

Divorce When the Spouses Don't Agree Instructions for (Proposed) Judgment (With Children)

After the divorce trial, the judge signs their Findings of Fact, Conclusions of Law, and Order for Judgment. Once dated and signed, the clerk of court issues a Judgment, which officially ends the marriage.

These are the instructions for the (Proposed) Judgment (With Children) form.

The judge may require one or both parties to provide a proposed Judgment for the judge to review and clerk of court to sign!

If you're assigned to provide a proposed Judgment, you may find this form helpful.

****Pay attention to the judge's instructions or order regarding the deadline to serve and file your proposed Judgment.**

Important!! The final Judgment in a divorce depends on the unique circumstances of the marriage. It's impossible for a form to reflect every possible finding or order that may occur in a divorce trial.

The Judgment must reflect what the judge ordered at trial.

This (proposed) Judgment form must be an exact copy of the Conclusions of Law section found in your (Proposed) Findings of Fact, Conclusions of Law, and Order for Judgment form. Copy each paragraph exactly as it is in your the Conclusions of Law section.

This (Proposed) Judgment form is designed for common, uncomplicated divorces. This form won't work as is for many divorces.

If everything from the trial isn't included on this form and/or doesn't reflect what the judge ordered at trial, you need to create your own Judgment document.

You may use this form as a template to create your own document.

ND Legal Self Help Center Staff and Court employees can't help you fill out forms, or create documents for you. If you're unsure how to proceed, consult a lawyer.

ND Legal Self Help Forms aren't official 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.

Follow and Carefully Read All Instructions! There are boxes (☐) before each step. Check each box as you finish the step. Don't go on to the next step until the previous step is completed.

If this form doesn't reflect everything the judge ordered at the trial, you can't use this form. However, you may use this form as a template to create your own document.

Complete the (Proposed) Judgment (With Children)

The Judgment is the Court's written order made from the evidence presented at the divorce trial. This section contains the legal consequences of the facts the judge found to be true.

The ""Judgment" form is your **Proposed** Judgment to finalize your divorce.

The judge ultimately decides whether to grant your divorce. The judge also decides whether to use your proposed Judgment.

☐ Fill in the Top of the Form:

The information to fill out the top part of the form ("the caption") is the same as the proposed Findings of Fact, Conclusions of Law, and Order for Judgment form you've filled out.

☐ Paragraph 1: This paragraph is the same as Paragraph 1 of your proposed Findings of Fact, Conclusions of Law, and Order for Judgment. Fill in the information exactly as you filled in Paragraph 1 of the proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.

☐ Paragraph 2: This paragraph states the judge issued their Findings of Fact, Conclusions of law, and Order for Judgment.

The Judgment must reflect what the judge ordered at trial.

This (proposed) Judgment must be an exact copy of the Conclusions of Law section found in your (Proposed) Findings of Fact, Conclusions of Law, and Order for Judgment form. Copy each paragraph exactly as it is in your Conclusions of Law section.

This (Proposed) Judgment form is designed for common, uncomplicated divorces. This form won't work as is for many divorces.

If everything from the trial isn't included on this form and/or doesn't reflect what the judge ordered at trial, you need to create your own Judgment document.

You may use this form as a template to create your own document.

- ☐ **Paragraph 3. Jurisdiction:** This is an **exact** copy of paragraph 22 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 4. Divorce and Court Approval:** This is an **exact** copy of paragraph 23 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 5. Parental Rights and Responsibilities.** This is an **exact** copy of paragraph 24 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 6. Parenting Plan:** This is an **exact** copy of paragraph 25 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 7. Child Support:** Copy this paragraph **exactly** as paragraph 26 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 8. Deviation from child support calculator:** Copy this paragraph **exactly** as paragraph 27 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.

