

Form Instructions for Divorce without Children and without Agreement

READ BEFORE YOU USE THIS PACKET

When you sign a court document, you may be helping or hurting your case. Before you sign any court document or get involved with a court case, it is important that you get advice from a lawyer to make sure you are doing the right thing.

Going to court without a lawyer is risky, and if you choose to be unrepresented, you must be prepared. This form packet has been created to help you, but certain courts have their own procedures and may not accept every form. In fact, courts in some counties have their own local form packets and may prefer that you use them. Check with your county clerk’s office to find out: <http://courts.in.gov/2808.htm>.

You may go to court without representation, but you will have to abide by the appropriate court rules, including Indiana Rules of Evidence, Indiana Rules of Trial Procedure, and any local rules. Learn more about going to court without a lawyer in an informative video at <http://courts.in.gov/2616.htm>.

For additional information, you may refer to the Indiana Self-Service Legal Center that can be found at <http://courts.in.gov/selfservice>. For legal advice about your case, you should get in touch with a lawyer.

Table of Contents

Step 1: Who should use this packet.....	2
Step 2: Prepare your forms.....	2
Step 3: Printing your completed forms & understanding confidentiality.....	3
Step 4: File your initial forms.....	4
Step 5: Provisional hearing.....	4
Step 6: File your final forms.....	4
Step 7: The final hearing.....	5
Form Instructions.....	6
Appearance by Unrepresented Person in Civil Case (Form #TCM-TR3.1-7).....	6
Verified Petition for Dissolution of Marriage (Form #PS-31152-14).....	8
Summons (Form #TCM-TR4.1-2).....	10
Notice of Provisional Hearing (Form #PS-31152-5).....	11
Temporary Order (Form #PS-31152-6).....	12
Motion for Final Hearing (Form #PS-31152-7).....	13
Notice of Final Hearing (Form #PS-31152-8).....	14
Decree of Dissolution of Marriage (Form #PS-31152-9).....	14

Step 1: Who should use this packet

You should use these instructions and the forms listed if you want to divorce your spouse **AND**:

1. You or your spouse have lived in Indiana for at least the past six months and one of you has lived in your current county for at least the past three months;
2. You do not have any biological or adopted minor children with your spouse; you are not currently pregnant with your spouse's child, or your spouse is not pregnant with your child;
3. Neither you nor your spouse is currently in the military; and
4. You and your spouse **do not** have an agreement on how property should be divided.

If either you or your spouse is in the military, or if you or your spouse is pregnant, **DO NOT** use these instructions and the forms listed. There are special issues in your case that these forms do not address, and you need to seek legal advice from a lawyer.

If you are seeking a protection order, you may obtain a petition form from the Clerk of the Court or seek help from a victim advocate. A petition for a protection order must be filed as a separate case from this dissolution matter. For more information, see <http://courts.in.gov/selfservice>.

Step 2: Prepare your forms

Specific instructions for each form begin on page 6.

You should fill out the following forms:

Form Title	Form Number	Details	When to File
Appearance By Unrepresented Person in Civil Case	TCM-TR3.1-7	This form notifies the court that you intend to participate in a civil case.	See Step 4
Verified Petition for Dissolution of Marriage	PS-31152-14	This form asks the court to grant you a divorce and make temporary arrangements until the case is over.	See Step 4
Summons	TCM-TR4.1-2	This form notifies your spouse that you have filed for divorce and that your spouse must also file an appearance in the case in order to participate in it.	See Step 4
Notice of Provisional Hearing	PS-31152-5	This form notifies your spouse and other parties of the date of a provisional hearing in the case.	See Step 4
Temporary Order	PS-31152-6	This form outlines temporary arrangements for things like child custody, visitation and housing that the court approves while the case is ongoing.	See Step 5
Motion for Final Hearing	PS-31152-7	This form asks the court to set a hearing at which the divorce and all arrangements will be finalized.	See Step 6
Notice of Final Hearing	PS-31152-8	This form notifies your spouse and other parties of the date of the final hearing in the case.	See Step 6

Form Title	Form Number	Details	When to File
Decree of Dissolution of Marriage	PS-31152-9	This form is the final order of the court ending the marriage and outlining the final arrangements for things like child custody, visitation, and housing.	See Step 7

You can either print the blank forms and fill them out by hand, or fill them out on the computer and then print them out, but you need to learn more about what color paper to use and how many copies you'll need:

- *See Step 3* for important information about using green paper to print the Confidential Form.
- Review your local court rules to find out how many copies you will need, and any additional forms or procedures required in your county. Read your county's local rules here: <http://courts.in.gov/2694.htm>.

If you cannot afford it, you may ask the court to waive the divorce filing fee. To do so, complete the **Motion for Fee Waiver in a Divorce** form packet at: <http://courts.in.gov/selfservice/2347.htm>.

