



***Approved Iowa Court Forms & Instructions for a
Respondent
in a Divorce That Does Not Involve
Minor or Dependent Children***

Provided by the Iowa Supreme Court and Office of State Court Administration, Des Moines, IA.

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- You are the Respondent if your spouse filed the first paper in court (a Petition for Dissolution of Marriage) to start a divorce case and delivered a copy to you.
- You must use these forms if ALL these statements are true:
 - You are getting a divorce.
 - You do not have minor children (under 18 years old).
 - You do not have dependent children (age 18 years or older and who still need your support). For example: they are in college or they have a physical handicap(s) and you financially support them.
 - You have not hired an attorney to help you with the divorce.
- Carefully read the forms and instructions. They provide all the information you are likely to need to obtain a divorce.
- After you read the instructions, if you still do not understand how to fill in or what to do with a form, you should contact an attorney.
- Clerks and other court staff are not authorized to answer questions about these forms.

(5-18-2011)

FL-115 ANSWER TO PETITION FOR DISSOLUTION OF MARRIAGE WITH NO MINOR CHILDREN

PRINT CLEARLY

A. IN THE DISTRICT COURT FOR _____ COUNTY, IOWA
(County where your spouse filed the Petition)

IN RE THE MARRIAGE OF:

_____ and _____
(Petitioner's name) (Respondent's name)

B. UPON THE PETITION OF

PETITIONER *(Your spouse's full name: first, middle, last)*

AND CONCERNING

RESPONDENT *(Your full name: first, middle, last)*

Equity case number:

Answer to Petition for
Dissolution of Marriage
With No Minor Children
(CLERK STAMPS HERE)

► **STOP!** Use this form only if you are responding to a Petition for Dissolution of Marriage on form **FL-101**. For all other situations, see the instructions for this form.

C. PERSONAL INFORMATION

1. *(Check only one. If paragraph 1 of the Petition is not correct, check the second box and fill in the blanks.)*

- The Petitioner's *(your spouse's)* birth date and present residence are correct in the petition.
- The Petitioner's *(your spouse's)* birth date and present residence: _____
(Date of birth)

(Present street address) _____ *(City)* _____ *(State)* _____ *(Zip code)*

(County) _____ *(Phone number)*

2. *(Check only one. If paragraph 2 of the Petition is not correct, check the second box and fill in the blanks.)*

- The Respondent's *(your)* birth date and present residence are correct in the petition.
- The Respondent's *(your)* birth date and present residence: _____
(Date of birth)

(Present street address) _____ *(City)* _____ *(State)* _____ *(Zip code)*

(County) _____ *(Phone number)*

E. REQUEST OF THE RESPONDENT

Respondent asks the court to:

(Check all that apply)

- a. End the marriage of the Petitioner (*your spouse*) and Respondent (*you*);
- b. Fairly divide the property and the debts of the parties.
- c. Order that the Petitioner (*your spouse*) pay the court fees.
- d. Order that the Petitioner (*your spouse*) pay for Respondent's (*your*) attorney fees.
- e. Order that the Petitioner (*your spouse*) pay alimony to the Respondent (*you*).
- f. Change the Respondent's (*your*) last name to:

_____ *(Print your former or maiden name)*

g. Other request: _____

F. ATTORNEY HELP

- Check one: a. An attorney did not help me prepare or fill in this paper.
- b. An attorney helped me prepare or fill in this paper. *(If you check b., you must fill in the following information):*

_____ *(Name of attorney or organization, if any)* _____ *(Attorney's P.I.N. # -- Ask the attorney)*

_____ *(Business address of attorney or organization)* _____ *(City)* _____ *(State)* _____ *(Zip code)*

(_____) _____ *(Attorney's phone number – required)* (_____) _____ *(Attorney's fax number, if there is one)*

G. OATH AND SIGNATURE

I, _____, have read the above Answer, and I certify
(Print your name)
under penalty of perjury and pursuant to the laws of the state of Iowa that the information I have provided in this Answer is true and correct. I also certify that I mailed or gave a copy of the Answer to the Petitioner or Petitioner's attorney (if any) on this date: _____, 20____.

_____ *(Your signature - Required)*

_____ *(Your mailing address – Required)* _____ *(City – Required)*

_____ *(State, Zip code – Required)* (_____) _____ *(Phone number - Optional)*

_____ *(E-mail address - Optional)* (_____) _____ *(Fax number - Optional)*

Instructions on How to Complete an Answer to a Petition for Dissolution of Marriage With No Minor Children (FL-115)

Do not file or give these instructions to the district court clerk's office.

Deadline for filing an Answer:

- You have **20 days** from the date you receive a Petition for Dissolution of Marriage to file an Answer with the district court clerk in the county where the Petition was filed.
- If you do not file an Answer, the court may make decisions and enter orders without hearing from you.

Use this form only if:

- Your spouse filed a "Petition for Dissolution of Marriage With No Minor Children" using form **FL-101**.
- If your spouse did not use form **FL-101** – you may want to use form **FL-116** to file your Answer.
- There are no children under the age of 18 who are children of both the husband and the wife.
- There are no children under the age of 18 who were adopted or born during this marriage.
- There are no children 18 years of age or older who still need support.
- The wife is not pregnant.

Contact an attorney if one of these is true:

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

Court staff cannot give you legal advice.

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

If this is the form you need:

- Begin at the top of page 1 on the Answer and fill in the information. Use the information on the following pages to help you fill in the form correctly.

Print clearly when you write information on form **FL-115**

How to Fill in the Answer to Petition for Dissolution of Marriage With No Minor Children (FL-115)

Part A. IN THE DISTRICT COURT

- *In the District Court for:* Print the name of the county where your spouse filed the Petition.
- *In Re the Marriage of:* On the first line print the Petitioner's (your spouse's) full name; on the second line print your name (you are the Respondent in this case). Use the legal names you have now.

Part B. UPON THE PETITION

- Your spouse is the Petitioner. On the first blank print your spouse's full name as it is written on the Petition: first, middle and last.
- You are the Respondent. On the second blank print your full name: first, middle and last.
- In the box on the right side of this section, write in the "Equity case number" for your case. It appears in this same location on the Petition form (FL-101). If you are not sure of the case number, you may ask the district court clerk.
- Do not write anything below the words: "Clerk Stamps Here." The district court clerks will put a time-stamp in this space.

Part C. PERSONAL INFORMATION

► **If you have been assaulted by your spouse and you fear for your safety, you may leave your present address (where you live) and phone number blank.** However, in part **G.** on the form, you must provide an address where you can *receive mail*. Ask the district court clerk about this if you have any questions.

- 1.** Your spouse is the Petitioner. Check the first box if your spouse's date of birth, address, city, county, state, zip code and telephone number are correct on the petition.
 - If the information on the petition is not correct, check the second box and print the correct information on the blanks.
- 2.** You are the Respondent. Check the first box if your date of birth, address, city, county, state, zip code and telephone number are correct on the petition.
 - If the information on the petition is not correct, check the second box and print the correct information on the blanks.

Part D. GENERAL INFORMATION ABOUT THE MARRIAGE AND THE PARTIES

This is where you will tell the court whether you agree with what the petition says about the marriage.

- Check the box only if the information is true.
- If the information is false, do not check the box.
- If you do not know if the information is true, do not check the box.

3. Check the first box if you agree. Check the second box if you do not agree, and print the correct date and place where you were married.

4. Children: If there are children under the age of 18 -- or if the wife is pregnant -- you **cannot use this form**. If you disagree with how your spouse (the Petitioner) answered these questions, write the reason(s) you disagree in **11.** on the Answer form.

a. Check the box if there are no children under the age of 18 who are the children of **both** the husband and the wife.

- If the husband and wife had children together (born or adopted) before the marriage and the children are under the age of 18, **you cannot use this form**.
- If the husband and wife had children together (born or adopted) during the marriage and the children are under the age of 18, **you cannot use this form**.

b. Check the box if there are no children under the age of 18 who were adopted or born while the wife and husband were married.

- If any children under the age of 18 were born or adopted during the marriage, **you can not use this form**. You cannot use this form *even if the husband is not the father*.

c. Check the box if there are no children 18 years of age or older who are children of both the husband and the wife and who still need support.

- If there are children 18 years of age or older who need support, **you cannot use this form**.
- Examples:
 - A child is 18 years of age but is still in high school.
 - A child is 18 years of age or older but is in college or disabled and needs support.

d. Check the box if the wife is not pregnant. **If the wife is pregnant, you cannot use this form.**

5. Check this box if you agree.

6. a. Check this box if you agree.

b. Check this box if you agree.

