

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

)
)
(Plaintiff)

Case No. _____

PLAINTIFF,)

vs)

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER FOR DEFAULT DIVORCE

)

)

JUDGMENT (*No Children*)

(Defendant))

DEFENDANT.)

1. The above-entitled action for divorce came on duly for review before the undersigned at the District Court, _____ County, North Dakota as a default matter.

2. The Plaintiff is self-represented. It appears to the Court that the Summons has been served upon the Defendant in accordance with the laws of the State of North Dakota. The Defendant failed to respond to the Summons in any manner. Therefore, Judgment by default may be entered.

3. The Court having been fully advised in this matter now makes the following Findings of Fact, Conclusions of Law and Order for Default Judgment:

FINDINGS OF FACTS

4. The Summons and Complaint were personally served upon Defendant on _____ as indicated by the proof of service on file herein.

5. The Plaintiff and Defendant were married on _____ in the City of _____, County of _____, State of _____.

6. Plaintiff's Name: _____

Address: _____

Birth Year: _____ Last 4 Digits of Social Security Number: XXX-XX-_____

Employer's Name and Address: _____

7. Defendant's Name: _____

Address: _____

Birth Year: _____ Last 4 Digits of Social Security Number: XXX-XX-_____

Employer's Name and Address: _____

8. 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.

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

10. (*Choose one.*)

Plaintiff/ Defendant (*choose one*) is not pregnant.

OR

Plaintiff/ Defendant (*choose one*) is pregnant. However, the Plaintiff/ Defendant (*choose one*) is not the father, and the child is not at issue in this proceeding.

11. That no decree, judgment or order of divorce, separation or annulment has been granted to either party against the other in any Court of competent jurisdiction of North Dakota or any other state, territory or country, and that there is no other action pending for divorce by either party against the other in any Court.

12. **Active Military Service** (*choose one*):

Neither Plaintiff nor Defendant is currently in the Armed Services of the United States of America or its allies.

OR

Plaintiff/ Defendant (*choose one*) is currently in the Armed Services of the United States of America or its allies but is not currently deployed or notified of deployment.

13. Irreconcilable differences have arisen between the Plaintiff and Defendant making the continuation of the marriage impossible.

14. **Plaintiff has the following sources of monthly income:**

Source	Amount
Employment	\$
Public Assistance	\$
Social Security Benefits	\$
Unemployment/Workers Compensation	\$
Interest/Dividend Income	\$
Other (<i>describe</i>)	\$

15. **Defendant has the following sources of monthly income:**

Source	Amount
Employment	\$
Public Assistance	\$
Social Security Benefits	\$
Unemployment/Workers Compensation	\$
Interest/Dividend Income	\$
Other (<i>describe</i>)	\$

16. Spousal support (choose one):

Plaintiff does not need spousal support.

OR

Plaintiff needs spousal support from Defendant.

This is because Plaintiff is _____ years of age, has been married to Defendant for _____ years, has a monthly income totaling \$_____, and because:

17. Plaintiff and Defendant own property and have outstanding debts and liabilities, all of which are listed on the Confidential Division of Property & Debts & Values, which is filed with the Court and incorporated by reference into this Findings of Fact, Conclusions of Law and Order for Default Divorce Judgment.

18. Plaintiff wants to restore their name. Yes No

If YES, the new name is _____.

Plaintiff 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

19. JURISDICTION. The District Court, _____ County, North Dakota, has jurisdiction over the parties and subject matter of the present action and that the proper venue of this action is in the District Court, _____ County, North Dakota.

20. DIVORCE. The Plaintiff is awarded an absolute Decree of Divorce on the grounds of irreconcilable differences, all in accordance with the provisions of the North Dakota Century Code.

21. SPOUSAL SUPPORT (*choose one*):

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

OR

Neither Plaintiff nor Defendant are 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.

22. Plaintiff and Defendant shall be awarded the property, debts, and liabilities as stated on the Confidential Division of Property & Debts & Values, and incorporated by reference into this Findings of Fact, Conclusions of Law and Order for Default Divorce Judgment.

23. INCOME TAX RETURNS:

- a. The parties shall 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.
- b. Each party shall 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.

24. REMARRIAGE: There shall be no restrictions on remarriage.

25. FORMER NAME (*choose one*):

Plaintiff does not want to restore their name.

OR

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 _____.

26. EXECUTION OF REQUIRED DOCUMENTS: The parties shall, within ten (10) days from 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.

ORDER FOR JUDGMENT

LET JUDGMENT BE ENTERED ACCORDINGLY.

(*Judge/Judicial Referee of District Court*)

Civil No. _____