Step 3: Printing your completed forms & understanding confidentiality

About Confidentiality

By law court records are available to the public, and upon request anyone can look in almost any court file. The law also provides that certain information must remain confidential even if it is part of a court record. ***Such confidential information must be filed on green paper*** so that everyone can easily identify it and not release it to the public. It is important that you know what information is confidential and that you submit it to the court on green paper.

Confidential information that should be filed on green paper includes:

- Social Security numbers,
- Bank account numbers,
- Tax records,
- PIN numbers,
- Medical records,
- Child abuse records

For more information on this you may review Administrative Rule 9(G) at <http://www.in.gov/judiciary/rules/admin>.

What to File on Green Paper in this Packet.

Because you do not have children, you do not need to file the Confidential Form-Not for Public Use which must be filed on green paper. No other forms in this packet ask for confidential information.

Step 4: File your initial forms

Take the originals and copies of the following forms to the Clerk of the Court in the county where you (or your spouse) have lived for at least the last three months:

- Appearance By Unrepresented Person in Civil Case
- Verified Petition for Dissolution of Marriage
- Summons
- Notice of Provisional Hearing

Locate your Clerk's Office here: <http://courts.in.gov/2694.htm>

Some forms will be filed later, and others you will present to the judge during a hearing. See Steps 5-7 for more information.

The Clerk will provide the case number and process the forms. The Clerk will stamp the forms with a filing date and give you back a copy.

A copy of the file-stamped forms must be sent to your spouse's attorney, or to your spouse if he or she does not have an attorney. This is called "service" or "being served." Service can be accomplished by mail, in person (for example, by a Sheriff or Sheriff's representative), or even by fax or email. Methods of service can vary by county, so ask your Clerk's Office about your options.

Because you asked for a provisional hearing, the court will send you a notice telling you when the provisional hearing will be. Indiana law (IC 31-15-2-10) requires that you must wait at least 60 days after you file the initial forms to finish your divorce.

Step 5: Provisional hearing

A provisional hearing is a hearing before the final trial date where parties ask for temporary orders such as temporary possession of the marital residence or temporary custody of the children. Each party may present evidence and testimony on his or her behalf.

The judge will issue orders at the provisional hearing that will remain in effect until the Decree of Dissolution is issued or until modified upon request before the final decree.

When you attend the hearing, take the originals and copies of:

- Temporary Order

Step 6: File your final forms

After at least 60 days have passed since you filed your initial forms, take to the Clerk of the Court the originals and copies of:

- Motion for Final Hearing
- Notice of Final Hearing

The Clerk will stamp the forms with a filing date and give you back a copy.

On the day you file, copies of the file-stamped forms must be sent to your spouse's attorney, or to your spouse if he or she does not have an attorney. This is called "service" or "being served." Service can be accomplished by mail, in person (for example, by a Sheriff or Sheriff's representative), or even by fax or email. Methods of service can vary by county, so ask your Clerk's Office about your options.

You and your spouse should each receive a copy of the Notice of Final Hearing from the court. This will tell you the date of your final hearing.

Step 7: The final hearing

Watch the chapter(s) on preparing for your hearing in the video Family Matters: Choosing to Represent Yourself in Court at <http://courts.in.gov/2616.htm>.

Before you go to court, you should review the Dissolution of Marriage statute (IC 31-15) so that you know what evidence you need to present to the Judge. Access the Indiana Code at <http://iga.in.gov>.

- Dress nicely and be on time.
- Take with you to court:
 - Decree of Dissolution of Marriage
- You will get to speak first because you are the one who filed for the divorce. Then your spouse will get a chance to speak. *Do not interrupt the Judge or your spouse.*
- Give the Judge your forms before you leave.

Sometimes, the Judge will make his or her decision right away. Sometimes you will have to wait for the decision to come in the mail. The Judge might sign the decree you provided or issue one of his or her own. If it has been several weeks since the final hearing and you have still not received your decree in the mail, call the court or clerk's office and ask for a copy.

*You are divorced when the judge signs the Decree of Dissolution.
You should not get re-married until you have a copy of the
Decree of Dissolution signed by the Judge.*

Form Instructions

The instructions below correspond to the line numbers on the left-hand side of each of the forms. Please make sure you fill in all the lines listed.

Instructions for filling out the Appearance by Unrepresented Person in Civil Case (Form #TCM-TR3.1-7)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the Clerk will assign a number.
4	"In re the _____ of:" Enter the word <i>Marriage</i> and leave the space next to it blank.
5	Enter your full name.
8	Enter your spouse's full name.
12	Enter your full name.
13	Check this box if you are the person starting the case.
14	Check this box if you are the person responding to this case.
15	Check this box if you are the person intervening in this case (you are a third party to this case).
22-24	Enter your mailing address.
25	Enter your email address.