- If you did not check “6.a.” or “6.b.,” you should talk to an attorney.

7. Read “a.” through “c.” carefully.

- a. Check this box if you agree.
- b. Check this box if you agree.
 - Do not check the box if you and your spouse have a divorce case in a different court in Iowa or another state that is still going on.
 - If you or your spouse has filed for divorce anywhere else, explain this in **11.** on the form. You should also talk to an attorney.
- c. Check this box if you agree. If you want counseling, write that in “g.” under part **E.**

8.

- a. Check the box if you are in the military.
 - There are special rules that may prevent your spouse’s case from going forward if you are in the military. You should talk to an attorney.
- b. Check the box if you are in prison or in jail.
 - If you are in prison or jail, you may be entitled to a “guardian ad litem.”
 - A guardian ad litem is an attorney appointed to protect the interests of an incarcerated spouse in some cases.
 - If you are in prison or jail, state the location under **11.** on your Answer form.

9. Check the box if there is now a “no contact” order or a ”protection” order. If you check this box, then you must also fill in: (a.) the county and state where the order came from and (b.) the case number on the order.

10. This is a *required* statement. Do not check or write anything for this item.

11. If there is anything else you want to tell the court, print it on the blank lines under **11.** on your Answer form.

- All the basic information you need to tell the court is listed in **1** through **10.** You should print a statement under **11.** on the Answer only if you need to explain something.

Part E. REQUEST OF THE RESPONDENT.

Important Note: If you do not know what you want, **talk to an attorney.** Be sure to read “a.” through “f.” carefully. Check only the ones you want the court to consider.

- If you want alimony or attorney fees before the divorce is final, you must file form **FL-122.**
- Check box “f.” if you changed your name when you married and you want to change your name to your former or maiden name. You cannot change your name to any name you want.
- Check box “g.” and print a brief statement if there is something else you want. [Example: If you want marriage counseling, write “I want the court to order marriage counseling” on the blank lines in “g.” of part **E.**]

Part **F.** ATTORNEY HELP

- Check a. if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- Check b. if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check b., you must fill in the information in the lines below b. If you do not know what to write in these lines, contact the attorney who helped you with the form.

Part **G.** OATH AND SIGNATURE

Fill in all the blank lines in part **G.**

- On or before the day you file this Answer form at the district court clerks' office, you must mail or give a copy of what you file to the petitioner (your spouse) or the petitioner's attorney, if any. Write in the date you did this.
- Print the address where you want the court and your spouse to send mail to you. This does not have to be your home address.
- You must mail or give a copy of the Answer to the petitioner. Fill in the date you did this. [Most people do this before or on the day they file the Answer in the district court clerk's office.]

By signing this form, you are telling the court that the information on this form is true. The court may punish you if you lie on this form.

Checklist of things you should do after you complete the Answer form:

- Carefully check your Answer form. Be sure you've answered all the questions.
- Make two photocopies of the original Answer.
- Take the original and the copies to the district court clerk's office; ask them to time-stamp all three.
- File the original Answer at the district court clerk's office.
- Deliver (by mail or in-person) one copy to your spouse or your spouse's attorney. For additional instructions on what to do with this form, see *A Guide for Representing Yourself in a Divorce Case in Iowa: For Spouses With No Minor Children* (Part B).
- Keep the other copy for your own records.

Remember:

Keep these instructions. Do not file these instructions with the Answer.

FL-116 GENERAL ANSWER TO A PETITION
PRINT CLEARLY

A. IN THE DISTRICT COURT FOR _____ COUNTY, IOWA
(County where the case was filed)

B. NAMES

PETITIONER *(Petitioner's name on Petition: First, Middle, Last)*

RESPONDENT *(Your name: First, Middle, Last)*

Equity case number:

General Answer to a Petition
(CLERK STAMPS HERE)

▶ **STOP!** If you are responding to a Petition labeled **FL-101** → do not use this form.
Use form **FL-115**

C. RESPONDENT'S ANSWER *(You are the Respondent.)*

1. Respondent admits that these paragraphs in the Petition are true:

(List the numbers of the paragraphs in the Petition that you think are true)

2. Respondent denies that these paragraphs in the Petition are true:

(List the numbers of the paragraphs in the Petition that you think are false)

3. Respondent does not know whether these paragraphs in the Petition are true:

(List the numbers of the paragraphs in the Petition that you are not sure about)

4. Respondent denies anything in the Petition that is not admitted in this Answer.

5. Other information: _____

D REQUEST OF THE RESPONDENT (You are the Respondent.)

Respondent asks the court to:

E. ATTORNEY HELP

Check one: a. An attorney did not help me prepare or fill in this paper.
b. An attorney helped me prepare or fill in this paper. (If you check b., you must fill in the following information):

(Name of attorney or organization, if any) _____
(Attorney's P.I.N. # -- Ask the attorney)

(Business address of attorney or organization) _____
(City) _____
(State) _____
(Zip code)

(_____) _____
(Attorney's phone number – required) (Attorney's fax number, if there is one)

F. OATH AND SIGNATURE

I, _____, have read the above Answer, and I certify
(Print your name)
under penalty of perjury and pursuant to the laws of the state of Iowa that the information I have provided in this Answer is true and correct. I also certify that I mailed or gave a copy of the Answer to the Petitioner or Petitioner's attorney (if any) on this date: _____, 20____.

(Your signature - Required)

(Your mailing address – Required) _____
(City – Required)

(State, Zip code – Required) _____
(Phone number - Optional)

(E-mail address - Optional) _____
(Fax number - Optional)

Instructions On How to Complete the General Answer to a Petition for Dissolution of Marriage With No Minor Children (FL-116)

Do not file or give these instructions to the district court clerk's office.

Deadline for filing an Answer:

- You have **20 days** from the date you receive a Petition for Dissolution of Marriage to file an Answer with the district court clerk in the county where the Petition was filed.
- If you do not file an Answer, the court may make decisions and enter orders without hearing from you.

Use this form only if:

- You were served with a Petition that is **not** form **FL-101**. If your spouse served you with Petition form **FL-101**, you should use Answer form **FL-115**.
- There are no children under the age of 18 who are children of both the husband and the wife.
- There are no children under the age of 18 who were adopted or born during this marriage.
- There are no children 18 years of age or older who still need support.
- The wife is not pregnant.

Contact an attorney if one of these is true:

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

Court staff cannot give you legal advice.

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

If this is the form you need:

- Begin at the top of page 1 on the General Answer form and fill in the information. Use the information on the following pages to help you fill in the form correctly.

Print clearly when you write information on this form.

How to Fill in Form **FL-116**

Part A. IN THE DISTRICT COURT

- On the first line print the name of the county where your spouse filed the Petition.

Part B. UPON THE PETITION OF

- The party who filed the Petition is the Petitioner. On the first blank print that person's full name: first, middle and last.
- You are the Respondent. On the second blank print your full name: first, middle and last.
 - If you are not sure if you are the Petitioner or the Respondent, you may ask the district court clerk
- In the box on the right side of this section, write in the "Equity case number" for your case. It appears on the first page of the Petition, which you received from the Petitioner (your spouse). It might be labeled "Case number" on the Petition. If you are not sure of the case number, you may ask the district court clerk in the county where the Petition was filed.
- Do not write anything below the words: "Clerk Stamps Here." The district court clerk will put a time-stamp in this space.

Part C. RESPONDENT'S ANSWER

Read each of the numbered paragraphs in the Petition that you received. You should tell the court whether each of the numbered paragraphs is true or not. You should also tell the court if you do not know whether a paragraph is true or not.

- 1.** In this section you should print the paragraph numbers that you think are true. Use the same numbers as in the Petition.
 - If you decide later that the paragraphs you list here are not true, it may be too late to change your Answer.
- 2.** In this section you should print the paragraph numbers that you think are not true or you do not agree with. Use the same numbers as in the Petition.
- 3.** In this section you should print the paragraph numbers that you cannot say are true or not true. Use the same numbers as in the Petition.
 - This may be because you do not know something such as a date, place, or when something happened.
 - If you are not sure about part of the paragraph, you should print the number of that paragraph here.
- 4.** You do not have to print anything in this section.
- 5.** If there is anything else you want to tell the court -- print it on the blank lines in this section.

Part **D.** REQUEST OF THE RESPONDENT

- In this section, print what you want the court to do. For example, tell the court if you want a divorce.
- Be brief. Do not print long descriptions.

If you do not know what you want, you should talk to an attorney.

Part **E.** ATTORNEY HELP

- Check a. if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- Check b. if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check b., you must fill in the information in the lines below b. If you do not know what to write in these lines, contact the attorney who helped you with the form.

