

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. 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

_____ ,	}	
Plaintiff,	}	
	}	JUDGMENT
vs.	}	
	}	
_____ ,	}	Civil No. _____
Defendant.	}	

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, and having made its Findings of Fact, Conclusions of law and Order for Judgment:

(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. The Court having reviewed the Settlement Agreement and Exhibit A: Confidential Division of Property and Debts and Values signed by both parties, and being fully advised in the premises, and having made its Findings of Fact, Conclusions of Law and Order for Judgment:

IT IS HEREBY ORDERED AND ADJUDGED AND DECREED AS FOLLOWS:

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 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.

10. In accordance with North Dakota Century Code Section 14-05-02.1:

Plaintiff’s social security number is : XXX-XX-_____.

Defendant’s social security number is : XXX-XX-_____.

WITNESS the hand and seal of this Court in the City of _____,
State of North Dakota, on _____, 20____, Clerk of the District Court,
County of _____.

Clerk of the District Court

Civil No. _____