Line #	Instructions
26	Check the box if you will accept electronic service of documents in your case at the email address you provided on line 25. Counties with electronic service may not send any documents by mail if you check this box, so if you are willing to accept electronic service, be sure to regularly check your email inbox for new messages about your case. You can ask the Clerk about their electronic service practices.
27	Enter the phone number at which you would like to be contacted about your case.
28	If you have a fax, enter your fax number.
29	Check the box if you are willing to accept service of documents in your case at the fax number you provided.
32	Check the box if you prefer not to provide a mailing address where you are staying, but instead would like to receive service of documents in your case through the confidential address provided by the Attorney General's Office. This is typically used in cases involving domestic violence to keep your current address confidential.
33	Leave blank. The Clerk will provide this information.
41-42	Check the "Yes" box.
44-45	If you have any other pending cases related to your divorce case, check the "Yes" box. Otherwise, check the "No" box.
47-52	If you checked "Yes" on Line 44, enter the caption(s) and case number(s).
53	Provide additional, information, if any, required by your county's local rules. Read your county's local rules here: http://courts.in.gov/2694.htm
55	Sign your name.

Instructions for filling out the
Verified Petition for Dissolution of Marriage (Form #PS-31152-14)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the Clerk will assign a number.
5	Enter your full name on the line above Petitioner.
8	Enter your spouse's full name as Respondent.
11	Check this box. Provisional orders are temporary orders that will be in effect while you are waiting for your final hearing.
12	Print/Enter your full name.
13	"Petitioner and Respondent were married on _____" Enter the day, month and year that you were married.
13	"...and separated on _____" Enter the day, month, and year that you were separated.
14	"_____ has been a continuous resident..." Enter the name of the person (either you or your spouse) who has lived in the county for the last three months.
14	"...has been a continuous resident of _____ County." Enter the name of the county where you are filing these papers.
16	Enter the name of the person (either you or your spouse) who has lived in the state of Indiana for the last six months.
19	Check this box.

Line #	Instructions
29	If there are no debts or property to divide, check this box.
30	If there is property that your spouse has that you want, or debts that you owe that you think your spouse should pay, check this box.
31-34	If you checked the box in Line 30, list the items or debts.
35	Enter the name of the wife if she is not pregnant. If the wife is pregnant, leave this blank.
39	If you are the Petitioner and would like your former name, check this box and enter your former name.
40	If you are the Petitioner and do not wish to change to your former name, check this box.
45	Check this box.
46-57	Place a check beside each order you would like the Judge to issue. You should contact an attorney or consult a legal dictionary if you do not understand these terms. A separate case is required for a protection order involving domestic violence, and you must file it as a separate case. If you are seeking a protection order, you may obtain a form from the Clerk of the Court or seek help from a victim advocate. See http://courts.in.gov/selfservice/2352.htm .
59	Sign your name.
60	Enter your name.
61-64	Enter your mailing address.
67	Handwrite the date this form is sent by first class mail.
68	Sign this Petition.

Instructions for filling out the
Summons (Form #TCM-TR4.1-2)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the clerk will assign a number.
5	Enter your full name as Petitioner.
7	Enter your spouse's full name as Respondent.
12-15	Enter your spouse's full name and address.
28-30	Leave blank. The clerk will fill this out.
32-34	Check the box that says how you would like your spouse to be served. Please note that each of these methods have additional charges, and discuss this with the clerk.
37-71	Leave blank. The Sheriff will fill this out if you choose service by sheriff.

Instructions for filling out the
Notice of Provisional Hearing (Form #PS-31152-5)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the Clerk will assign a number.
5	Enter your full name as Petitioner.
8	Enter your spouse's full name as Respondent.
12-16	Leave these blank. The Judge will fill them out.
19	Enter your full name and address.
20-22	Enter your address.
23	Enter your spouse's full name and address.
24-26	Enter your spouse's address.

Instructions for filling out the
Temporary Order (Form #PS-31152-6)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the clerk will assign a number.
5	Enter your full name as Petitioner.
8	Enter your spouse's full name as Respondent.
10-74	Leave Blank. The judge will fill this out.
76	Enter your full name.
77-79	Enter your address.
80	Enter your spouse's full name.
81-83	Enter your spouse's address.

Instructions for filling out the
Motion for Final Hearing (Form #PS-31152-7)

Line #	Instructions - DO NOT FILE THIS FORM WITH THE COURT UNTIL 60 DAYS HAVE PASSED SINCE THE FILING OF THE VERIFIED PETITION FOR DISSOLUTION
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the clerk will assign a number.
5	Enter your full name as Petitioner.
8	Enter your spouse's full name as Respondent.
14	Sign your name.
16-19	Enter your full name and address.
22	Enter the date you will file the forms.
23	Sign your name.

Instructions for filling out the
Notice of Final Hearing (Form #PS-31152-8)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Enter the case number that has been assigned by the Clerk where you filed your Petition for Dissolution.
5	Enter your full name as Petitioner.
8	Enter your spouse's full name as Respondent.
14-16	Leave blank. The Judge will fill this out.
19-22	Enter your full name.
23	Enter your spouse's full name and address.
24-26	Enter our spouse's address.

Instructions for filling out the
Decree of Dissolution of Marriage (Form #PS-31152-9)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.