Part **F.** OATH AND SIGNATURE

Fill in all the blank lines in part **F.**

- On or before the day you file this Answer form at the district court clerks' office, you must mail or give a copy of what you file to the petitioner or the petitioner's attorney, if any. Write in the date you did this.
- Print the address where you want the court and the petitioner to send mail to you. This does not have to be your home address.
- You must mail or give a copy of the Answer to the petitioner. Fill in the date you did this. [Most people do this before or on the day they file the Answer in the district court clerk's office.]

By signing form **FL-116 you are stating that the information is true. The court may punish you if you lie on this form.**

Checklist of things you should do after you complete the Answer form:

- Carefully check your Answer form. Be sure you've answered all questions.
- Make two photocopies of the original Answer.
- Take the original and the copies to the district court clerk's office; ask them to time-stamp all three.
- File the original Answer at the district court clerk's office.
- Deliver (by mail or in-person) one copy to your spouse or your spouse's attorney.
- Keep the other copy for your own records.

Keep these instructions. Do not file these instructions with the Answer.

FL-122 MOTION

PRINT CLEARLY

A. IN THE DISTRICT COURT FOR _____ **COUNTY, IOWA**
(County where your case is filed)

B. NAMES

PETITIONER *(Full name: first, middle, last)*

VS.

RESPONDENT *(Full name: first, middle, last)*

Equity case number:

Motion
(CLERK STAMPS HERE)

C. REQUEST

1. I am the *(check one)*: Petitioner / Respondent

2. I ask the court to *(check all that apply)*:

- a. Change the hearing date that has been set for _____, 20____.
- b. Award me temporary financial support. *(Month & day)* *(Year)*
- c. Order counseling (conciliation).
- d. Set a hearing date for a divorce Decree by default.
- e. Shorten the 90-day waiting period for getting a divorce Decree.
- f. Other request *(explain)*: _____

3. I am making this request(s) because: _____

D. ATTORNEY HELP

- Check one:*
- a. An attorney did not help me prepare or fill in this paper.
 - b. An attorney helped me prepare or fill in this paper. *(If you check b., you must fill in the following information):*

(Name of attorney or organization, if any)

(Attorney's P.I.N. # -- Ask the attorney)

(Business address of attorney or organization)

(City)

(State)

(Zip code)

(_____) _____
(Attorney's phone number – required)

(_____) _____
(Attorney's fax number, if there is one)

E. CERTIFICATION AND SIGNATURE

I ask this court to grant my Motion. I also certify that I mailed or gave a copy of this Motion to the other party or the other party's attorney (if any) on _____, 20____.
(Month & day) *(Year)*

Your signature *(Required)*: _____

Instructions On How to Complete a Motion Form (FL-122)

When to use form FL-122

- If you want to ask the court to do something after your court case has already started, you must do this by filing a Motion.

Do not file or give these instructions to the district court clerk's office.

Contact an attorney if one of these is true:

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

Court staff cannot give you legal advice

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

If this is the form you need:

- Begin at the top of page 1 on the Motion and fill in the information. Use the information on the following page to help you fill in the form correctly.

Print clearly when you write information on form FL-122

Continued on the next page

How to Fill in a Motion Form (FL-122)

Part A. IN THE DISTRICT COURT

- On the first blank print the name of the county where the case was filed.

Part B. UPON THE PETITION OF

- Enter the names of the Petitioner and Respondent as they appear on the Petition form (FL-101).
- Write in the court's "Equity case number" for your divorce case. It appears in this same location on the Petition form (FL-101). If you are not sure of the case number, you may ask the district court clerk.
- The district court clerk will stamp the date your motion is filed in the box that says "CLERK STAMPS HERE."

Part C. REQUEST

1. Check the box that tells the court which person you are. If you filed the Petition, you are the Petitioner. If your spouse filed the Petition, you are the Respondent.
2. Check the box or boxes that tell the court what you want. If you check any box, you must tell the court why you are making this request. Write your reason on the blank lines.

Part D. ATTORNEY HELP

- Check a. if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- Check b. if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check b., you must fill in the information in the lines below b. If you do not know what to write in these lines, contact the attorney who helped you with the form.

Part E. CERTIFICATION AND SIGNATURE

Fill in the date you mailed or gave a copy of the Motion to the other party (your spouse), and sign the form at the bottom.

Checklist of things you should do after you complete the Motion form:

- Carefully check your Motion form. Be sure you've answered all questions.
- Make two photocopies of the original Motion.
- Take the original and the copies to the district court clerk's office; ask them to time-stamp all three.
- File the original Motion at the district court clerk's office.
- Deliver (by mail or in-person) one copy to your spouse or your spouse's attorney.
- Keep the other copy for your own records.

Keep these instructions! Do not file these instructions with the Motion.

A. IN THE DISTRICT COURT FOR _____ **COUNTY, IOWA**
(County where your case is filed)

B. UPON PETITION OF

PETITIONER *(Full name: first, middle, last)*

VS.

RESPONDENT *(Full name: first, middle, last)*

Equity case number:

Response to a Motion
(CLERK STAMPS HERE)

C. OPPOSITION TO REQUEST

1. I am the *(check one)*: Petitioner / Respondent

2. The other party filed a Motion on *(date stamped on Motion)*: _____, 20____.
(Month & day) (Year)

3. I oppose the following request(s) in that Motion *(check all that apply)*:

- a. To change the hearing date that has been set for _____, 20____.
- b. To award my spouse temporary financial support. *(Month & day) (Year)*
- c. To order counseling (conciliation).
- d. To set a hearing date for a divorce Decree by default.
- e. To shorten the 90-day waiting period for getting a divorce Decree.
- f. Other request *(explain)*: _____

4. I oppose the request(s) because: _____

D. ATTORNEY HELP

Check one: a. An attorney did not help me prepare or fill in this paper.

b. An attorney helped me prepare or fill in this paper. *(If you check b., you must fill in the following information):*

(Name of attorney or organization, if any)

(Attorney's P.I.N. # -- Ask the attorney)

(Business address of attorney or organization)

(City)

(State)

(Zip code)

(_____)_____
(Attorney's phone number – required)

(_____)_____
(Attorney's fax number, if there is one)

E. CERTIFICATION AND SIGNATURE

I ask that this court grant my Response to the Motion. I also certify that I mailed or gave a copy of this Response to a Motion to the other party or that the other party's attorney (if any) on:

_____, 20____.
(Month & day) (Year)

(Your signature - Required)

Instructions On How to Complete a Response to a Motion (FL-123)

When to use form FL-123

- If your spouse has filed a Motion (probably using FL-122) and you disagree with what your spouse is asking the court to do in that Motion.

Do not file or give these instructions to the district court clerk's office.

Contact an attorney if one of these is true:

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

Court staff cannot give you legal advice

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

If this is the form you need:

- Begin at the top of page 1 on the Response to a Motion and fill in the information. Use the information on the following page to help you fill in the form correctly.

Print clearly when you write information on form FL-123

Continued on the next page

How to Fill in a Response to a Motion (FL-123)

Part A. IN THE DISTRICT COURT

- On the first blank print the name of the county where the case was filed.

Part B. UPON THE PETITION OF

- Enter the names of the Petitioner and Respondent as they appear on the Petition form (FL-101).
- In the box on the right, write in the court's "Equity case number" for your divorce case. It appears in this same location on the Petition form (FL-101). If you are not sure of the case number, you may ask the district court clerk.
- The district court clerk will stamp the date your motion is filed in the box that says "CLERK STAMPS HERE."

Part C. OPPOSITION TO REQUEST

1. Check the box that tells the court which person you are. If you filed the Petition, you are the Petitioner. If the other side filed the Petition, you are the Respondent.
2. Fill in the date that your spouse filed the Motion (probably form FL-122); use the date that is stamped in the box that says: "CLERK STAMPS HERE."
3. Check the box or boxes that match the request(s) in your spouse's Motion that you disagree with.
4. Write in an explanation for why you oppose the requests your spouse made in the Motion (FL-122).

Part D. ATTORNEY HELP

- Check a. if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- Check b. if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check b., you *must* fill in the information in the lines below b. If you do not know what to write in these lines, contact the attorney who helped you with the form.

Part E. CERTIFICATION AND SIGNATURE

Fill in the date you mailed or gave a copy of form FL-123 to the other party. Sign the form at the bottom.

Checklist of things you should do after you complete form FL-123:

- Carefully check your Response to a Motion form. Be sure you've answered all the questions.
- Make two photocopies of the original Response to a Motion form.
- Take the original and the copies to the district court clerk's office; ask them to time-stamp all three.
- File the original Response to a Motion at the district court clerk's office.
- Deliver (by mail or in-person) one copy to your spouse or your spouse's attorney.
- Keep the other copy for your own records.