- ☐ **Paragraph 9: Child support shall begin:** Copy this paragraph **exactly** as paragraph 28 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 10:** Copy this paragraph **exactly** as paragraph 29 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 11. Step-down child support obligation:** Copy this paragraph **exactly** as paragraph 30 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraphs 12:** This is an **exact** copy of paragraph 31 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 13:** This is an **exact** copy of paragraph 32 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 14:** This is an **exact** copy of paragraph 33 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 15:** This is an **exact** copy of paragraph 34 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 16.** This is an **exact** copy of paragraph 35 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 17. Health Insurance:** Copy this paragraph **exactly** as paragraph 36 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 18. Uninsured and Unreimbursed Medical Expenses:** Copy this paragraph **exactly** as paragraph 37 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 19. Childcare Costs:** Copy this paragraph **exactly** as paragraph 38 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 20. Child Tax Exemptions:** Copy this paragraph **exactly** as paragraph 39 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.

- ☐ **Paragraph 21. Spousal Support:** Copy this paragraph **exactly** as paragraph 40 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 22. Property and Debt:** This is an **exact** copy of paragraph 41 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 23. Income Tax Returns:** This is an **exact** copy of paragraph 42 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 24. Plaintiff's Former Name:** Copy this paragraph **exactly** as paragraph 43 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 25. Defendant's Former Name:** Copy this paragraph **exactly** as paragraph 44 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 26. Remarriage:** This is an **exact** copy of paragraph 45 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 27. Execution of Required Documents:** This is an **exact** copy of paragraph 46 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 28. Effects of Bankruptcy:** This is an **exact** copy of paragraph 47 of the Conclusions of Law section in the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment form.
- ☐ **Paragraph 29.** Fill in the last four numbers of your Social Security Number and the last four numbers of the Defendant's Social Security Number.
- ☐ **Date and Signature:** **Stop!** **Don't sign or put the case number in this section. This section is for the Clerk of Court's use.**

Make 2 Copies of the (Proposed) Judgment

- Make two copies: one for you, one for your spouse.

Make Sure You Have Completed the Proposed Exhibits:

If you haven't completed the proposed Exhibits listed below, do them now!

- (Proposed) Exhibit A: Confidential Division of Property and Debt and Values; and
- (Proposed) Exhibit B: Parenting Plan.

Serve the Proposed Documents

You must serve the following proposed documents upon your spouse or their lawyer, if represented.

- (Proposed) Findings of Fact, Conclusions of law, and Order for Judgment;
- (Proposed) Judgment;
- (Proposed) Exhibit A: Confidential Division of Property and Debt and Values; and
- (Proposed) Exhibit B: Parenting Plan.

Caution Regarding Domestic Violence

If there is a domestic violence protection order or disorderly conduct restraining order in effect, review the order to see if you are allowed to contact or serve your spouse! **Be careful not to violate the order!** Violating the order could have legal consequences for you and/or your spouse.

Before serving your spouse, consult a lawyer or a domestic violence intervention center in your area to help you navigate your situation. **Only follow the steps below once you know you can serve your spouse.**

☐ Serve your spouse the documents listed above:

- The person serving by mail must be at least 18 years old.
- Put the copy in an envelope.
- Address the envelope with your spouse's last known address.
- **If you know your spouse is currently represented by a lawyer, address the envelope with the lawyer's address, not your spouse's.**

- List your address as the return address on the envelope.
- Put the correct first class postage on the envelope.
 - Postage must be prepaid.
 - **It's very important to put the correct postage on the envelope.** If you don't, the envelope may be returned to you causing you to miss the service deadline.
- Put the envelope in the U.S. mail.
- Service by mail is complete upon mailing.

☐ **The person who mailed the envelope completes the following form:**

- Declaration of Service by Mail.

The person who mailed the envelope must complete the Declaration of Service by Mail form. (If the envelope is mailed at a United States Post Office, the United States Post Office employee doesn't complete Declaration of Service by Mail form.)