Line #	Instructions
3	Enter the name of the county where you are filing the divorce. Leave the cause number blank because the Clerk will assign a number. If the Clerk has already assigned a cause number, enter it here.
5	Enter your full name as Petitioner.
8	Enter your spouse's full name as Respondent.
11	Leave this blank the court will check this box.
13	Leave this blank.
16	First blank: enter the date on which you were married (the format will appear as MMMMM DD, YYYY). Second blank: enter the date on which you were separated (the format will appear as MMMMM DD, YYYY) that you separated.
17	First blank: Enter the party title (Petitioner or Respondent) for the person in the marriage who has lived in the county for the last three months. Second blank: Enter the name of the county where you are filing these papers.
20	First blank: Enter the party title (Petitioner or Respondent) for the wife in the marriage. If the marriage involves a same-sex couple, enter the words "Neither party". Second blank: If the marriage involves male/female couple, enter the words "is not" in the blank; if the marriage involves a same-sex couple, enter the word "is" in the blank.
23	Check this box.
30-270	Leave blank. The judge will fill this out.
273	Enter Petitioner's full name.
274-275	Enter Petitioner's address. (This is the address to which the court will mail Petitioner's copy of the file-stamped and approved decree.)
277	Enter Respondent's full name.

Line #	Instructions
278-279	Enter Respondent's address. (This is the address to which the court will mail Respondent's copy of the file-stamped and approved decree.)

1 STATE OF INDIANA) IN THE _____ SUPERIOR / CIRCUIT COURT
2) SS: CIVIL DIVISION, ROOM _____
3 COUNTY OF _____) CASE NO. _____

4 IN RE THE _____ OF:

5 _____
6 Petitioner,

7 and

8 _____
9 Respondent.

10 **APPEARANCE BY UNREPRESENTED PERSON IN CIVIL CASE**

11 **This Appearance Form must be filed on behalf of every party in a civil case.**

12 1. My Name is: _____ and I am

13 Initiating (filing)

14 Responding (answering or defending)

15 Intervening

16 in this case, and I am not represented by a lawyer.

17 2. Contact information for receiving legal service of documents and case information is required by

18 Court Rules: *(NOTE: If you are the Initiating party and this case, or a related case, involves a*
19 *protection from abuse order, a workplace violence restraining order, or a no-contact order, you*
20 *must provide an address for the purpose of legal service of documents but that address should*
21 *not be one that exposes the whereabouts of a petitioner.)*

22 Address: _____

23 _____

24 _____

25 Email Address: _____

26 *I will accept service at the above email address.*

27 Phone: _____

28 Fax: _____

29 *I will accept service at the above fax number.*

30 OR, if in the related case, you have used the Attorney General Confidential address, you may
31 check the box below:

32 Attorney General confidential address.

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3. This is a _____ case type as defined in administrative Rule 8(B)(3).

(The clerk will tell you the case type if you don't know it, so you may handwrite your response at the Clerk's Office.)

4. This case is a domestic relations matter, involves reciprocal enforcement of support, paternity, delinquency, Child in Need of Services (CHINS), guardianship, or any other proceedings in which support may be an issue, and social security numbers of all family members are supplied on a separately attached document (Form TCM-TR3.1-4) filed as confidential information on light green paper.

- Yes
- No

5. There are related cases: *(If yes, please indicate below.)*

- Yes
- No

Caption and case number of related cases:

Caption: _____	Case Number: _____

7. Additional information required by local rule:

Signature

1 STATE OF INDIANA) IN THE _____ SUPERIOR / CIRCUIT COURT
2) SS: CIVIL DIVISION, ROOM _____
3 COUNTY OF _____) CASE NO. _____

4 IN RE THE MARRIAGE OF:

5 _____
6 Petitioner,
7 and

8 _____
9 Respondent.

10 VERIFIED PETITION FOR DISSOLUTION OF MARRIAGE

11 With Request for Provisional Orders

12 The Petitioner, _____, now states:

- 13 1. Petitioner and Respondent were married on _____, and separated on _____.
- 14 2. _____ has been a continuous resident of _____
15 County for the last 3 months.
- 16 3. _____ has been a continuous resident of the State of Indiana for
17 the last 6 months.

18 4. Children:

- 19 There are no children of the marriage.
- 20 There are _____ children of the marriage; namely:

21 Name	Date of birth
22 _____	_____
23 _____	_____
24 _____	_____
25 _____	_____

26 And that _____ is the fit and proper person to have
27 custody of the minor children.

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6. Debts and property:

There are no debts / personal property to divide.

Petitioner wishes the Court to divide the following debts / personal property:

a.

b.

c.

d.

7. _____ is not pregnant.

8. Neither party is a member of the military.

9. This marriage has suffered an irretrievable breakdown and should be dissolved.

10. Change of name:

Petitioner would like the following former name restored: _____

Petitioner does not request a name change.