FINANCIAL AFFIDAVIT FOR DISSOLUTION OF MARRIAGE WITH NO MINOR CHILDREN**PRINT CLEARLY****A.** IN THE DISTRICT COURT FOR _____ COUNTY, IOWA
*(County where your case is filed)*IN RE THE MARRIAGE OF: _____ and _____
*(Petitioner's name) (Respondent's name)***B.** UPON THE PETITION OF_____
PETITIONER *(Full name: first, middle, last)*

AND CONCERNING

RESPONDENT *(Full name: first, middle, last)*

Equity case number:

Financial Affidavit for
Dissolution of Marriage
With No Minor Children
*(CLERK STAMPS HERE)***C.** Financial Statement of *(check the one that applies to you):*

-
- Petitioner
-
-
- Respondent

I, _____, state that this is a true and complete statement
(Print your name)
of my assets, debts, and present income on the _____ day of _____, 20____.
*Month Year***D.** ASSETS**ASSETS:** Things you and your spouse own. *(You may add extra sheets if needed.)**Owner (Whose name is on the deed or title?): **H** = Husband **W** = Wife **J** = Joint (Both)

Type of Assets	Owner* <i>(H, W, J)</i>	Market Value <i>(What it would sell for)</i>	Debt <i>(Total amount you still owe on it)</i> and to Whom Owed	Net Value <i>(Market value minus debt owed)</i>
1. Real estate Homestead (address)		\$	\$	\$
Other real estate (address):		\$	\$	\$

ASSETS --- Continued

*Owner (Whose name is on the car/vehicle title?): **H** = Husband **W** = Wife **J** = Joint (Both)

2. Vehicles <i>(Make, year):</i>	Owner* <i>(H, W, J)</i>	Market Value <i>(What it would sell for)</i>	Debt <i>(Total amount you still owe on it)</i> and to Whom Owed	Net Value <i>(Market value minus debt owed)</i>
		\$	\$	\$
		\$	\$	\$
		\$	\$	\$

*Owner (Whose name is on the stocks or bonds?): **H** = Husband **W** = Wife **J** = Joint (Both)

3. Securities / Stocks & bonds <i>(Company name):</i>	Owner* <i>(H, W, J)</i>	Market Value <i>(What it would sell for)</i>	Debt <i>(Total amount you still owe on it)</i> and to Whom Owed	Net Value <i>(Market value minus debt owed)</i>
		\$	\$	\$
		\$	\$	\$
		\$	\$	\$

*Owner (Whose name is on the policy?): **H** = Husband **W** = Wife **J** = Joint (Both)

4. Life Insurance <i>(Company name):</i>	Owner* <i>(H, W, J)</i>	Cash Value <i>(Not death benefit)</i>	Loan from Cash Value <i>(Total amount still owed on loan)</i>	Net Value <i>(Cash value minus loan owed)</i>
		\$	\$	\$
		\$	\$	\$
		\$	\$	\$

*Owner (Whose name is on the bank/credit union account?): **H** = Husband **W** = Wife **J** = Joint (Both)

5. Checking & Savings Accounts <i>(Bank or credit union name):</i>	Owner* <i>(H, W, J)</i>	Cash Value	Personal loans or overdraft accounts <i>(Total amount you still owe on it)</i>	Net Value <i>(Cash value minus loan/overdraft owed)</i>
		\$	\$	\$
		\$	\$	\$
		\$	\$	\$

ASSETS --- Continued

*Owner: **H** = Husband **W** = Wife **J** = Joint (Both)

6. Household Contents	Owner* (H, W, J)	Market Value (What it would sell for)	Debt (Total amount you still owe on it) and to Whom Owed	Net Value (Market value minus debt owed)
Furniture		\$	\$	\$
		\$	\$	\$
		\$	\$	\$
		\$	\$	\$
Appliances/Electronics		\$	\$	\$
		\$	\$	\$
		\$	\$	\$
		\$	\$	\$
Other (write in):		\$	\$	\$
		\$	\$	\$
		\$	\$	\$

*Owner (Whose name is on the retirement account?): **H** = Husband **W** = Wife **J** = Joint (Both)

7 Retirement Assets (Examples: Pensions, IRAs, 401(k)s, Annuities, etc.)	Owner* (H, W, J)	Market Value (What it would sell for)	Loans from Retirement Account and to Whom Owed (Total amount you still owe on it)	Net Value (Market value minus loan owed)
		\$	\$	\$
		\$	\$	\$
		\$	\$	\$

*Owner: **H** = Husband **W** = Wife **J** = Joint (Both)

8. Other Assets – List:	Owner* (H, W, J)	Market Value (What it would sell for)	Debt and to Whom Owed (Total amount you still owe on it)	Net Value (Market value minus debt owed)
		\$	\$	\$
		\$	\$	\$
		\$	\$	\$
9. Total Net Value of Assets				\$

E. OTHER DEBTS**10. Other Debts** (List only those not included as “debt” or “loans” under “Assets” in part **D.**)*Whose debt is it? *H = Husband W = Wife J = Joint (Both)*

Name of Person or Business You and/or Your Spouse Owe	Whose debt?*(<i>H, W, J</i>)	Amount owed
a.		\$
b.		\$
c.		\$
d.		\$
e.		\$
f.		\$
g.		\$
h.		\$
i.		\$
j.		\$
k.		\$
l.		\$
m.		\$
n.		\$
o.		\$

p. Check this box if you have attached a sheet with additional information on other debts.**11. Total Other Debts** (including amounts shown on attached sheet, if any).

\$

F. INCOME**12. Current Income for Wife**

*How often paid: *W* = Weekly *B* = Bi-weekly (Every other week) *M* = Monthly *T* = Two times a month

Sources of Income:	How often paid? (W, B, M, T)*	Gross Amount (Before deductions)
a. Wages from employer (name):		\$
b. Wages from employer (name):		\$
c. Unemployment assistance		\$
d. Family Investment Program		\$
e. Social Security		\$
f. Other (identify):		\$
g. Other (identify):		\$
h. Other (identify):		\$

i. Check this box if you have attached a sheet with additional information on the Wife's income.

13. Deductions taken from Wife's income

*How often taken: *W* = Weekly *B* = Bi-weekly (Every other week) *M* = Monthly *T* = Two times a month

Income deduction taken from:	Deduction for: (Federal tax, state tax etc.)	How often taken? (W, B, M, T)*	Amount of deduction:
a. Wages from employer (name):			\$
b. Wages from employer (name):			\$
c. Unemployment assistance			\$
d. Family Investment Program			\$
e. Social Security			\$
f. Other (identify):			\$
g. Other (identify):			\$
h. Other (identify):			\$

i. Check this box if you have attached a sheet with additional information on the Wife's deductions.

14. Current Income for Husband

*How often paid: *W* = Weekly *B* = Bi-weekly (Every other week) *M* = Monthly *T* = Two times a month

Sources of Income:	How often paid? (W, B, M, T)*	Gross Amount (Before deductions)
a. Wages from employer (name):		\$
b. Wages from employer (name):		\$
c. Unemployment assistance		\$
d. Family Investment Program		\$
e. Social Security		\$
f. Other (identify):		\$
g. Other (identify):		\$
h. Other (identify):		\$

i. Check this box if you have attached a sheet with additional information on the Husband's income.

15. Deductions taken from Husband's income:

*How often taken out: *W* = Weekly *B* = Every other week *M* = Monthly *T* = Two times a month

Income deduction taken from:	Deduction for: (Federal tax, state tax etc.)	How often taken? (W, B, M, T)*	Amount of deduction:
a. Wages from employer (name):			\$
b. Wages from employer (name):			\$
c. Unemployment assistance			\$
d. Family Investment Program			\$
e. Social Security			\$
f. Other (identify):			\$
g. Other (identify):			\$
h. Other (identify):			\$

i. Check this box if you have attached a sheet with additional information on the Husband's deductions.

G. EXPENSES**16. Living Arrangements** (*check one*)

- My spouse and I live in the same home.
 My spouse and I do not live in the same home.