Service by mail is a common way to serve motion documents. However, there are other ways to serve your documents. To review other service options, go to ndcourts.gov/legal-self-help/service-in-a-civil-action. Scroll to the "Service After a District Court Civil Action Has Started" section of the webpage.

☐ **Prepare the Declaration of Service by Mail** (*This form is completed by the person who served the documents.*)

- ☐ **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 proposed Findings and Judgment.
- ☐ **Paragraph 1:** Fill in your name.
- ☐ **Paragraph 2:** The following documents are already listed for you:
 - (Proposed) Findings of Fact, Conclusions of law, and Order for Judgment;
 - (Proposed) Judgment;
 - (Proposed) Exhibit A: Confidential Division of Property and Debt and Values; and
 - (Proposed) Exhibit B: Parenting Plan.
- ☐ **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) 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 Proposed Documents

You must now file the proposed documents with the Clerk of Court:

- (Proposed) Findings of Fact, Conclusions of law, and Order for Judgment;
- (Proposed) Judgment;
- (Proposed) Exhibit A: Confidential Division of Property and Debt and Values;
- (Proposed) Exhibit B: Parenting Plan; and
- Declaration of Service by Mail.

What Do I Do Next?

Once you have completed all the steps above, you must wait to hear from the Court on your proposed documents.

The Court will let you know if you it wants you to serve your spouse with the final documents (once issued by the Court) along with a Notice of Entry. (A form and instructions will follow)

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

_____ JUDICIAL DISTRICT

PLAINTIFF,
vs

DEFENDANT.)

Case No. _____

Judgment
(with Children)

1. The above-entitled proceeding for divorce came on for hearing before the above-named Court on _____ (*date*), and was heard by the Honorable _____ District Judge, in the District Court, _____ County, North Dakota. Plaintiff ☐ did ☐ did not appear personally. Defendant ☐ did ☐ did not appear personally.

2. The Court being fully advised and having made its Findings of Fact, Conclusions of Law and Order for Judgment:

IT IS HEREBY ORDERED AND ADJUDGED AND DECREED AS FOLLOWS:

3. **JURISDICTION.** The District Court has jurisdiction over the parties and subject matter of the present action and this Court is the proper venue of this action.

4. **DIVORCE AND COURT APPROVAL.** 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.

5. **PARENTAL RIGHTS AND RESPONSIBILITIES** (*Paragraph 5 continues on next page*): The parties shall have the parental rights and responsibilities as set forth in North Dakota Century Code Section 14-09-32, which are as follows:

- a. The right to access and obtain copies of the child's educational, medical, dental, religious, insurance, and other records or information.
- b. The right to attend educational conferences concerning the child. This right does not require any school to hold a separate conference with each parent.
- c. The right to reasonable access to the child by written, telephonic, and electronic means.
- d. The duty to inform the other parent as soon as reasonably possible of a serious accident or serious illness for which the child receives health care treatment. The parent shall provide to the other parent a description of the serious accident or serious illness, the time of the serious accident or serious illness, and the name and location of the treating health care provider.
- e. The duty to immediately inform the other parent of residential telephone numbers and address, and any changes to the same.
- f. The duty to keep the other parent informed of the name and address of the school the child attends.

6. PARENTING PLAN: As required by North Dakota Century Code § 14-09-30, the Parenting Plan is set forth in Exhibit B: Parenting Plan. Exhibit B is incorporated by reference into this Judgment.

7. CHILD SUPPORT: In accordance with the North Dakota Child Support Guidelines and N.D.C.C. § 14-09-09.7 (*choose one; Paragraph 7 continues on Pages 3-4*):

☐ **A child support order already exists for the child(ren).** The child support case number is _____ . The existing child support payment amounts shall be incorporated into the judgment in this case.

☐ Since primary residential responsibility shall be with Plaintiff, Defendant shall pay

\$_____ per month as and for child support based on net monthly income of _____ . Defendant's income was determined by (*explain*):

_____.

A copy of the completed child support calculation forms that were used to calculate the child support obligation are on file in this case.

