

## LIST OF DO IT YOURSELF DEFAULT DIVORCE FORMS AND INSTRUCTIONS

Forms are available on line at [www.elmorecounty.org/court/cao](http://www.elmorecounty.org/court/cao) listed under Family Law. Sample forms have been developed for many of the following forms and are also available on the website; check them if you have questions about filling the forms out or call the Court Assistance Office at (208) 287- 6944. If you would like someone to review the forms before you file them, call and make an appointment for a form review.

### 1. Divorce Forms Packet - No Children

#### **First Part: Filing and Serving**

- CAO Instruction #3 Filing for Divorce
- \*Family Case Law Information Sheet
- CAO 1-3 Complaint for Divorce (No Children)
- \*CAO 1-1B Summons
- \*CAO 2-1B Acknowledgment of Service **or**
- \*CAO 2-2 Affidavit of Service

#### **Second Part: Finalizing**

##### **If by Default:**

- CAO Instruction #5 Finalizing Divorce by Default
- \*CAO 7-1 Motion and Affidavit for Default
- \*CAO 7-2 Default
- CAO 7-4A Testimony of Default Applicant
- \*Certificate of Divorce (IDHW form) (get this from the clerk)
- CAO 8-3 Decree of Divorce (No Children)

##### **If by Stipulation:**

- CAO Instruction #5A Finalizing Divorce by Stipulation
- CAO 6-8 Sworn Stipulation for Entry of Decree of Divorce
- CAO 8-3 Decree of Divorce (No Children)
- \*Certificate of Divorce (IDHW form) (get this from the clerk)

### 2. Divorce Forms Packet - With Children

#### **First Part: Filing and Serving**

- CAO Instruction #3 Filing for Divorce
- \*Family Case Law Information Sheet
- CAO 1-2 Complaint for Divorce (With Children)
- \*CAO 1-1B Summons
- \*CAO 2-1B Acknowledgment of Service **or**
- \*CAO 2-2 Affidavit of Service
- CAO 1-11 Affidavit Verifying Income
- CAO 1-13 Standard Custody Child Support Worksheet
- CAO 1-12 Shared/Split Custody Child Support Worksheet
- CAO 6-3 Parenting Plan Agreement

**\*\*Child support must be calculated according to the Child Support Guidelines before the complaint can be filed. You may get assistance in calculating child support from the Family Court Service Office at the Elmore County Courthouse, Suite 5, phone 587-2130 ext. 508 (**call for an appointment**); or you may find the Guidelines and calculate your support at [www2.state.id.us/judicial/rulestxt.htm](http://www2.state.id.us/judicial/rulestxt.htm).**

**Second Part: Finalizing**

**If by Default:**

CAO Instruction #5 Finalizing Divorce by Default

\*CAO 7-1 Motion and Affidavit for Default

\*CAO 7-2 Default

\*Certificate of Divorce (IDHW form) (get this from the clerk)

CAO 8-1 Decree of Divorce (Children)

CAO 1-14 Child Support Order Transmittal Form

**If by Stipulation:**

CAO Instruction #5A Finalizing Divorce by Stipulation

CAO 6-8 Sworn Stipulation for Entry of Decree of Divorce

\*Certificate of Divorce (IDHW form) (get this from the clerk)

CAO 8-1 Decree of Divorce (Children)

CAO 1-14 Child Support Order Transmittal Form

3. \*Fee Waiver Packet

CAO Instruction #7 Filing for Fee Waiver

CAO 1-10A Motion and Affidavit for Fee Waiver

CAO 1-1-10B Order for Fee Waiver

4. \*Service by Publication Packet

CAO Instruction #8 Service by Publication

CAO 1-7 Motion and Affidavit for Service by Publication

CAO 1-8 Order for Service

CAO 1-1A Summons by Publication

CAO 2-3 Affidavit of Mailing per Order to Serve by Publication

\* These forms are the same for both divorces with children and divorces without children