17. My Expenses: (Note: You must complete this section if you or your spouse wants alimony.)

*How often paid: *W=Weekly B=Bi-weekly (every other week) M = Monthly*
T = Two times a month A=Annually

Type of Expense	Owed to:	How often paid (W, B, M, T, A)*	Monthly Amount
a. House payment or rent			\$
b. Food (<i>at home & restaurants</i>)			\$
c. Transportation (gas, bus fare) (<i>not car loan payments – see l.</i>)			\$
d. Clothing			\$
e. Medical, dental (<i>not insurance payments, see j</i>)			\$
f. Utilities (<i>gas, electric</i>)			\$
g. Telephone/cell phone			\$
h. Cable/satellite television			\$
i. Car insurance payment			\$
j. Health insurance payment			\$
k. Credit card payments			\$
l. Car loan payments			\$
m. Other loan payments			\$
n. Other expense (<i>identify</i>):			\$
o. Other expense (<i>identify</i>):			\$

H. ATTORNEY HELP

Check one: a. An attorney did not help me prepare or fill in this paper.
b. An attorney helped me prepare or fill in this paper. (If you check b., you must fill in the following information):

(Name of attorney or organization, if any) (Attorney's P.I.N. # -- Ask the attorney)

(Business address of attorney or organization) (City) (State) (Zip code)

(_____) _____
(Attorney's phone number – required) (Attorney's fax number, if there is one)

I. OATH AND SIGNATURE

I, _____ have read the above Financial
(Print your name)

Affidavit. I certify under penalty of perjury and pursuant to the laws of the state of Iowa that the information I have provided in this Financial Affidavit is true and correct and that I gave or mailed a copy of this document to the other party or the other party's attorney (if any) on this ____ day of

_____, 20____.
(Month) (Year)

(Your signature)

**Instructions On How to Complete a Financial Affidavit
For a Dissolution of Marriage With No Minor Children (FL-124)**

Keep these instructions. Do not file these instructions with the district court clerk's office.

Each party (Petitioner and Respondent) in a Dissolution of Marriage (divorce) case must complete his or her own Financial Affidavit form (FL-124)

Contact an attorney if one of these is true:

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

Court staff cannot give you legal advice.

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

If this is the form you need:

- Begin at the top of page 1 on the Affidavit and fill in the information. Use the information on the following pages to help you fill in the form correctly.

Remember:

Do not file these instructions with the Financial Affidavit.

How to Fill in Form **FL-124**

Parts A. and **B.** Fill in the blanks as they appear on the Petition form (**FL-101**).

Part C. FINANCIAL STATEMENT OF

- You are the Petitioner if you filed the Petition for Dissolution of Marriage (divorce).
- You are the Respondent if your spouse filed the Petition and served it on you.
- Print your full name.

Part D. ASSETS

- Assets are things you or your spouse own. (See how “owner” is defined below.)
- You must list all of your assets in this section.
- Be as accurate as you can.
- If you do not have enough room on the form, you may write the rest of the information on another sheet and attach it to the form.
- If you use another sheet, write the information in the same way it was asked on the form.

Type of Asset: Write the name or a description of the asset here.

Owner: “Owner” means the person who has his or her name on the deed (for real estate), title (for vehicles), policy (for insurance), or account (for banks and credit unions). Write in the letter that represents the person who owns this asset.

- Write H if the husband owns it.
- Write W if the wife owns it.
- Write J (for joint ownership) if both the husband and the wife own the asset together.

Market Value: This is how much the asset is worth if you are selling it today.

Debt: This is the money you owe on the asset, sometimes called a lien, mortgage, loan, or security interest.

- If you have a loan -- such as a car loan -- put the total amount you owe (the balance) here. Do *not* write in your *monthly payment*. (You can write in your monthly payments on loans or credit cards under “My Expenses,” in part **G.** 17.)

Net Value – If you subtract the amount you owe (the debt) from the price you could sell the asset for today (market or cash value), what is left is the net value.

1. Real Estate

- In the first row, “Homestead” means the home you own and where you usually live.
- In the “Other real estate” row, list all houses, apartments or land you own.
- The “owner” is the person or persons who have their names on the deed.
- “Net value” is the “market value” (column 3) minus the “debt owed” (column 4).

2. Vehicles

- List all cars, trucks, motorcycles or other motorized vehicles that you and/or your spouse own.
- The “make” means the manufacturer. For example: Chevrolet, Ford, Dodge, or Toyota.
- The “owner” is the person who has his or her name on the car title.
- “Net value” is the “market value” (column 3) minus the “debt owed” (column 4).

3. Securities

- List stocks, bonds, and brokerage accounts.
- The “owner” is the person who has his or her name on the stocks or bonds.
- “Net value” is the “market value” (column 3) minus the “debt owed” (column 4).

4. Life Insurance

- List all life insurance policies.
- The cash value of a policy is the money you would get back if you cancelled the policy. If you have a loan on the policy, list it as a “Loan from Cash Value” in the fourth column.
- The “owner” is the person who has his or her name on the policy.
- “Net value” is the “cash value” (column 3) minus the “loan from cash value” (column 4).

5. Checking and Savings Accounts

- Write in the name of the bank and all checking, savings, money market accounts, or certificates of deposit you have with each bank.
- If you do not use bank accounts, write “cash” on the line and put the amount of cash you have.
- The “owner” is the person who has his or her name on the bank account.
- “Net value” is the “cash value” (column 3) minus the “personal loans or overdraft accounts” (column 4).

6. Household Contents

- This includes your furniture, appliances, electronics and other items in your home.

7. Retirement

- List all retirement accounts, pensions, 401(k)s, IRAs, and annuities

8. Other Assets

- Anything that is not listed in the other boxes goes here.
- Examples are jewelry, furs, guns, sporting goods, farm animals

9. Total Net Value of Assets

- Add all the numbers in the “Net Value” column in items **1** through **8** and put the total of those numbers in the box.

Part E. OTHER DEBTS

- Debts may include things such as past due balances on utilities, money owed to a landlord for damages after you move out, credit card debt, and loans from friends, family, or banks.

10. Debts not listed above:

- In this part list the money you or your spouse owe that you did not include in the “Debt” or “Loan” column in items 1 through 8.
- Check the box next to the letter “p.” if you have attached a separate sheet of paper with more information on other debts.
 - Write this on the top of the separate sheet: “Item 10: Other Debts.”
 - Write the information in the same way it appears in the table for item 10.
- Write your signature at the bottom of the separate sheet.

11. Total Debts

- Add the amounts owed in 10 and put the total in the box in 11.

Part F. INCOME

12. Current Income for Wife

- List all types of current income.
- Enter the “gross income,” which is the income before any deductions are taken from the check.
- If you are the husband, give your best estimate.
- Write how often the wife is paid.
 - Monthly is when a person is paid one time a month.
 - Bi-weekly is when a person is paid every other week.
 - Twice a month is when a person is paid two times a month, such as on the 1st and the 15th of the month.
 - Weekly is when a person is paid every week.
- Check the box next to the letter “i.” if you have attached a separate sheet of paper with more information on the Wife’s income.
 - Write this on the top of the separate sheet: “Item 12: Current Income of Wife.”
 - Write the information in the same way it appears in the table for item 12.
 - Write your signature at the bottom of the separate sheet.

13. Deductions taken from Wife’s income

- List all deductions.
- If you are the husband, give your best estimate.
- Check the box next to the letter “i.” if you have attached a separate sheet of paper with more information on the Wife’s deductions.
 - Write this on the top of the separate sheet: “Item 13: Deductions from Wife’s Income.”
 - Write the information in the same way it appears in the table for item 13.
 - Write your signature at the bottom of the separate sheet.

14. Current Income for Husband

- List all types of current income.
- Enter the “gross income,” which is the income before any deductions are taken from the check.
- If you are the wife, give your best estimate.
- Write how often the husband is paid.
 - Monthly is when a person is paid one time a month.
 - Bi-weekly is when a person is paid every other week.
 - Twice a month is when a person is paid two times a month, such as on the 1st and the 15th of the month.
 - Weekly is when a person is paid every week.
- Check the box next to the letter “i.” if you have attached a separate sheet of paper with more information on the Husband’s income.
 - Write this on the top of the separate sheet: “Item **14**: Current Income of Husband.”
 - Write the information in the same way it appears in the table for item **14**.
 - Write your signature at the bottom of the separate sheet.

15. Deductions taken from Husband’s income

- List all deductions
- If you are the wife, give your best estimate
- Check the box next to the letter “i.” if you have attached a separate sheet of paper with more information on the deductions from Husband’s income.
 - Write this on the top of the separate sheet: “Item **15**: Deductions from Husband’s Income.”
 - Write the information in the same way it appears in the table for item **15**.
 - Write your signature at the bottom of the separate sheet.