☐ Since primary residential responsibility shall be with Defendant, Plaintiff shall pay

\$_____ per month as and for child support based on net monthly income of _____ . Plaintiff's income was determined by (*explain*):

_____.

A copy of the completed child support calculation forms that were used to calculate the child support obligation are on file in this case.

☐ Plaintiff and Defendant shall have equal residential responsibility. Based on Plaintiff's net

monthly income of \$_____ and child support obligation of \$_____, and

Defendant's net monthly income of \$_____ and child support obligation of

\$_____, child support amounts will be offset for payment purposes. The lesser

obligation of \$_____ owed by (*choose one*) ☐Plaintiff/ ☐Defendant will be subtracted

from the greater obligation of \$_____ owed by (*choose one*) ☐Plaintiff/ ☐Defendant.

(*Choose one*) ☐Plaintiff/ ☐Defendant must pay the difference of \$_____ per month.

The completed child support calculation forms that were used to calculate the child support obligation are on file in this case. If child support rights become assigned because the child(ren) receive/s public assistance, the offset is no longer allowed. Each parent will be responsible for paying the full amount of the parent's obligation as long as the assignment is in effect.

8. Deviation from child support calculator (*choose one*):

☐ **Does not apply.** A child support order already exists for the child(ren).

☐ **The child support amount listed in Paragraph 7 does not deviate** from the child support calculator.

☐ **The child support amount listed in Paragraph 7 deviates** from the child support calculator.

\$_____ is the presumptively correct child support amount. Pursuant to N.D.C.C. § 14-09-09.7, the presumption is rebutted because (*explain*):

and is in the best interests of the child(ren) because (*explain*):

☐ Additional sheets are attached. (*Choose if applicable*)

9. **Child support shall begin**(*choose one*):

☐ **As required by the existing child support order.** The child support case number is

_____.

☐ **Before the 10th day of each month** starting with the month after the judgment is entered.

10. The support obligation of (*choose one*) ☐Plaintiff/ ☐Defendant for the minor children must continue (*choose one*):

☐ **As required by the existing child support order.** The child support case number is

_____.

☐ **Until the last day of the month in which the child reaches age eighteen (18)**, unless the child is still in high school and still living at that time with the parent receiving support. If support is to continue or resume after the month in which the child reaches age eighteen (18), the parent receiving support must file the Affidavit of Custodial Parent with the court. If the affidavit is filed, child support will continue or resume until the last day of the month in which the child graduates or reaches age nineteen (19), whichever comes first. Unless the step-down child support obligation is specified in Paragraph 31, a child support obligation for more than one child will not automatically be reduced when the support obligation expires for the oldest child.

11. **Step-down child support obligation** (*choose one; Paragraph 11 continues on next page*):

☐ **Does not apply.** A child support order already exists for the child(ren).

☐ **Does not apply.** This Judgment applies to one minor child of Plaintiff and Defendant.

☐ **Plaintiff and Defendant reserve the step-down child support obligation issue.**

☐ **Plaintiff and Defendant have** (*number of children*) _____ **minor children together, to**

which this Judgment applies. The step-down child support obligation is:

After child support terminates for one child, (*choose one*) ☐Plaintiff/ ☐Defendant must pay \$_____ child support per month. The first payment is due on the day indicated in Paragraph 9 on the first month after child support terminates for one child. Subsequent payments are due on each successive month on the day indicated in Paragraph 9 **until** child support terminates for a second child.

After child support terminates for two children, (*choose one*) ☐Plaintiff/ ☐Defendant shall pay \$_____ child support per month. The first payment is due on the day indicated in Paragraph 9 on the first month after child support terminates for one child. Subsequent payments are due on each successive month on the day indicated in Paragraph 9 **until** child support terminates for a third child.

