

## **INSTRUCTIONS FOR CONFIDENTIAL INFORMATION SHEET (APPENDIX H) AND PROPOSED JUDGMENT**

The judgment form contains information provided on previous forms and will be signed by the clerk to finalize your divorce. Appendix H includes confidential information so that the confidential information will not be required in the publicly accessible part of the file. Parties must work together to complete these forms and **file them with the clerk at least one week prior to the hearing**. Fill in the names of the parties and include your case number on the top of the forms.

### **APPENDIX H - Form 4 (a)**

1. Provide the plaintiff's name, phone number, social security number, and birth date.
2. Provide the defendant's name, phone number, social security number, and birth date.
3. Provide the names, social security numbers, and birth dates of any children of the parties.

### **PROPOSED JUDGMENT- Form 4 (b)**

1. Informational only.
2. Provide information on proposed spousal support.
3. Provide information on proposed residential responsibility (custody) and parenting time schedules (visitation). Include only the initials of each child on this form.
4. Leave this blank. The Judge or Judicial Referee will complete this at the hearing.
5. Informational only.
6. Provide proposed method of claiming dependents for tax purposes.
7. Informational only.
8. Informational only.
9. List your proposal for which party will receive each vehicle owned. Include VIN numbers for making title transfers.
10. Informational only.
11. List your debts and which party will be responsible for that debt.
12. List which party will be awarded the homestead and provide the legal description and address of the property.
13. Dividing pension plans and retirement accounts is extremely complicated. If each party will not be awarded the plans in their names, this proceeding must not be filed as a summary proceeding.
14. List proposed name changes if applicable.
15. Informational only.
16. Informational only.
17. Informational only.
18. Informational only.

\_\_\_\_\_ COUNTY

Case Number \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,

**JUDGMENT**

vs.

\_\_\_\_\_,  
Defendant.

The above-entitled proceeding was heard by the Honorable \_\_\_\_\_, in \_\_\_\_\_ County, North Dakota. The plaintiff did/did not appear personally. The defendant did/did not appear personally.

The court having reviewed the Petition and financial affidavits executed by both parties,

**IT IS HEREBY ORDERED AND ADJUDGED AND DECREED AS FOLLOWS:**

- 1. Divorce.** An absolute Decree of Divorce is granted upon the grounds of irreconcilable differences.
- 2. Spousal support.** The plaintiff / defendant shall pay alimony or spousal support in the amount of \$ \_\_\_\_\_ for a period of \_\_\_\_\_. N/A.
- 3. Residential Responsibility and Parenting Time.** The parties have the following children born of this marriage and no other children are expected to be born of these parties:

Children's initials only on this form	Year of Birth

Primary residential responsibility (custody) of the children shall be with:

\_\_\_ mom \_\_\_ dad \_\_\_ shared jointly \_\_\_ Other \_\_\_\_\_

Parenting time (visitation) and parenting schedule shall be as follows:

Weekends: \_\_\_ alternating \_\_\_ Other: \_\_\_\_\_

Weekdays: \_\_\_ One night per week( \_\_\_ ) Other: \_\_\_\_\_

Holidays: \_\_\_\_\_

Days off from school: \_\_\_\_\_

Birthdays: \_\_\_\_\_ alternating the child(ren)'s birthdays \_\_\_ Parties' birthdays

\_\_\_ Other: \_\_\_\_\_

Summers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Vacations: \_\_\_\_\_  
\_\_\_\_\_

Parenting schedule beginning date: \_\_\_\_\_

4. **Child support.** In Accordance with North Dakota Child Support Guideline and NDCC 14-09-09.7,  
\_\_\_\_\_ a. Defendant shall pay plaintiff \$\_\_\_\_\_ per month as and for child support  
based on monthly income of \_\_\_\_\_ or a previous order noted in (c).  
\_\_\_\_\_ b. Plaintiff shall pay to defendant \$\_\_\_\_\_ per month as and for child support  
based on monthly income of \_\_\_\_\_ or a previous order noted in (c).  
\_\_\_\_\_ c. A child support order already exists for the child(ren). The case number is  
\_\_\_\_\_. The child support amounts from that order are listed in a/b.  
\_\_\_\_\_ d. Equal residential responsibility – amounts in 4a and 4b will be offset for payment  
purposes. Plaintiff/Defendant will pay the difference of \_\_\_\_\_.

