

## Before You Begin – Review Form 3 & Form 4

Before you begin the steps for the *Divorce With An Agreement – No Children* forms packet, review the “Settlement Agreement” (Form 3) and “Exhibit A: Confidential Division of Property and Debts and Values” (Form 4).

**Form 3 and Form 4 make up the Full Written Agreement for this divorce packet.**

If you believe that you and your spouse can reach an agreement on **Every** paragraph of Form 3 and Form 4, follow the instructions to complete **All** of the forms and file with the Clerk of Court.

**If you Don’t Believe you and your spouse can reach an agreement on Every paragraph of Form 3 and Form 4, you Can’t use this packet of forms.** To see the other divorce resources available through the ND Legal Self Help Center, go to [ndcourts.gov/legal-self-help/divorce](https://ndcourts.gov/legal-self-help/divorce). Review the Summary Divorce packet of forms and the Contested Divorce Informational Guide.

**This packet of forms is designed for use in divorces with uncomplicated circumstances and Doesn’t apply to every possible situation or circumstance.** If you discover that this packet of forms doesn’t fit the divorce agreement between you and your spouse, you’ll need to create all of your own divorce documents or retain an attorney to do so.

**The *Divorce With An Agreement – No Children* forms packet may be used by spouses who agree in Writing on Every issue in the divorce.**

**Each of the following forms Must be completed and signed as indicated Before filing with the Clerk of Court.**

- Form 1. Summons** (signed by Plaintiff and a clerk of court)
- Form 2. Complaint** (signed by Plaintiff)
- Form 3. Settlement Agreement** (signed by Plaintiff & Defendant in presence of notary public)
- Form 4. Exhibit A: Confidential Division of Property and Debt and Values** (signed by Plaintiff & Defendant in presence of notary public)
- Form 5. Admission of Service** (signed by Defendant)
- Form 6. Affidavit of Proof for Stipulated Judgment** (signed by Plaintiff in presence of notary public)
- Form 7. Findings of Fact, Conclusions of Law and Order for Judgment (Proposed)** (completed, not signed)
- Form 8. Judgment (Proposed)** (completed, not signed)
- Form 9. Confidential Information Form** (signed by Plaintiff & Defendant)

**Don’t include this cover sheet when you serve or file the completed form.**

IN DISTRICT COURT, \_\_\_\_\_ COUNTY, NORTH DAKOTA

_____ ,	}	<b>FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FOR JUDGMENT</b>
<b>Plaintiff,</b>	}	
vs.	}	
_____ ,	}	
<b>Defendant.</b>	}	
		Civil No. _____

A Summons and Complaint for Divorce brought under Chapter 14-05 of the North Dakota Century Code were filed by the Plaintiff in the above-named Court.

Based on the written Settlement Agreement and Exhibit A: Confidential Division of Property and Debts and Values of the parties and upon all the pleadings and proceedings, herein, the Court makes the following:

**(OR)**

A hearing was held \_\_\_\_\_, by the Honorable \_\_\_\_\_ District Judge, in the District Court, \_\_\_\_\_ County, North Dakota. Plaintiff  did  did not appear personally. Defendant  did  did not appear personally. A Settlement Agreement and Exhibit A: Confidential Division of Property and Debts and Values signed by both parties have been submitted to the Court. After hearing all of the evidence and being fully advised in the premises, and being advised of the written Settlement Agreement and Exhibit A: Confidential Division of Property and Debts and Values of the parties and upon all the pleadings and proceedings, the Court makes the following:

**FINDINGS OF FACT**

1. Plaintiff's information:

Full Name: \_\_\_\_\_  
First Middle Last

Address: \_\_\_\_\_  
Street Address Apt.

\_\_\_\_\_  
City County State Zip

Year of Birth: \_\_\_\_\_

Last Four Digits of Social Security Number: \_\_\_\_\_

2. Defendant's information:

Full Name: \_\_\_\_\_  
First Middle Last

Address: \_\_\_\_\_  
Street Address Apt.

\_\_\_\_\_  
City County State Zip

Year of Birth: \_\_\_\_\_

Last Four Digits of Social Security Number: \_\_\_\_\_

3. Plaintiff and Defendant were married on \_\_\_\_\_ in the City of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_.

4. Plaintiff lived in North Dakota for the entire six (6) months prior to commencement of this action or will have been a resident for six months prior to entry of judgment in this matter.

5. Plaintiff is a member of the armed forces: Yes  No .

6. Defendant is a member of the armed forces: Yes  No .

7. Irreconcilable differences have arisen between the parties making the continuation of the marriage impossible.

8. There is no separate court case for divorce, legal separation, or annulment that has already been started by Plaintiff or Defendant in North Dakota or any other state.