42 **I request that this Court issue its order dissolving the marriage of the parties, and**
43 **for all other just and proper relief and until this matter is finalized:**

44 I do not request any provisional orders

45 I request the following provisional orders (*for divorce without agreement only*):

46 Temporary custody of the minor child(ren);

47 Temporary child support for minor child(ren);

48 Temporary parenting time for the non-custodial parent;

49 Temporary possession of the marital residence;

50 Temporary division of debts;

51 Temporary division of property;

52 Spousal maintenance;

53 Restraining the parties from removing the child(ren) from the state without the
54 permission of the court or all parties;

55 Restraining the parties from transferring, encumbering, concealing, or in any way
56 disposing of any of the property of the part;

57 Other:

58 I affirm under the penalties of perjury that the foregoing representations are true.

59 _____
60 Signature
61 _____
62 _____
63 _____
64 _____

65 **CERTIFICATE OF SERVICE**

66 I hereby certify that I sent a copy of this document by first class mail to the other party's lawyer, or the
67 other party if the other party is not represented by a lawyer, on this ____ day of _____, 20__.

68 _____
69 Signature

1 STATE OF INDIANA) IN THE _____ SUPERIOR / CIRCUIT COURT
2) SS: CIVIL DIVISION, ROOM _____
3 COUNTY OF _____) CASE NO. _____

4 IN RE THE MARRIAGE OF:

5 _____
6 Petitioner,
7 and

8 _____
9 Respondent.

10 **SUMMONS**

11 *[For Dissolution of Marriage Cases Only]*

12 The State of Indiana to Respondent: _____
13 _____
14 _____
15 _____

16 You have been sued by your spouse for dissolution of your marriage. The case is pending in the
17 Court named above.

18 In order to participate in the proceedings, you must enter a written appearance in person or by
19 your attorney. In the event you do not enter a written appearance within sixty (60) days of the date
20 hereof, your marriage can be dissolved by Decree of the Court by default. In the event a Decree is
21 entered by default, it may contain a judgment against you and provisions regarding the custody of your
22 child(ren), support for your child(ren), parenting time with your child(ren), distribution of assets, and
23 payment of debts. The Decree may also require you to take actions or refrain from actions in order to
24 carry out the terms of the Court's Decree. If you do not enter a written appearance, you will receive no
25 further notice of these proceedings.

26 If you wish to countersue, you must do so by written petition filed with the Clerk's Office listed
27 below not more than sixty (60) days from the date below.

28 Dated: _____

29 Clerk, _____ County

31 The following manner of Service of Summons is hereby designated:

- 32 Registered / Certified Mail to be sent by the Clerk
- 33 Service by Sheriff on Individual at address shown above
- 34 Service by Sheriff at place of employment, (name and address of spouse's employer):

35 _____

36 **SHERIFF'S RETURN OF SERVICE OF SUMMONS**

37 I hereby certify that I have served this summons on the ____ day of _____, 20__:

- 38 By delivering a copy of the Summons and a copy of the complaint to the Respondent identified
- 39 on the first page of Summons.
- 40 By leaving a copy of the Summons and a copy of the complaint at
- 41 _____, which is the dwelling place or usual place of
- 42 abode of and by mailing a copy of the Summons to the Respondent at the above address.
- 43 Other Service or Remarks: _____

44 _____
45 Sheriff's Costs

46 _____
47 Sheriff
By: _____
Deputy

48 **CLERK'S CERTIFICATE OF MAILING**

49 I hereby certify that on the ____ day of _____, 20__, I mailed a copy of this
50 Summons and a copy of the Petition to the Respondent identified on the first page of the Summons by
51 (registered or certified mail), [] requesting a return receipt, at the address provided by the Petitioner.

52 Dated: _____

53 _____
54 Clerk, _____ County
55 By: _____
56 Deputy

57 RETURN ON SERVICE OF SUMMONS BY MAIL

58 I hereby certify that the attached receipt was received by me showing that the Summons and a
59 copy of the Complaint mailed to the Respondent identified on the first page of this Summons
60 was accepted by the Respondent on the _____ day of _____, 20____.

61 I hereby certify that the attached return receipt was received by me showing that the Summons
62 and a copy of the Complaint was returned not accepted on the _____ day of
63 _____, 20____.

64 I hereby certify that the attached return receipt was received by me showing that the Summons
65 and a copy of the Complaint mailed to the Respondent identified on the first page of this
66 Summons was accepted by _____ on behalf of the Respondent on the _____
67 day of _____, 20____.

68 _____
69 Clerk, _____ County

70 By: _____
71 Deputy

1 STATE OF INDIANA) IN THE _____ SUPERIOR / CIRCUIT COURT
2) SS: CIVIL DIVISION, ROOM _____
3 COUNTY OF _____) CASE NO. _____

4 IN RE THE MARRIAGE OF:

5 _____
6 Petitioner,
7 and

8 _____
9 Respondent.

10 **NOTICE OF PROVISIONAL HEARING**

11 A Verified Petition for Dissolution of Marriage and Request for Provisional Orders has been
12 filed in this Court. The Court now sets this matter for a Provisional Hearing on _____
13 at _____ AM / PM. The Parties must be prepared to present evidence in support of their petition.
14 Failure to appear may result in matters being decided in your absence.

