

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
 \_\_\_\_\_ COUNTY

<p>In re the Marriage of:</p> <p>_____,                  Co-Petitioner,</p> <p>and</p> <p>_____,                  Co-Petitioner.</p>	<p>Cause No.: _____                  Department No. _____</p> <p><b>FINDINGS OF FACT,                  CONCLUSIONS OF LAW AND                  FINAL DECREE OF DISSOLUTION</b></p>
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The Joint Petitions for Dissolution, filed herein on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, came for hearing this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The Co-Petitioners appeared pro se.

After considering all evidence and pleadings, the Court finds:

**FINDINGS OF FACT**

1. The Co-Petitioners, \_\_\_\_\_ (“Wife”) and \_\_\_\_\_ (“Husband”) have both signed a Joint Petition for Dissolution.
2. Choose One:
  - The parties were married on (*date*):\_\_\_\_\_. The marriage was registered in the County of \_\_\_\_\_, State of \_\_\_\_\_.
  - The parties were married at common law. The parties assumed a marital relationship by mutual consent and agreement and confirmed their marriage by cohabitation and public repute.

3. Choose One:  
 The parties separated on (*date*): \_\_\_\_\_.  
 The parties are not yet separated.
4. Choose One:  
 The marriage is irretrievably broken in that there is serious marital discord which adversely affects the attitude of one of the parties towards the marriage, and there is no reasonable prospect of reconciliation.  
 The marriage is irretrievably broken in that the parties have lived separate and apart for a period of more than one hundred eighty (180) days preceding the commencement of these proceedings, and there is no reasonable prospect of reconciliation.
5. The conciliation provisions of the Montana Conciliation law, M.C.A. §§ 40-3-101, et. seq., and § 40-4-107 do not apply.
6. At least one of the Co-Petitioners has been domiciled within the state of Montana for at least ninety (90) days prior to the filing of this action.
7. Choose One:  
 There were no children born of the marriage.  
 There were children of the marriage, but none are now minors.  
 There were children born of the marriage, but this Court has no jurisdiction over them because \_\_\_\_\_.
8. The wife  is  is not pregnant with a child of this marriage.
9. The Petitioners have waived the exchange of preliminary declarations of disclosure.
10. The Co-Petitioners have complied with the final disclosure requirements of M.C.A. §§ 40-4-253 and 40-4-254.
11. Choose One:  
 The parties do not own any real property.  
**or**  
 The  Wife  Husband  both parties is/are the owner(s) of record of real property located at \_\_\_\_\_  
 \_\_\_\_\_  
 The legal description of the property is: \_\_\_\_\_  
 \_\_\_\_\_.
12. Choose One:  
 The parties do not own any vehicles.  
 The parties own \_\_\_\_\_ vehicle(s).

13. The parties have accumulated household furnishings and other personal property during the course of their marriage. The personal property of the parties  has not  has already been divided.
14. Choose One:  
 There are no debts of the marriage.  
 The parties have accumulated debts during the course of their marriage.
15.  The parties have entered into a Marital and Property Settlement Agreement that distributed their property and debts and obligations and made specific provisions for spousal maintenance and other matters related to dissolution of their marriage. Petitioner/Respondent/Both parties testified that the provisions contained in their agreement are fair and equitable.
16. Choose One:  
 The wife would like to be restored to her former name of \_\_\_\_\_.  
 The wife does not want to be restored to her former name.  
 The wife did not change her name.
17. Other Provisions: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.
18. All of the other allegations of the Co-Petitioners' complaint not inconsistent herewith are true, and the relief requested should be granted.

FROM the above Findings of Fact, the Court makes the following:

**CONCLUSIONS OF LAW**

1. The Court has jurisdiction over this cause.
2. The marriage of the parties is irretrievably broken.
3.  Based on the duration of the marriage and on the parties' age, health, education, skills, and financial circumstances, the Co-Petitioners' proposed division of property and debts is equitable.
4.  The parties' Marital and Property Settlement Agreement constitutes a fair and equitable division of the parties' property and debts, is not unconscionable, and should be approved by this Court.
5. If requested, the wife should be restored to her former name, \_\_\_\_\_.

6. Other Provisions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

FROM the above Findings of Fact and Conclusions of Law, the Court orders the following:

**DECREE OF DISSOLUTION OF MARRIAGE**

1. The marriage of the parties is hereby dissolved.

2. Choose One:

The parties do not own any real property.

The  Wife  Husband is hereby granted all right, title, and interest in the real property located at \_\_\_\_\_, with legal description of \_\_\_\_\_.

The  Wife  Husband shall transfer his/her interest in this real property to the  Wife  Husband.

**or**

Describe the proposed distribution of the real property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

If needed, attach additional sheets as Exhibit \_\_\_\_\_.

3. Choose One:

The parties do not own any vehicles.

**or**

The parties' vehicle(s) shall be distributed as follows (*Please include the year, make, and model for each vehicle listed.*):

a. The Wife is awarded all right, title and interest in following vehicle(s):

Vehicle: _____	VIN#: _____
Vehicle: _____	VIN#: _____
Vehicle: _____	VIN#: _____

b. The Husband is awarded all right, title, and interest in the following vehicle(s):

Vehicle: _____	VIN#: _____
Vehicle: _____	VIN#: _____
Vehicle: _____	VIN#: _____

c. The parties shall transfer all right and title in said vehicle(s) to the appropriate party. If either party fails to transfer such right and title in the vehicle(s) within twenty (20) days from the date of this Decree, the registrar of Motor Vehicles of the

State of Montana is hereby ordered to issue sole title to the party awarded said vehicle(s) upon receipt of a certified copy of this Decree.

If needed, attach additional sheets as Exhibit \_\_\_\_\_.

4. Choose One:

Each party is hereby granted the exclusive right and title to the personal property currently in his or her possession.

**or**

Each party is hereby granted the exclusive right and title to the following personal property:

To Wife:

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To Husband:

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If needed, attach additional sheets as Exhibit \_\_\_\_\_.

5. Choose One:

There are no debts of the marriage.

The parties have accumulated debts during the course of their marriage. Each party shall be responsible for the debts currently in his or her name.

**or**

The parties have accumulated debts during the course of their marriage. The responsibility for the debts shall be distributed as follows:

To Wife:

Description of Debt	Creditor	Current Balance	Amount to Wife

<b>Description of Debt</b>	<b>Creditor</b>	<b>Current Balance</b>	<b>Amount to Wife</b>

Any and all other debts in Wife’s name only; any and all other debts incurred solely by the Wife since the parties’ separation.

To Husband:

<b>Description of Debt</b>	<b>Creditor</b>	<b>Current Balance</b>	<b>Amount to Husband</b>

Any and all other debts in the Husband’s name only; any and all other debts incurred solely by the Husband since the parties’ separation. If needed, attach additional sheets as Exhibit \_\_\_\_\_.

- The issues of property and debt distribution, spousal maintenance, and all other affairs of the marriage are determined pursuant to the Marital and Property Settlement Agreement filed herein. The parties are ordered to perform and comply with the terms and conditions contained in the agreement. The terms of the agreement are enforceable by all remedies available for enforcement of a judgment, including contempt, and are enforceable as contract terms.

7. Each party is ordered to execute any and all documents which now or in the future may be necessary to carry into full force and effect the terms and conditions of this Decree.

8. Choose One:

- The wife's name is restored to \_\_\_\_\_.  
The wife shall be granted an Order for Name Change which will be sealed in the court file.
- The wife's name is not restored to her former name.
- The wife did not change her name.

9. Other Provisions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE