

## Divorce When Spouses Don't Agree Instructions for Notice of Entry of Judgment

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 Notice of Entry of Judgment.

**You, the Plaintiff must provide and serve the Notice of Entry of Judgment and Judgment on Defendant!**

A Notice of Entry of Judgment is attached. You may find this form helpful.

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

**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.**

### Complete the Notice of Entry of Judgment

Within 14 days after Judgment is entered, the Plaintiff must serve a completed copy of the Notice of Entry of Judgment form on the Defendant.

**A copy of the signed and dated Judgment, and Exhibit(s) must be served with the Notice of Entry of Judgment.**

- Top of form (Caption):** Fill in the caption exactly as you filled in the caption on the Proposed Findings of Fact, Conclusions of Law, and Order for Judgment and Judgment.
- To:** Fill in the full, legal name of the Defendant.
- Paragraph:** Fill in the date the Clerk of Court signed the Judgment. Fill in the County and City of the North Dakota District Court where the Judgment was signed. Fill in the Docket Number of the Judgment.

To find the Docket Number of the judgment:

- Click on “Search Records & Pay Fines” at [ndcourts.gov](http://ndcourts.gov).
- Read the information, then click on the “Click here to Proceed” link.
- Select the county where your civil action was decided, or select State of North Dakota from the drop down menu.
- Click on the “Civil, Family & Probate Case Records” link.
- Select “Case” in the “Search By:” field.
- Enter your case number in the “Case Number” field.
- Click on the “Search” box.
- Click on the link for your case number.
- Scroll through the list of documents until you find the judgment. (The date on the judgment should match the date of the judgment in the list of documents.)
- The Docket Number will be shown as “Index # \_\_\_”.

**Date and Signature:** Complete the date and signature block.

- Fill in the date you sign this document.
- Sign the signature line.
- Print your name.
- Fill in your address. 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 telephone number.
- Fill in your email address.

**Make 2 Copies of the Notice of Entry of Judgment, Signed and Dated Judgment, and Exhibits**

- Make 2 copies of the Notice of Entry: one for you and one for your spouse. The original is filed with the court.
- Make 2 copies of the signed and dated Judgment which has been signed by the Clerk of Court.
- Make 2 copies of the signed and dated Exhibits.
  - If children are a part of this action, you **must** serve the following exhibits:
    - Exhibit A: Confidential Division of Property & Debt & Values; **and**
    - Exhibit B: Parenting Plan.

- If children **aren't** a part of this action, you **must** serve only the following exhibit:
  - Exhibit A: Confidential Division of Property & Debt & Values.

### Serve the Notice of Entry, Judgment, and Exhibit(s)

Serve the Notice of Entry of Judgment, Judgment, and Exhibit(s) upon your spouse or their lawyer, if represented.

### 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're 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](https://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 Notice of Entry of Judgment.
  - Paragraph 1:** Fill in your name.
  - Paragraph 2:** The following documents are already listed for you:
    - Notice of Entry of Judgment;
    - Judgment; and
    - Exhibit A: Confidential Division of Property & Debt & Values.
    - Exhibit B: Parenting: If children are a part of this action, put a checkmark  in the box next to 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 Notice of Entry of Judgment

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

- Notice of Entry of Judgment; and
- Declaration of Service by Mail.

## What Do I Do Next?

Review your Judgment **carefully**. If the judge ordered you to do certain things, such as pay off a debt, return items to your spouse, get a new loan on the home, etc., you must do that now.

**Failure to do so could result in a contempt of court order.**

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_  
\_\_\_\_\_ )  
\_\_\_\_\_ )

PLAINTIFF, )

**NOTICE OF ENTRY OF JUDGMENT**

vs )

Case No. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_ )  
DEFENDANT. )

**TO: DEFENDANT,** \_\_\_\_\_,

**PLEASE TAKE NOTICE** that on \_\_\_\_\_, a Judgment was entered  
in the office of the Clerk of District Court, \_\_\_\_\_ County,  
City of \_\_\_\_\_, North Dakota, Docket Number \_\_\_\_\_. A copy of  
the Judgment and Exhibit(s) are attached.

Dated \_\_\_\_\_.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Typed or Printed Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City State Zip Code*

\_\_\_\_\_  
*Telephone Number*

\_\_\_\_\_  
*Email Address*



**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*