

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. See the other divorce resources available through the ND Legal Self Help Center at ndcourts.gov/legal-self-help/divorce. Review the Summary Divorce packet of forms and the Start a Divorce on Your Own forms.

This packet of forms is designed for to be used in divorces with uncomplicated circumstances and Doesn’t apply to every possible situation or circumstance. If you find this packet of forms doesn’t fit the divorce agreement between you and your spouse, you create all of your own divorce documents or retain a lawyer to create your divorce documents for you.

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 forms.

State of North Dakota

In District Court

County of _____

_____ **Judicial District**

Plaintiff,
vs

Defendant.

)
)
)
)
)
)
)

Case No. _____

Summons

The State of North Dakota to the above-named Defendant:

1. **You are hereby summoned** and required to appear and defend against the Complaint in this action by serving upon the undersigned an Answer or other proper response within twenty-one (21) days after the service of this Summons and Complaint upon you, exclusive of the day of service. A copy of the Complaint is served upon you with this Summons.

2. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

Notice of Temporary Restraining Provisions:

3. Under Rule 8.4 of the North Dakota Rules of Court, upon service of this Summons, you, and your spouse, are bound by the following restraints:

- a. Neither spouse shall dispose of, sell, encumber, or otherwise dissipate any of the parties' assets, except:
 - i. For necessities of life or for the necessary generation of income or preservation of assets; or
 - ii. For retaining counsel to carry on or to contest the proceeding.

If a spouse disposes of, sells, encumbers, or otherwise dissipates assets during the interim period, that spouse must provide to the other spouse an accounting within thirty (30) days.

b. Neither spouse shall harass the other spouse.

c. All currently available insurance coverage must be maintained and continued without change in coverage or beneficiary designation.

d. Except for temporary periods, neither spouse may remove any of their minor children from North Dakota without the written consent of the other spouse or order of the court.

4. **If either spouse violates any of these provisions, that spouse may be in contempt of court.**

Dated _____

_____, Plaintiff
Signature of Plaintiff

Typed or Printed Name of Plaintiff

Address

City State Zip Code

Telephone Number

Email Address

Dated _____

Clerk of District Court