Part G. EXPENSES

16. Living Arrangements: Check the one that applies to you.

17. My Expenses

- The form lists several types of expenses that almost everyone has to pay at some time each year. Write in
 - Who you pay these expenses to – under “Owed to”
 - How often you pay each type of expense – under “How often paid”
 - The approximate amounts you pay each month under – “Monthly Amount”
- If you have expenses that are not on the list, add them under “Other expense.”

Part H. ATTORNEY HELP

- Check a. if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- Check b. if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check b., you *must* fill in the information in the lines below b. If you do not know what to write in these lines, contact the attorney who helped you with the form.

Part I. OATH AND SIGNATURE

Fill in all the blank lines in this section.

By signing this form you are stating that the information on this form is true. The court may punish you if you lie on this form.

Checklist of things you should do after you complete the Affidavit:

- Carefully check your Financial Affidavit form. Be sure you've answered all questions.
- Make two photocopies of the original Financial Affidavit.
- Take the original and the copies to the district court clerk's office; ask them to time-stamp all of them.
- File the original Financial Affidavit at the district court clerk's office.
- Deliver (by mail or in-person) one copy to your spouse or your spouse's attorney.
- Keep the other copy for your own records.

Keep these instructions.

Do not file these instructions with the Financial Affidavit.

A. IN THE DISTRICT COURT FOR _____ **COUNTY, IOWA**
(County where your case is filed)

IN RE THE MARRIAGE OF: _____ **and** _____
(Petitioner's name) (Respondent's name)

B. UPON THE PETITION OF

PETITIONER *(Full name: first, middle, last)*

AND CONCERNING

RESPONDENT *(Full name: first, middle, last)*

Equity case number: Affidavit of Mailing Notice <i>(CLERK STAMPS HERE)</i>
--

C. ATTORNEY HELP

Check one: a. An attorney did not help me prepare or fill in this paper.
b. An attorney helped me prepare or fill in this paper. *(If you check b., you must fill in the following information):*

(Name of attorney or organization, if any) _____
(Attorney's P.I.N. # -- Ask the attorney)

(Business address of attorney or organization) _____
(City) (State) (Zip code)

(_____) _____
(Attorney's phone number – required) (Attorney's fax number, if there is one)

D. PETITIONER'S OATH AND SIGNATURE

I, the undersigned, certify under penalty of perjury and pursuant to the laws of the state of Iowa that

on the _____ day of _____, 200____, I sent by ordinary mail, with proper postage affixed, the following paper or papers *(check one)*:

- Original Notice and Petition for Dissolution of Marriage – OR –
- Notice of Intent to File a Written Application for Default Decree to the other party's last-known address as follows:

(Street address)

(City) (State) (Zip code)

Petitioner's signature: _____

Notice to the Petitioner: You *must* file this form at the district court clerk's office if you served Notice by Publication in a newspaper – OR – if you ask the court for a final Decree by default.

FL-126 NOTICE OF INTENT TO FILE WRITTEN APPLICATION FOR DEFAULT DECREE

PRINT CLEARLY

A. IN THE DISTRICT COURT FOR _____ COUNTY, IOWA
(County where your case is filed)

B. UPON PETITION OF

PETITIONER *(Full name: first, middle, last)*

VS.

RESPONDENT *(Full name: first, middle, last)*

Equity case number:

**Notice of Intent to File Written
Application for Default Decree**
(CLERK STAMPS HERE)

C.

TO: _____
(Respondent's Name: First, Middle, Last)

DATE OF NOTICE: _____

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN **TEN DAYS** FROM THE DATE OF THIS NOTICE, A DEFAULT DECREE OF DISSOLUTION OF MARRIAGE WILL BE ENTERED AGAINST YOU WITHOUT A HEARING, AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD SEEK LEGAL ADVICE AT ONCE.

Signature of Petitioner or Petitioner's Attorney

Petitioner's Street Address

City

State

Zip Code

Petitioner's Telephone Number

Instructions for the Petitioner:

- (1) Deliver a copy of this form to the Respondent by mail or in-person.
- (2) Complete form **FL-125** and file the original at the district court clerk's office.
- (3) File the original of this form (**FL-126**) at the district court clerk's office.
- (4) Keep a copy for your records.

FL-127 REQUEST FOR RELIEF IN A DISSOLUTION OF MARRIAGE WITH NO MINOR CHILDREN

PRINT CLEARLY

A. IN THE DISTRICT COURT FOR _____ COUNTY, IOWA
(County where the Petition was filed)

IN RE THE MARRIAGE OF: _____ and _____
(Petitioner's name) (Respondent's name)

B. UPON THE PETITION OF

PETITIONER (Full name: first, middle, last)

AND CONCERNING

RESPONDENT (Full name: first, middle, last)

Equity case number:

**Request for Relief in a
Dissolution of Marriage
With No Minor Children**
(CLERK STAMPS HERE)

C. PERSONAL INFORMATION

1. Husband: _____
(Name)

(Present street address) (City) (State) (Zip code)

(County) (Date of birth)

2. Wife: _____
(Name)

(Present street address) (City) (State) (Zip code)

(County) (Date of birth)

D. REQUEST FOR RELIEF

3. Children *(check all that are true):*

- a. There are no children under the age of 18 who are children of both the husband and the wife.
- b. There are no children under the age of 18 who were adopted or born during this marriage.
- c. There are no children 18 years of age or older who still need support.
- d. The wife is not pregnant.

4. Breakdown of Marriage. The marriage has broken down and cannot be saved.

5. Counseling. Counseling will not save the marriage.

6. Waiting Period Before Decree *(check only one):*

- a. More than 90 days have passed since Respondent was served with an Original Notice.
- b. I want the court to take action right away without a separate hearing. I have no children affected by this action. The wife is not pregnant. This paper explains how I would like to settle all issues in my divorce.

7. Financial Statements.

- a. I filed a Financial Statement. I certify that I have fully disclosed all income and the identity and value of all assets and debts.
- b. I am asking that the court not require me to file a financial statement because:

8. Division of Personal Property *(check only one):*

- a. All of the personal property obtained during the marriage has been divided. I ask that Husband will keep the personal property in his possession and Wife will keep the personal property in her possession.

- b. I ask that our personal property be divided as follows:

(Attach additional sheets if necessary.)

(1) Husband will get the following as his separate personal property: _____

(2) Wife will get the following as her separate personal property: _____

9. Division of Real Estate.

a. Ownership of Real Estate *(check only one):*

(1) We do not own any real estate *(if you check this box, skip to 10)*.

(2) We own real estate located at: (address) _____

in the City of _____, County of _____, State of _____.
This land is described in the deed as follows: _____

b. The Real Estate shall be *(check only one):*

(1) Sold and the profit or debt divided _____% to Husband and _____% to Wife.

(2) Awarded to Husband, subject to all liens and mortgages.

(3) Awarded to Wife, subject to all liens and mortgages.

(4) Other (describe): _____

10. Division of Debts *(check only one):*

a. There are no debts.

b. I have listed all the debts I know about and ask that they be divided as follows:
(Attach additional sheets if necessary.)

(1) Husband will pay the following debts:

(a) <u>Business or person to whom a debt is owed</u>	(b) <u>Account number</u> - if any <i>(Last 4 numbers only)</i>	(c) <u>Total Amount Still Owed</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

(2) Wife will pay the following debts:

(a) <u>Business or person to whom a debt is owed</u>	(b) <u>Account number</u> - if any <i>(Last 4 numbers only)</i>	(c) <u>Total Amount Still Owed</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

Any of my spouse's debts that I do not know about should be paid by my spouse.

11. Cash Payment (*check only one*):

- a. I ask that neither Husband nor Wife pay any money to the other.
- b. I ask that Husband pay Wife \$ _____ to equalize the division of property and debts.
- c. I ask that Wife pay Husband \$ _____ to equalize the division of property and debts.

12. Alimony (*check only one*):

- a. I ask that neither Husband nor Wife pay alimony to the other.
- b. I ask that alimony be paid as follows:

13. Name Change. I ask that my name (*check only one*):

- a. Not be changed
- b. Be changed to _____

14. Court Fees. I ask that (*check only one*):

- a. All court fees will be paid by Husband.
- b. All court fees will be paid by Wife.
- c. Husband and Wife shall each pay one-half of the remaining court fees.
- d. Husband and Wife shall each pay one-half of the total court fees.

15. Attorney's Fee (*check only one*)

- a. I have no attorney's fees.
- b. I will pay my own attorney's fees.
- c. I ask that my spouse pay me \$ _____ for attorney's fees.

16. Necessary Documents.

I ask that the court require each of us to sign and deliver to each other any papers that may be needed to carry out the terms of the decree.

