

Answer a Divorce When the Spouses Don't Agree

Instructions for Notice of Filing

ND Legal Self Help Center Staff and Court employees can't help you fill out forms. If you're unsure how to proceed, [consult a lawyer](#).

ND Legal Self Help Center forms aren't official court forms. Judges and courts aren't required to accept them. There's no guarantee Center forms will be accepted. Use at your own risk.

Don't include this instruction sheet when you serve or file the completed form.

After you file your Answer & Counterclaim, a Notice of Filing form is required to be filed and served on your spouse (Plaintiff).

Complete the Notice of Filing

***You, the Defendant, complete this form.**

Fill in the Top Part of the Form:

- The information to fill out the top part of the form ("the caption") is the same as on the Summons form.
- Include the case number.

Paragraph 1:

- Fill in the name of the county where your divorce case was filed **and** the case number assigned by the Clerk of Court.

Paragraph 2:

- The Answer & Counterclaim checkbox is already checked for you, because you always need to file the Answer & Counterclaim.
- If you also filed the Summons and Complaint (see Step 6b of the Instructions to Answer a Divorce When the Spouses Don't Agree), put a checkmark next to those **two** boxes.

Date and Signature:

- Fill in the date you signed the Notice of Filing form.
- Sign the signature line.
- Type or Print your name.

- Fill in the address lines. (*If you have a physical address and a mailing address, type or write both addresses using the lines provided, and the space next to the address lines.*)
- Fill in your phone number.
- Fill in your email address.

- Make two copies of the Notice of Filing**
 - One copy is for your records, one copy is for your spouse.

- Serve the Notice of Filing**
 - The Notice of Filing must be served upon your spouse, the Plaintiff, or their lawyer, if represented. This can be done by U.S. mail, first-class, postage prepaid.
 - See the instructions for service by mail in Step 5 of the Instructions to Answer a Divorce When the Spouses Don't Agree.
 - **Caution: Review the warning regarding service and domestic violence under Step 5 of the Instructions.**

- Prepare the Declaration of Service by Mail**
 - Fill in the Top Part of the Form:**
 - The information to fill out the top part of the form (“the caption”) is the same as on the Summons form.
 - Include the case number.
 - Paragraph 1:** Fill in your name.
 - Paragraph 2:** Review to make sure you have the Notice of Filing listed as the document served.
 - Paragraph 3:** Review.
 - Paragraph 4:** Fill in the date you served the documents by mail.
 - Paragraph 5:** List the name of the person served (your spouse or their lawyer) and the mailing address.
 - Paragraph 6:** Review carefully.

Date and Signature:

- Fill in the date, city, county, state, and country where you signed this document.
- Sign the signature line.
- Type or print your name.
- Fill in the address lines. (*If you have a physical address and a mailing address, type or write both addresses using the lines provided, and the space next to the address lines.*)
- Fill in your phone number.
- Fill in your email address.

File the Following Documents With the Court

- Notice of Filing; and
- Declaration of Service by Mail.

6. I declare, under penalty of perjury under the law of North Dakota, that everything I stated in this Declaration of Service by Mail is true and correct.

Signed on _____ (date) in _____ (city),
_____ County, _____ (state), _____ (country).

Signature of Person Who Mailed Documents

Printed Name of Person Who Mailed Documents

Address

City, State, Zip Code

Telephone Number

Email Address