15 So ordered this _____ day of _____, 20____.

16 _____
17 Judge

18 **Distribution:**

19 _____
20 _____
21 _____
22 _____
23 _____
24 _____
25 _____
26 _____

1 STATE OF INDIANA) IN THE _____ SUPERIOR / CIRCUIT COURT
2) SS: CIVIL DIVISION, ROOM _____
3 COUNTY OF _____) CASE NO. _____

4 IN RE THE MARRIAGE OF:

5 _____
6 Petitioner,

7 and

8 _____
9 Respondent.

10 TEMPORARY ORDER

11 Petitioner appears / does not appear, and Respondent appears / does not appear for provisional
12 hearing on _____. The court having been duly advised in this matter, now finds the
13 following:

14 _____ Petitioner / Respondent is awarded temporary custody of the minor child(ren).

15 _____ Petitioner / Respondent shall pay temporary child support for the minor child(ren) in
16 the amount of \$ _____ per week, payable through the _____
17 County Clerk, or by income withholding order if available from the employer,
18 beginning on _____.

19 _____ Petitioner / Respondent shall be responsible for the first \$ _____ of
20 uninsured medical expenses for the minor child(ren). Thereafter, Petitioner shall be
21 responsible for _____% and Respondent for _____% of uninsured medical
22 expenses for the minor child(ren).

23 _____ Petitioner / Respondent shall have temporary parenting time with the minor child(ren)
24 as the parties agree or according to the Indiana Parenting Time Guidelines.

25 _____ Petitioner / Respondent shall have temporary possession of the marital residence.

26 _____ Petitioner / Respondent shall temporarily maintain medical, dental, and optical
27 insurance as available through employment for the following persons:

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_____ There shall be a temporary division of debts, as follows:

a. Petitioner shall be solely responsible for the following debts:

b. Respondent shall be solely responsible for the following debts:

_____ There shall be a temporary division of property, as follows:

a. Petitioner shall have sole possession of the following items of property:

b. Respondent shall have sole possession of the following items of property:

_____ There shall be a temporary division of motor vehicles, as follows:

a. Petitioner shall have temporary possession of the following vehicles:

(Vehicle #1, Make, Model, and Year)

(Vehicle #2, Make, Model and Year)

b. Respondent shall have temporary possession of the following vehicles:

(Vehicle #1, Make, Model, and Year)

(Vehicle #2, Make, Model and Year)

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_____ There shall be a temporary restraining order in effect during these proceedings:
_____ Restraining the parties from removing the child(ren) from the state without the
permission of the court or all parties;
_____ Restraining the parties from transferring, encumbering, or concealing, or in
any way disposing of any of the property of the parties;
_____ Other:

ALL OF WHICH IS SO ORDERED THIS _____ DAY OF _____, 20____.

Judge

Distribution:

1 STATE OF INDIANA) IN THE _____ SUPERIOR / CIRCUIT COURT
2) SS: CIVIL DIVISION, ROOM _____
3 COUNTY OF _____) CASE NO. _____

4 IN RE THE MARRIAGE OF:

5 _____
6 Petitioner,

7 and

8 _____
9 Respondent.

10 **MOTION FOR FINAL HEARING**

11 The Petitioner now states that sixty (60) days have passed since the filing of the Verified Petition
12 for Dissolution of Marriage and requests that this matter be set for Final Hearing on the next available
13 hearing date.

14 _____
15 Signature
16 _____
17 _____
18 _____
19 _____

20 **CERTIFICATE OF SERVICE**

21 I hereby certify that I sent a copy of this document by first class mail to the other party's lawyer, or the
22 other party if the other party is not represented by a lawyer, on this ____ day of _____, 20__.

23 _____
24 Signature

1 STATE OF INDIANA) IN THE _____ SUPERIOR / CIRCUIT COURT
2) SS: CIVIL DIVISION, ROOM _____
3 COUNTY OF _____) CASE NO. _____

4 IN RE THE MARRIAGE OF:

5 _____
6 Petitioner,
7 and

8 _____
9 Respondent.

10 **NOTICE OF FINAL HEARING**

11 The Petitioner has filed a Motion for a Final Hearing which the Court has considered and now
12 grants.

13 **IT IS THEREFORE ORDERED** that the final hearing for this matter shall be held on

14 _____ at _____ AM / PM. [The Court allows _____ for the hearing.]

15 So ordered this _____ day of _____, 20 ____.

16 _____
17 Judge

18 **Distribution:**

19 _____
20 _____
21 _____
22 _____
23 _____
24 _____
25 _____
26 _____

1 STATE OF INDIANA) IN THE _____ SUPERIOR / CIRCUIT COURT
2) SS: CIVIL DIVISION, ROOM ____
3 COUNTY OF _____) CAUSE NO. _____

4 IN RE THE MARRIAGE OF:

5 _____
6 Petitioner,
7 and

8 _____
9 Respondent.