17. Other Request for Relief

18. Statements of Understanding and Fact. *(Check all that apply):*

- a. I have made a full disclosure of my property and debts to the court.
- b. This request for relief addresses all issues in my divorce.
- c. I want this request for relief to be approved by the court and made part of the final Decree.

E. ATTORNEY HELP

Check one: a. An attorney did not help me prepare or fill in this paper.
b. An attorney helped me prepare or fill in this paper. *(If you check b., you must fill in the following information):*

<i>(Name of attorney or organization, if any)</i>	<i>(Attorney's P.I.N. # -- Ask the attorney)</i>
<i>(Business address of attorney or organization)</i>	<i>(City)</i> <i>(State)</i> <i>(Zip code)</i>
<i>()</i> <i>(Attorney's phone number – required)</i>	<i>()</i> <i>(Attorney's fax number, if there is one)</i>

F. OATH AND SIGNATURE

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read the “Request for Relief” above and it accurately states how I would like the court to address the issues in my divorce. I ask that this document be presented to a judge for approval and filing with the court. I also certify that I gave or mailed a copy of this Request for Relief to the other party or the other party’s attorney (if any) on *(date)*: _____, 20____.

My Signature

My Printed Name

Instructions for Completing a Request for Relief in a Dissolution of Marriage With No Minor Children (FL-127)

Use this form only if:

- You have already filed a Petition for Dissolution of Marriage with No Minor Children – AND:
 - Your spouse did not file an Answer to the Petition – **OR** –
 - Your spouse will not work with you to fill in **FL-128** (Settlement Agreement for a Dissolution of Marriage With No Minor Children).

To use this form, all of these must also be true:

- There are no children under the age of 18 who are children of both the husband and the wife.
- There are no children under the age of 18 who were adopted or born during this marriage.
- There are no children 18 years of age or older who still need support
- The wife is not pregnant.
- Your spouse lives in Iowa or you have lived in Iowa for the last year before you filed the Petition for Dissolution of Marriage with No Minor Children.

Do not use this form if any of these are true:

- You and your spouse have children under the age of 18.
- You and your spouse have children 18 years of age or older who need support.

Examples: The child is 18 years of age but is still in high school.

The child is 18 years of age or older but is in college or disabled and needs support.

No forms are available for these situations:

- You want to divide property, but are not married.
- You have children with another person and you want to have custody of the children, but you are not married.
- You and your spouse are divorced, but you want to change something in the divorce order.
- You want support for yourself or your children, but you do not want a divorce.

Contact an attorney if one of these is true:

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

Court staff cannot give you legal advice.

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

If this is the form you need:

- Begin at the top of page 1 on the Request for Relief and fill in the information. Use the information on the following pages to help you fill in the form correctly.

Print clearly when you write information on this form

How to Fill In Form **FL-127**

Part A. IN THE DISTRICT COURT

- On the first line print the name of the county where the Petition was filed.
- On the second line print your spouse's full name and your legal name, as they appear on the Petition. Use the legal names you have now.

Part B. UPON THE PETITION

- Fill in the lines in part **B.** as they appear on the Petition form (**FL-101**).
- In the box on the right, write in the court's "Equity case number" for your divorce case. It appears in this same location on the Petition form (**FL-101**). If you don't know the Equity case number, you may ask the district court clerk.
- The district court clerk will stamp the date your answer is filed under "Clerk Stamps Here."

Part C. PERSONAL INFORMATION

If you have been assaulted by your spouse and you fear for your safety, you may leave your address and phone number blank.

1. On the blank write in the Husband's name, present address, city, state, zip code, county, and date of birth. Make sure the information is correct.

2. On the blank write in the Wife's name, present address, city, state, zip code, county, and date of birth. Make sure the information is correct.

Part D. REQUEST FOR RELIEF

3. Children: If there are children under age 18 -- or if the wife is pregnant -- you **cannot use this form**. You should talk to an attorney.

a. Check the box if there are no children under the age of 18 who are the children of **both** the husband and the wife.

- If the husband and wife had children together (born or adopted) before the marriage and the children are under the age of 18, **you cannot use this form**.
- If the husband and wife had children together (born or adopted) during the marriage and the children are under the age of 18, **you cannot use this form**.

b. Check the box if there are no children under the age of 18 who were adopted or born while the wife and husband were married.

- If any children under the age of 18 were born or adopted during the marriage, **you can not use this form**. You cannot use this form *even if the husband is not the father*.

- c. Check the box if there are no children 18 years of age or older who are children of both the husband and the wife and who still need support.
- If there are children 18 years of age or older who need support, **you cannot use this form.**
 - Examples:
 - A child is 18 years of age but is still in high school.
 - A child is 18 years of age or older but is in college or disabled and needs support.
- d. Check the box if the wife is not pregnant. **If the wife is pregnant, you cannot use this form.**

4. Breakdown of Marriage. This statement is required for a Dissolution of Marriage in Iowa.

5. Counseling. This statement is required for a Dissolution of Marriage in Iowa.

6. Waiting Period Before the Decree.

- a. If more than 90 days have passed since Respondent was served with notice of this action, check the box.
- b. If less than 90 days have passed since Respondent was served with notice of this action, read “b” carefully and check if it is true.

7. Financial Statements.

- a. If “a” is true, check the box.
- b. If “b” is true, check the box.
 - The Financial Statement you file will give the court a complete record of your financial situation. If you are asking the court not to make you file financial statements, print the reasons why on the line provided.

8. Division of Personal Property. Check one.

- a. If “a” is true, check the box – then go to **9**.
- b. Check “b” if the personal property obtained during the marriage has not yet been divided.
 - Print a list of the personal property you want to be given to the Husband.
 - Print a list of the personal property you want to be given to the Wife.

9. Division of Real Estate

a. **Ownership of Real Estate**

- (1) Check this if Husband and Wife do not own any real estate. Then go to **10**.
- (2) Check this if Husband and Wife do own any real estate. Then fill in the address of the real estate and the legal description of the land as it is described in the deed or contract.

b. **How the Real Estate will be Divided**

- (1) Check this if you want the real estate identified in **9**.a.(2) to be sold. Then write in the percentage of the profit or debt left over after the sale that you want to go to the Husband and the Wife. Then go to **10**.
- (2) Check this if you want the Husband to become the only owner of the real estate identified in **9**.a.(2). Then go to **10**.
- (3) Check this if you want the Wife to become the only owner of the real estate identified in **9**.a.(2). Then go to **10**.

10. Division of Debts

Check only one:

- a. Check this box if there are no debts owed by either spouse. Then go to **11**.
- b. Check this box if there are debts. This tells the court how you want all debts divided.

(1) Husband will pay the following debts:

- (a) In the first column, write in the full name of the business or person to whom you owe a debt.
- (b) In the second column, write in the last four numbers of the “Account Number” – if there is one. If there is no account number, write in a description such as “personal loan.”
- (c) In the third column, write in the “Total Amount Still Owed.” This is the remaining balance owed, not your monthly payment:

Examples:

(a) <u>Business or person to whom a debt is owed</u>	(b) <u>Account number</u> - if any <i>(Last 4 numbers only)</i>	(c) <u>Total Amount Still Owed</u>
Capitol Bank Mastercard	1357	\$5,000
Ford Credit Corp.	2468	\$11,500
U.S. Bank Visa Card	3579	\$4,250
Charles Berkley	Personal loan	\$200

(2) Wife will pay the following debts: Fill in the debts that the wife will pay. Follow the examples above.

11. Cash Payment. You may check only one of these:

- a. If “a” is true, check the box.
- b. If you want Husband to pay Wife a cash payment, write the amount of money that he will be paying her.
- c. If you want Wife to pay Husband a cash payment, write the amount of money that she will be paying him.

12. Alimony. You may check only one of these:

- a. If “a” is true, check the box.
- b. Check “b” to request alimony be paid. In the lines that follow, write what you want as the terms of the alimony.

13. Name Change.

- a. Check this box if you do not want your name changed.
- b. Check this box if you want to change your name. Write in the new name in the blank space.

14. Court Fees. You may check only one of these to tell the court what you want.

- a. Check “a” if you want Husband to pay the court fees.
- b. Check “b” if you want Wife to pay the court fees.
- c. Check “c” if you want Husband and Wife to each pay one-half of the remaining court fees.
- d. Check “d” if you want Husband and Wife to each pay one-half of the total court fees.

15. Attorney Fees. You may check only one of these to tell the court what you want.

- a. If this is true, check the box.
- b. If this is true, check the box.
- c. If this is true, check the box. Fill in the dollar amount you want to be paid by your spouse.