☐Additional sheets are attached. (*Choose if applicable*)

12. Child support orders are subject to income withholding in accordance with N.D.C.C. § 14-09-09.24. The obligation will accrue interest if not paid timely in accordance with N.D.C.C. §§ 14-09-08.19, and 14-09-25(6).

13. All child support payments must be made through the North Dakota State Disbursement Unit (SDU), P.O. Box 7280, Bismarck, ND 58507-7280 in a form acceptable to the SDU for forwarding to the parent receiving support. Any child support payment made directly by the parent paying support to the parent receiving support, rather than through the SDU, will be treated as a gift unless Child Support agrees to give credit for the payment.

14. This order subjects the income of the parent paying support to immediate income withholding, regardless of whether their support payment is delinquent.

15. Child support orders are subject to periodic review under N.D.C.C. § 14-09-08.4. Either party may request a review of an order by applying to the child support agency as provided in N.D.C.C. § 14-09-08.9.

16. Each party subject to this order must provide SDU with the following information within ten days of the order or within ten days of any change of information as provided in N.D.C.C. § 14-09-08.1:

- a. Social Security number;
- b. Home address, mailing address, and any change of address;
- c. Telephone number;
- d. Driver license number;
- e. Employer's name, address, and telephone number;
- f. Electronic mail address; and
- g. Change of any other condition that could affect paying or receiving support. Examples include getting or losing health insurance for the child(ren), being approved for disability payment, and becoming incarcerated.

17. Health Insurance (*Paragraph 17 continues on next page*): In accordance with the provisions of N.D.C.C. § 14-09-08.10, the parent with physical custody of the minor child(ren) must provide satisfactory health insurance for the minor child(ren) whenever that coverage is available at no or nominal cost, now or in the future.

In the event the parent with physical custody of the minor child(ren) does not have satisfactory health insurance at no or nominal cost, the parent without physical custody of the minor child(ren) must provide satisfactory health insurance for the minor child(ren) whenever

that coverage is available at reasonable cost or becomes available at reasonable cost, now or in the future. Reasonable cost is defined pursuant to N.D.C.C. § 14-09-08.15.

The parent providing health insurance for the child(ren) must notify Child Support when the health insurance is obtained and shall include:

- a. Name of insurance company;
- b. Name of policyholder;
- c. Policy number; and
- d. Date insurance coverage started.

☐ (choose if applicable) Existing coverage:

(choose one) ☐ Plaintiff/ ☐ Defendant currently provides medical coverage of the minor child(ren) and must continue to provide coverage as long as it is available at a reasonable cost.

18. Uninsured and Unreimbursed Medical Expenses: Plaintiff and Defendant shall divide uninsured and unreimbursed medical expenses associated with the child(ren), including, but not limited to medical, dental, orthodontia, vision, counseling, co-pays, deductible and prescription drugs, as follows:

Plaintiff shall pay _____% and the Defendant shall pay _____%.

Plaintiff and Defendant shall exchange written verification of their respective out-of-pocket medical costs for the child(ren) on a (choose one) ☐ monthly ☐ quarterly ☐ annual basis. Reimbursement shall be made to the other party within _____ days.

If one party paid for a child's uninsured or unreimbursed medical expenses and the other party is reimbursed by the insurance company, the party who receives reimbursement must immediately pay the reimbursed amount to the party who paid the health care provider.

19. CHILDCARE COSTS: Plaintiff and Defendant must divide childcare costs in the following way: _____

20. CHILD TAX EXEMPTION): Only one party may claim a deduction for each child on their income tax return. Each party must execute any IRS or similar forms to allow the other party to take the exemption, deduction and credit in the appropriate years.

(Choose one):

☐ For each minor child, the child tax exemption must be claimed according to the following schedule:

(P = Plaintiff, D = Defendant)

Child's Initials	Deduction claimed every year by:		Deduction claimed odd years by:		Deduction claimed even years by:	
	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D
	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D
	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D	<input type="checkbox"/> P	<input type="checkbox"/> D

☐ Additional sheets are attached. (Choose if applicable)

☐ The parent who provided health insurance coverage for the minor child for _____% or more of the tax year shall claim the child tax exemption for that child.