9. An Adult Abuse Protection Order or Restraining Order is in effect regarding Plaintiff or Defendant: Yes  No .

If YES, the order protects Plaintiff  Defendant . The Order was filed in \_\_\_\_\_ County on the following date \_\_\_\_\_ and the court file number is \_\_\_\_\_.

10. There are no minor or dependent children born or expected to be born of this marriage.

11. Plaintiff has the following sources of monthly income:

Source/Describe	Amount
<b>Employment</b>	\$
<b>Public Assistance</b>	\$
<b>Social Security Benefits</b>	\$
<b>Unemployment/Workers Compensation</b>	\$
<b>Interest/Dividend Income</b>	\$
<b>Other</b>	\$

12. Defendant has the following sources of monthly income:

Source/Describe	Amount
<b>Employment</b>	\$
<b>Public Assistance</b>	\$
<b>Social Security Benefits</b>	\$
<b>Unemployment/Workers Compensation</b>	\$
<b>Interest/Dividend Income</b>	\$
<b>Other</b>	\$

13. Plaintiff needs spousal support from Defendant: Yes  No .

If YES, this is because Plaintiff is \_\_\_\_\_ years of age, has been married to Defendant for \_\_\_\_\_ years, has a monthly income totaling \$ \_\_\_\_\_, has monthly expenses totaling \$ \_\_\_\_\_, and because:

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14. Defendant needs spousal support from Plaintiff: Yes  No .

If YES, this is because Defendant is \_\_\_\_\_ years of age, has been married to Plaintiff for \_\_\_\_\_ years, has a monthly income totaling \$ \_\_\_\_\_, has monthly expenses totaling \$ \_\_\_\_\_, and because:

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15. Plaintiff and Defendant own property and have outstanding debts and liabilities, all of which are listed on the attached Exhibit A: Confidential Division of Property and Debts and Values. Exhibit A is incorporated by reference into this Findings of Fact, Conclusions of Law and Order for Judgment.

16. Plaintiff wants to change their name: Yes  No .

If YES, the new name is \_\_\_\_\_  
and Plaintiff has no intent to defraud or mislead anyone by changing their name.

17. Defendant wants to change their name: Yes  No .

If YES, the new name is \_\_\_\_\_  
and Defendant has no intent to defraud or mislead anyone by changing their name.

**FROM THE ABOVE AND FOREGOING, the Court now makes and enters the following:**

**CONCLUSIONS OF LAW**

1. **Divorce and Court Approval.** The Plaintiff is awarded an absolute Decree of Divorce from the Defendant on the grounds of irreconcilable differences, all in accordance with the provisions of the North Dakota Century Code.

2. *(Choose one)*

a. Defendant shall pay to Plaintiff the amount of \$ \_\_\_\_\_ per month as and for spousal support for a period of \_\_\_\_\_, commencing \_\_\_\_\_.

b. Plaintiff shall pay to Defendant the amount of \$ \_\_\_\_\_ per month as and for spousal support for a period of \_\_\_\_\_, commencing \_\_\_\_\_.

c. Neither Plaintiff nor Defendant will be awarded general term or rehabilitative spousal support and the court shall be divested from any jurisdiction to make any awards of spousal support in the future.

d. The issue of spousal support shall be reserved.

3. Plaintiff and Defendant shall be awarded the property, debt, and liabilities as stated on the attached Exhibit A: Confidential Division of Property and Debts and Values. Exhibit A is incorporated by reference into this Findings of Fact, Conclusions of Law and Order for Judgment.

4. Plaintiff and Defendant must share historical accounting and tax information, documents and records with the other as may be necessary for each to prepare a complete and accurate income tax return for subsequent tax years. Each party must execute any IRS or similar forms as may be necessary for each to prepare a complete and accurate income tax return for subsequent tax years.

5. There shall be no restrictions on remarriage.

6. *(Choose one)*

Plaintiff does not want their name restored to their former name.

Plaintiff, presently known as \_\_\_\_\_ and year of birth \_\_\_\_\_, shall be restored to their former name of “ \_\_\_\_\_ ” in any Judgment issued herein and shall be known thereafter as \_\_\_\_\_.

7. *(Choose one)*

Defendant does not want their name restored to their former name.

Defendant, presently known as \_\_\_\_\_ and year of birth \_\_\_\_\_, shall be restored to their former name of “ \_\_\_\_\_ ” in any Judgment issued herein and shall be known thereafter as \_\_\_\_\_.

8. **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 any document, transfer papers, titles or other documents 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.

9. **Waiver of Counsel.** The parties acknowledged that each has the right to be represented by a lawyer of their choice. The parties expressly waived that right and freely and voluntarily entered into the settlement agreement which became a basis for the order for judgment and judgment.

**ORDER FOR JUDGMENT**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated on \_\_\_\_\_, 20\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
Judge/Judicial Referee of the District Court

Civil No. \_\_\_\_\_