Support payments shall continue until each child reaches nineteen years of age or graduates from 12<sup>th</sup> grade, whichever occurs first. Child support orders are subject to income withholding in accordance with NDCC 14-09-09.24. The obligation will accrue interest if not paid timely in accordance with NDCC 14-09-08.19. Payments will commence on \_\_\_\_\_, are due on the \_\_\_\_\_ of each month, and paid through the North Dakota Disbursement Unit, P.O. Box 7280, Bismarck, ND 58507-7280.

**Post-judgment custody modifications** are subject to NDCC 14-09-06.6.

**Notice of right to request review.** Child support orders are subject to periodic review under NDCC 14-09-08.4. Either party may request a review of an order by applying to the child support agency as provided in NDCC 14-09-08.9.

**Notice of obligation to provide information to the state disbursement unit (SDU).** Each party subject to this order shall provide SDU with their social security number, address, telephone number, driver's license number, employer name and address order within ten days from the date of the order or within ten days of any change of information as provided in NDCC 14-09-08.1.

5. **Health Insurance.** Health Insurance shall be provided for any minor children as required by NDCC 14-09-08.10. Plaintiff / Defendant shall provide satisfactory health insurance whenever that coverage is available at no or nominal cost. If not available at no or nominal cost, then Plaintiff / Defendant shall provide satisfactory health insurance coverage whenever that coverage is available at reasonable cost or becomes available at reasonable cost. Medical, dental, and eye

care expenses in excess of insurance coverage shall be divided equally between the plaintiff and the defendant.

6. **Dependents for IRS purposes.** Plaintiff / Defendant shall claim the child(ren) as dependents for tax purposes. Specific arrangement outlined here: (include only initials of children on this form).

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7. **Income Taxes.** Parties have filed income tax returns for previous years and shall execute and file Federal and State returns, whether joint or separate, for the year in which this divorce is granted.

8. **Household goods, etc.** Plaintiff and defendant's household goods, furniture, and furnishings have already been divided to the parties' satisfaction.

9. **Vehicles** shall be awarded to plaintiff and defendant as follows, and the party receiving each vehicle shall pay for all loans and insurance associated with the vehicle:

Year/Make/Model <u>with VIN number</u> for title transfers	Awarded to:

10. **Individual debts.** Each party shall be solely responsible for his or her separately incurred debts and may not ask the other party to help pay those debts.

11. **Marital debts.** Plaintiff and defendant's marital debts shall be paid as follows, and each party shall release the other from any responsibility for the debts each is ordered to pay:

Debt Owed to	To be paid by:

12. **Homestead.** Plaintiff \_\_\_\_\_ Defendant \_\_\_\_\_ shall be awarded sole title and interest in the homestead located at \_\_\_\_\_, in the City of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, legally described as, \_\_\_\_\_

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and subject to a mortgage or loan against the property in the amount of \$ \_\_\_\_\_

\_\_\_\_\_ Does Not Apply

13. **Retirement accounts.** Each party shall be awarded the funds in their own pension, retirement plan, or IRA. \_\_\_\_\_ Does Not Apply
14. **Names.** Plaintiff's name shall be changed to: \_\_\_\_\_  
 \_\_\_\_\_ Does Not Apply  
 Defendant's name shall be changed to: \_\_\_\_\_  
 \_\_\_\_\_ Does Not Apply
15. **Execution of Required Documents.** Each party shall, within ten (10) days from and after the date of entry of Judgment, or upon presentation, whichever occurs first, execute all documents, transfer papers, or titles required to effect the terms and provisions of the Judgment and Decree. In the event that a party fails to sign transfer papers, as required, the Judgment shall operate to transfer title to property, as awarded.
16. **Waiver of Counsel.** The parties acknowledged that each has the right to be represented by a lawyer of his/her choice.
17. **Remarriage.** Either party may remarry at any time after entry of judgment.
18. **Social Security Numbers.** In accordance with N.D.C.C. 14-05-02.1 and N.D.R.C.T. 3.4, the social security numbers of the parties are filed in Appendix H. The last four digits of the social security numbers are: Plaintiff \_\_\_\_\_ Defendant \_\_\_\_\_.

WITNESS the Honorable \_\_\_\_\_, and my hand and seal of this Court this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 Clerk / Deputy Clerk of the District Court

Case No. \_\_\_\_\_