☐ Other: _____

21. SPOUSAL SUPPORT (*choose one*):

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

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

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

22. PROPERTY AND DEBT: Plaintiff and Defendant shall be awarded the property, debts, and liabilities as stated on Exhibit A: Confidential Division of Property and Debt and Values. Exhibit A is incorporated by reference into this Judgment.

23. INCOME TAX RETURNS (*Paragraph 23 continues on next page*):

The parties agree to 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.

In accordance with the Affordable Care Act (ACA), the party providing, or who has provided health insurance coverage for a child being claimed as a dependent, must supply the other party proof of coverage (IRS Form 1095-A, IRS Form 1095-B, or IRS Form 1095-C) on or

before January 31, or as soon thereafter as proof of coverage is received, of every applicable calendar year.

24. PLAINTIFF'S FORMER NAME (*choose one*):

☐ Plaintiff's name did not change with the marriage and does not need to be restored.

☐ Plaintiff does not want to restore their name.

☐ Plaintiff, presently known as _____

and year of birth _____, will be restored to their former name of

_____ in any Judgment issued herein

and known thereafter as _____.

25. DEFENDANT'S FORMER NAME (*choose one*):

☐ Defendant's name did not change with the marriage and does not need to be restored.

☐ Defendant does not want to restore their name.

☐ Defendant, presently known as _____

and year of birth _____, will be restored to their former name of

_____ in any Judgment issued herein

and known thereafter as _____.

26. REMARRIAGE: There are no restrictions on remarriage.

27. EXECUTION OF REQUIRED DOCUMENTS (*Paragraph 27 continues on next page*): The

parties must, 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 a party fails to sign transfer papers, as required, the Judgment shall operate to transfer title to property, as awarded.

28. EFFECTS OF BANKRUPTCY: The division of property set forth in this judgment, including the payment of debts, is made with the understanding that the party assuming such debt shall and will have sufficient assets and income to serve the debts, and that neither party will file bankruptcy. The net value of the property received by one party will be substantially impaired if the other party would be required to pay debts or obligations assumed by that party as set forth in this judgment. Accordingly, if either party files bankruptcy and it results in the other party having to pay any debts or obligations by the parties set forth in this judgment, then the aggrieved party shall be entitled to relief under Rule 60 of the North Dakota Rules of Civil Procedure and grounds for relief will exist within the meaning of Rule 60.

29. 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 is the City of _____,

State of North Dakota, on _____, Clerk of the District Court,

County of _____.

(Clerk of the District Court)

Civil No. _____

IN DISTRICT COURT

____ JUDICIAL DISTRICT

Case No. _____

DECLARATION OF SERVICE BY MAIL

The person serving court documents by mail states:

1. My name is _____ (name of person who mailed documents in Paragraph 2) and I am at least 18 years of age.

2. List of Court Documents Served:

- (Proposed) Findings of Fact, Conclusions of Law and Order for Judgment (*With Children*)
- (Proposed) Judgment (*With Children*)
- (Proposed) Exhibit A: Confidential Division of Property & Debt & Values
- (Proposed) Exhibit B: Parenting Plan

3. Service by Mail:

As required by Rule 5(b)(3) of the North Dakota Rules of Civil Procedure, I served a true and correct copy of each of the court document(s) listed in Paragraph 2 by mailing them, enclosed in an envelope, by First-Class mail, postage prepaid, and by depositing them in the United States Mail, directed to the person listed in Paragraph 5.

4. Date of Service by Mail:

Date Court Documents Were Served by Mail: _____

5. Person Served by Mail:

Name of Person Served: _____

Mailing Address: _____

City, State, Zip Code: _____

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