10 **DECREE OF DISSOLUTION OF MARRIAGE**

11 The Court having reviewed the Verified Petition for Dissolution of Marriage and having
12 held a final hearing in this matter, now finds the following:

13 The parties having submitted this Settlement Agreement and the Court having seen and
14 considered the Verified Petition of Dissolution of Marriage and Verified Waiver of Final Hearing
15 submitted by the parties, now approves the following:

- 16 1. The parties were married on _____, and separated on _____.
- 17 2. _____ has been a continuous resident of _____ County for
18 the last three months, and the State of Indiana for the last six months prior to the filing of the
19 Verified Petition for Dissolution of Marriage.
- 20 3. _____ pregnant.
- 21 4. Neither party is a member of the military.
- 22 5. Children:

23 There are no children of the marriage.

24 There are ____ children of the marriage; namely:

Name	Date of birth:
_____	_____
_____	_____
_____	_____

30 6. Custody and care of the minor child(ren). It is in the best interest of the child(ren) that:

31 The parties shall have joint legal custody over the minor child(ren) with Petitioner
32 being the primary custodial parent.

33 The parties shall have joint legal custody over the minor child(ren) with
34 Respondent being the primary custodial parent.

35 Petitioner shall have sole legal custody of the minor child(ren) and shall be the
36 primary custodial parent.

37 Respondent shall have sole legal custody of the minor child(ren) and shall be the
38 primary custodial parent.

39 Other: *(please describe in detail)*

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44 7. Parenting Time with the minor child(ren) shall be as follows:

45 Petitioner shall have reasonable parenting time with the minor child(ren), at a
46 Respondent minimum, as set out by the Indiana Parenting Time Guidelines.

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48 Other: The parties agree that it is in the best interests of the minor child(ren)
49 to follow a parenting time schedule that does NOT follow the
50 Indiana Parenting Time Guidelines *(please describe the schedule in*
51 *detail and give reasons why the alternative schedule is justified):*

58 8. Child Support

59 will pay child support in the amount of _____ per
60 week, as shown by the attached child support worksheet, through the
61 Petitioner County Clerk's office, or by income withholding order if available
62 Respondent from the employer, beginning on the first Friday following the date
63 of the decree.

64 shall be responsible for payment of all controlled expenses related
65 Petitioner to the upbringing of the minor child(ren). (For use only in cases
66 Respondent when parenting time is equally shared.)

67 will be responsible for the first _____ of uninsured
68 medical expenses for the minor child(ren). Thereafter, Petitioner
69 Petitioner shall be responsible for ___ % of uninsured medical expenses, and
70 Respondent Respondent shall be responsible for ___ % of uninsured medical
71 expenses for the minor child(ren).

72 Petitioner will be responsible to pay the administrative fee that the Clerk
73 Respondent charges annually.

74 9. The provisions for health insurance maintenance shall be as follows:

75 Petitioner shall maintain medical, dental, and optical insurance as available
76 Respondent through employment for the minor children:

77 Health insurance for the child(ren) is not available to either parent at a reasonable
78 cost, therefore, neither party is ordered to provide health insurance at this time. In
79 the event that health insurance for the children becomes available at a reasonable
80 cost to one or both of the parties, the party to whom such coverage is available shall
81 obtain coverage for the children within a reasonable time after such coverage
82 becomes available.

83 10. The arrangement for claiming the tax credits, exemptions, and deductions for the minor
84 child(ren) shall be as follows:

85 Petitioner shall be entitled to claim the minor child(ren) for federal, state, and
86 Respondent local income tax purposes on an annual basis; The parties shall
87 cooperate to sign all necessary documents that will allow the party
88 claiming the exemption to do so.

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Petitioner and Respondent shall each be entitled to claim the minor child(ren) for federal, state, and local income tax purposes in alternating years; Petitioner shall be entitled to claim the minor child(ren) in the year _____, and every even/odd year thereafter; Respondent shall be entitled to claim the minor child(ren) in the year _____, and every even/odd year thereafter. The parties shall cooperate to sign all necessary documents that will allow the party claiming the exemption to do so.

11. The division of jointly held debts shall be as follows:

The parties have no outstanding debt for which they are jointly responsible.

Petitioner will be solely responsible for the following debts and shall hold Respondent harmless from liability, expense, attorney's fees, and loss which may be incurred by Respondent, arising out of Petitioner's failure to pay such debts. :

Name of Creditor	Amount of Debt
_____	_____
_____	_____
_____	_____
_____	_____

Respondent will be solely responsible for the following debts, and shall hold Petitioner harmless from liability, expense, attorney's fees, and loss which may be incurred by Petitioner, arising out of Respondent's failure to pay such debts. :

Name of Creditor	Amount of Debt
_____	_____
_____	_____
_____	_____
_____	_____

12. The individual debt division shall be as follows:

Debts held in Petitioner's name only

Petitioner will be solely responsible for the all debts held in his/her individual name, and all debts incurred by him/her in his/her name since the date of final separation. Petitioner agrees to hold Respondent harmless from liability, expense, attorney's fees, and loss which may be incurred by Respondent, arising out of Petitioner's failure to pay such debts.

