

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

**WIFE, CO-PETITIONER PRO SE**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email Address

**HUSBAND, CO-PETITIONER PRO SE**

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

IN RE THE MARRIAGE OF:  
\_\_\_\_\_,  
Co-Petitioner,  
and  
\_\_\_\_\_,  
Co-Petitioner.

Cause No.: \_\_\_\_\_  
Department No.: \_\_\_\_\_

**AFFIDAVIT FOR ENTRY OF  
DECREE OF DISSOLUTION OF  
MARRIAGE WITHOUT HEARING**

STATE OF MONTANA )  
 ) : ss.  
County of \_\_\_\_\_ )

We, the undersigned, \_\_\_\_\_ and \_\_\_\_\_,  
(name of Wife) (name of Husband)  
under oath and penalty of perjury, swear or affirm as follows:

1. We are the Co-Petitioners in the above action. We are currently married. We were married on the \_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_. We were married in the County of \_\_\_\_\_, in the city of \_\_\_\_\_, in the state of \_\_\_\_\_.

2.a. Co-Petitioner Wife: I am \_\_\_\_ years of age.

My occupation is \_\_\_\_\_.

My current residence is \_\_\_\_\_.

I have resided at this residence since \_\_\_\_\_.  
*(date you moved into this residence)*

2.b. Co-Petitioner Husband: I am \_\_\_\_ years of age.

My occupation is \_\_\_\_\_.

My current residence is \_\_\_\_\_.

I have resided at this residence since \_\_\_\_\_.  
*(date you moved into this residence)*

3. There are no children of the marriage. The Wife is not pregnant.

4. Neither of us is now or was at any time 30 days prior to the filing of the Petition for Dissolution of Marriage: (a) a member of the Armed Forces of the United States (Army, Air Force, Coast Guard, Marine Corps, or Navy), (b) a member of the National Guard under a call to service for a period of more than 30 consecutive days, (c) a reserve member on active duty, or (d) an active duty commissioned officer of the Public Health Service or the National Oceanic and Atmospheric Administration.

5. The Petition for Summary Dissolution of Marriage was filed on \_\_\_\_\_  
*(date)*

At least one of us has resided in the state of Montana during the 90 days preceding the filing of the Petition. At least one of us has maintained a residence in Montana for at least 90 days prior to

the filing of the Petition for Summary Dissolution of Marriage.

6. We filed a Co-Petition for Summary Dissolution and Marital Property Settlement Agreement and all issues are resolved.

7. Our marriage is irretrievably broken in that, we have either lived separate and apart for a period of more than 180 days prior to the filing of the Petition for Summary Dissolution and/or there is serious marital discord that adversely affects the attitude of one or both of us toward the marriage.

8. There is no reasonable prospect of reconciliation of marriage.

9. The conciliation provisions of the Montana Conciliation Law do not apply.

10. We have entered into, and filed with the Court, a Marital Property Settlement Agreement, which fully resolves the disposition of all property and debts of both parties.

11. We each signed the Marital Property Settlement Agreement voluntarily.

12. Neither of us were harassed, coerced, or threatened by anyone into signing the Marital Property Settlement Agreement.

13. We agree the disposition of property and debts, as set forth in our Marital Property Settlement Agreement, filed herein, are not unconscionable and constitutes an equitable apportionment of our marital estate.

14. We request the Court adopt our Marital Property Settlement Agreement filed herein as part of the final Decree of Dissolution of Marriage.

15. We each waive any right to maintenance or to appeal the terms of the Dissolution of Marriage or the Marital Property Settlement Agreement.

16. We have completed the state case registry and vital statistics reporting form.

17. The Wife, requests/does not request, the restoration of her former name.  
(circle one)

18. A proposed Findings of Fact, Conclusion of Law, and Final Decree of Dissolution is filed with this Affidavit.

19. We each waive the right to appear personally in Court to present testimony as to any matters and request the Court enter the proposed Decree of Summary Dissolution of Marriage by Affidavit in lieu of a hearing before the Court.

20. We understand that regardless of this Affidavit, the Court may require a hearing for any reason the Court considers necessary.

**ATTACH YOUR FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL DECREE TO THIS AFFIDAVIT**

\_\_\_\_\_ )  
Co-Petitioner, Wife  
State of \_\_\_\_\_ )  
:ss.  
County of \_\_\_\_\_ )

SIGNED AND SWORN (OR AFFIRMED) to before me on \_\_\_\_\_, 20\_\_  
by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of \_\_\_\_\_  
Printed name of notary \_\_\_\_\_  
Title or rank: \_\_\_\_\_  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_ )  
Co-Petitioner, Husband  
State of \_\_\_\_\_ )  
:ss.  
County of \_\_\_\_\_ )

SIGNED AND SWORN (OR AFFIRMED) to before me on \_\_\_\_\_, 20\_\_  
by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of \_\_\_\_\_  
Printed name of notary \_\_\_\_\_  
Title or rank: \_\_\_\_\_  
Residing at \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_