested family law hearing at least 30 days before your hearing. Contact the Clerk of Court for the schedule.

### STEP 9. -- Court Hearing - Final Decree - Non-contested.

You have reached an agreement with your spouse and he/she has signed the Marital and Property Settlement Agreement wherein he/she consented to the entry of the final decree (Document #41a, page 5). Both parties can attend the hearing on the final decree, but it is NOT NECESSARY that your spouse attend. You should be prepared to be sworn in, sit in the witness stand, and answer any questions asked of you by the opposing party or the Judge.

## VII. AFTER THE HEARING:

### STEP 10. -- Final Paperwork.

- A filing fee of \$45 (subject to change) must be paid to the Clerk of Court before the Final Decree is filed. This fee is waived if the Judge approved your Affidavit of Inability to Pay at the beginning of your case.
- Copies of the Final Decree will be available at the Clerk of Court’s office. The Clerk’s office charges \$10 per copy. However, you have already supplied two extra copies of the Final Decree. The Clerk’s office will conform (stamp them with the date) these copies with the original without any cost. The Clerk should then certify (i.e. “make them official”) the two copies. The cost for certification is \$2.00 each.
- Form #47 Complete, sign, and mail a copy to your spouse, together with one certified copy of the Final Decree (Form #43) signed by the Judge. File original Form #44 with the Clerk of Court. Filing Form #44 starts the 30-day period for appeal by either party.
- Form #50 If you are changing your name, you need a certified copy of Form #9 after the Judge signs it. You will take the certified copy of Form #50 to the Department of Motor Vehicles and other agencies in order to change your name on your driver’s license, social security card, bank accounts, etc. This is a confidential document and will be sealed in your court file

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