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Other:

Debts held in Respondent's name only:

Respondent will be solely responsible for the all debts held in his/her individual name, and all debts incurred by him/her in his/her name since the date of final separation. Respondent agrees to hold harmless Petitioner from liability, expense, attorney's fees, and loss which may be incurred by Petitioner, arising out of Respondent's failure to pay such debts.

Other:

13. The vehicle division shall be as follows:

There are no vehicles to divide.

Petitioner will have sole possession of the following vehicles, and Respondent shall execute all documents necessary to transfer title of said vehicles within a reasonable time following the date of this Order:

(Vehicle #1, Make, Model, and Year)

(Vehicle #2, Make, Model and Year)

Respondent will have sole possession of the following vehicles, and Petitioner shall execute all documents necessary to transfer title of said vehicles within a reasonable time following the date of this Order:

(Vehicle #1, Make, Model, and Year)

(Vehicle #2, Make, Model and Year)

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All outstanding debt related to the above-listed vehicles has been allocated in paragraph 12 of this agreement/Order.

14. The parties' personal property division shall be as follows:

- The parties already have divided all items of property.
- Petitioner will have sole possession of the following items of property:

- Respondent will have sole possession of the following items of property:

15. Marital Residence:

The parties are owners of real estate located at _____, and the parties agree that:

- Petitioner shall retain/take possession and shall become the sole owner of said real estate
- Respondent shall vacate the marital residence by _____.
- Petitioner shall be responsible for all payments related property taxes and homeowners insurance and shall receive the deductions for mortgage interest and taxes.
- Respondent shall transfer, by Quitclaim Deed, his/her interest in said real estate to the party retaining possession of the marital residence by _____.
- Petitioner agrees to refinance the mortgage debt related to the marital residence and make a good faith effort to obtain a release of the other party on
- Respondent

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said debt on the earliest possible date. Upon release of the other party from mortgage debt, the other party shall transfer, by Quitclaim Deed, his/her interest in said real estate. The party assuming responsibility for mortgage agrees to hold the other party harmless from all liability, expense, attorney fees, loss or damages which may be a result of a failure to make payments on said mortgage debt.

Other:

The parties are jointly responsible on a lease for a residence located at _____, and the parties agree that:

- Petitioner
- Respondent

shall retain possession of the leased premises, be responsible for the remaining rental payment and fees due under said lease, and agrees to hold the other party harmless from all liability, expense, attorney fees, loss or damage which may be a result of the failure to make required payments under said lease.

- Petitioner
- Respondent

shall vacate the leased residence by _____.

Other:

16. Change of names:

Petitioner would like the following former name restored and shall hereinafter be known as:

209 Respondent would like the following former name restored and shall hereinafter be
210 known as:

211 _____

212 Neither Petitioner nor Respondent requests a name change.

213 17. The marriage has suffered an irretrievable breakdown and should be dissolved.

214 **We affirm under the penalties of perjury that the foregoing representations are true.**

215 _____
216 **Petitioner's Signature**

217 STATE OF INDIANA)
218) SS:
219 COUNTY OF)

220
221 Before me, _____, a notary public in and for _____ County, State of Indiana,
222 personally appeared _____, and being first duly sworn upon his/her oath, says
223 that the facts alleged in the foregoing instrument are true.

224 Date: _____

225 _____
226 Notary Public

227 My Commission Expires: _____

228 _____
229 **Respondent's Signature**

230 STATE OF INDIANA)
231) SS:
232 COUNTY OF)

233
234 Before me, _____, a notary public in and for _____ County, State of Indiana,
235 personally appeared _____, and being first duly sworn upon his/her oath, says
236 that the facts alleged in the foregoing instrument are true.

237 Date: _____

238 _____
239 Notary Public

240 My Commission Expires: _____

241 **18. Findings of the Court:**

242 The parties have disclosed all relevant documents and exchanged all information
243 on value of property, pensions, real estate, and other assets and debts. This
244 document represents an agreement submitted by the parties for approval by the
245 Court. The parties have submitted a waiver of final hearing and have agreed that
246 the property distribution provisions of this agreement represent a just and
247 reasonable division of the marital estate and debts.

248 The Court, having held a hearing during which both parties appeared and presented
249 evidence, now finds that the property distribution provisions of this order:

250 constitute a presumptive equal division of marital property and is therefore
251 just and reasonable.

252 do not constitute the presumptive equal division of marital property,
253 however are, for the reasons set forth below, just and reasonable:

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255 _____
256 _____
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260 _____
261 _____
262 _____
263 _____
264 _____
265 _____
266 _____

267 **IT IS THEREFORE ORDERED by the Court that the parties' marriage is hereby**
268 **dissolved.**

269 Date: _____ Judge _____
270

271

Distribution:

272

Petitioner's Name and Mailing Address:

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Respondent's Name and Mailing Address:

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