16. Necessary Documents. This statement is required.

17. Other Request for Relief. If you want something else that is not covered in the rest of the Request for Relief, write a brief description of what you want in the space provided.

18. Statements of Understanding and Fact. Check all that are true.

- a. If “a” is true, check the box.
- b. If “b” is true, check the box.
- c. If “c” is true, check the box.

Part E. ATTORNEY HELP

- Check a. if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- Check b. if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check b., you must fill in the information in the lines below b. If you do not know what to write in these lines, contact the attorney who helped you with the form.

Part F. OATH AND SIGNATURE

Sign your name on the line provided, then print your name on the line below it.

By signing this form you are stating that the information on this form is true. **The court may punish you if you lie on this form.**

Checklist of things you should do after you complete the Request form:

- Carefully check your Request for Relief form. Be sure you've answered all questions.
- Make two photocopies of the original form.
- Take the original and the copies to the district court clerk's office; ask them to time-stamp all of them.
- File the original Request for Relief form at the district court clerk's office.
- Ask the district court clerk to give the Request for Relief to a judge for approval. You may need a hearing date when you can meet with a judge to discuss your Request for Relief.
- Soon after you leave the district court clerk's office, deliver (by mail or in-person) one copy to your spouse or your spouse's attorney.
- Keep the other copy for your own records.

Remember:

Keep these instructions.

Do not file these instructions with the Request for Relief.

FL-128 SETTLEMENT AGREEMENT FOR A DISSOLUTION OF MARRIAGE WITH NO MINOR CHILDREN

PRINT CLEARLY

A. IN THE DISTRICT COURT FOR _____ COUNTY, IOWA
(County where the Petition was filed)

IN RE THE MARRIAGE OF: _____ and _____
(Petitioner's name) (Respondent's name)

B. UPON THE PETITION OF

PETITIONER (Full name: first, middle, last)

AND CONCERNING

RESPONDENT (Full name: first, middle, last)

Equity case number:

Settlement Agreement for a
Dissolution of Marriage
With No Minor Children
(CLERK STAMPS HERE)

C. PERSONAL INFORMATION

1. Husband's: _____
(Name)

(Present street address) (City) (State) (Zip code)

(County) (Date of birth)

2. Wife's: _____
(Name)

(Present street address) (City) (State) (Zip code)

(County) (Date of birth)

D. AGREEMENTS

We agree to the following:

3. Children (*check all that are true*):

- a. There are no children under the age of 18 who are children of both the husband and the wife.
- b. There are no children under the age of 18 who were adopted or born during this marriage.
- c. There are no children 18 years of age or older who still need support.
- d. The wife is not pregnant.

4. Breakdown of Marriage. The marriage has broken down and cannot be saved.

5. Counseling. Counseling will not save the marriage.

6. Waiting Period Before Final Decree (*check one*):

- a. More than **90 days** have passed since Respondent accepted service or was served with an Original Notice.
- b. We want the court to take immediate action without a separate hearing because we have no children affected by this case, the wife is not pregnant, and we agree on how to settle all issues in our divorce.

7. Financial Statements (*check one*):

- a. Husband has filed a Financial Statement. He certifies that he has fully disclosed all income and the identity and value of all assets and debts.
 - b. Wife has filed a Financial Statement. She certifies that she has fully disclosed all income and the identity and value of all assets and debts.
 - c. We ask the court to not require us to file Financial Statements because: _____
-

8. Division of Personal Property (*check one*):

- a. We have divided our personal property. Husband will keep the personal property in his possession. Wife will keep the personal property in her possession. (*If you check this box, skip to 9.*)
 - b. Our personal property will be divided as follows (*Attach additional sheets if necessary*):
(1) Husband will get the following as his separate personal property: _____
-
-
-

(2) Wife will get the following as her separate personal property: _____

9. Division of Real Estate

a. Ownership of Real Estate (check one):

(1) We do not own any real estate (if you check this box, skip to **10**).

(2) We own real estate located at (address) _____
in the city of _____, county of _____, state of _____.
This land is described in the deed as follows: _____

_____.

b. The Real Estate shall be (check one):

(1) Sold and the profit or debt is divided _____% to Husband and _____% to Wife.

(2) Awarded to Husband, subject to all liens and mortgages.

(3) Awarded to Wife, subject to all liens and mortgages.

(4) Other (describe): _____

10. Division of Debts (check one):

a. There are no debts.

b. We have listed all the debts we know about and ask that they be divided as follows:
(Attach additional sheets if necessary.)

(1) Husband will pay the following debts:

(a) <u>Business or person to whom a debt is owed</u>	(b) <u>Account number - if any</u> (Last 4 numbers only)	(c) <u>Total Amount</u> <u>Still Owed</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

(2) Wife will pay the following debts:

(a) <u>Business or person to whom a debt is owed</u>	(b) <u>Account number - if any</u> <i>(Last 4 numbers only)</i>	(c) <u>Total Amount</u> <u>Still Owed</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

Any debts that we do not know about should be paid by the spouse who made the debt.

11. Cash Payment to Equalize the Division of Property and Debts *(check one):*

- a. Neither Husband nor Wife will pay any money to the other.
- b. Husband will pay Wife \$ _____ by (date): _____
- c. Wife will pay Husband \$ _____ by (date): _____

12. Alimony *(check one):*

- a. Neither Husband nor Wife will pay alimony to the other.
- b. Husband will pay alimony to Wife as follows: _____

- c. Wife will pay alimony to Husband as follows: _____

13. Name Change.

- a. Husband's name *(check one):*
 - (1) Will not be changed
 - (2) Will be changed to _____
- b. Wife's name *(check one):*
 - (1) Will not be changed
 - (2) Will be changed to _____

14. Court Fees (*check one*):

- a. All court fees will be paid by Husband.
- b. All court fees will be paid by Wife.
- c. Husband and Wife shall each pay one-half of the remaining court fees.
- d. Husband and Wife shall each pay one-half of the total court fees.

15. Attorney's Fee.

a. Husband's attorney's fees (*check one*):

- (1) Husband has no attorney's fees
- (2) Husband will pay his own attorney's fees
- (3) Wife will pay \$_____ for Husband's attorney's fees.

b. Wife's attorney's fees (*check one*):

- (1) Wife has no attorney's fees
- (2) Wife will pay her own attorney's fees
- (3) Husband will pay \$_____ for Wife's attorney's fees.

16. Necessary Documents. We will sign and promptly deliver to each other any papers that may be needed to carry out this agreement.

17. Other Agreements (*Attach additional sheets if necessary.*)

E. ATTORNEY HELP

- Check one: a. An attorney did not help me prepare or fill in this paper.
- b. An attorney helped me prepare or fill in this paper. (*If you check b., you must fill in the following information*):

<i>(Name of attorney or organization, if any)</i>	<i>(Attorney's P.I.N. # -- Ask the attorney)</i>
<i>(Business address of attorney or organization)</i>	<i>(City)</i> <i>(State)</i> <i>(Zip code)</i>
<i>()</i>	<i>()</i>
<i>(Attorney's phone number – required)</i>	<i>(Attorney's fax number, if there is one)</i>

F. OATH AND SIGNATURE

This Settlement Agreement addresses all issues in our divorce. We have made a full disclosure of our property and debts to each other. We want this agreement to be approved by the court and made part of the final Decree.

Wife's Oath and Signature:

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read the "Marital Settlement Agreement" above and it accurately states how I would like the court to address the issues in my divorce. I know I have the right to talk to an attorney about this agreement. I am voluntarily signing this agreement. I am asking that this document be presented to a Judge for approval and filing with the court.

_____ *Wife's Signature*
_____ *Wife's Printed Name*
_____ *Date signed by Wife*

Husband's Oath and Signature:

I certify under penalty of perjury and pursuant to the laws of the state of Iowa that I have read the "Marital Settlement Agreement" above and it accurately states how I would like the court to address the issues in my divorce. I know I have the right to talk to an attorney about this agreement. I am voluntarily signing this agreement. I am asking that this document be presented to a Judge for approval and filing with the court.

_____ *Husband's Signature*
_____ *Husband's Printed Name*
_____ *Date signed by Husband*

Instructions on How to Complete a Settlement Agreement for Dissolution of Marriage With No Minor Children (FL-128)

Do not file or give these instructions to the district court clerk's office.

Use this form only if all of these are true:

- You and your spouse both agree to this Settlement Agreement.
- You have already filed a Petition for Dissolution of Marriage with No Minor Children
- There are no children under the age of 18 who are children of both the husband and the wife.
- There are no children under the age of 18 who were adopted or born during this marriage.
- There are no children 18 years of age or older who still need support.
- The wife is not pregnant.
- Your spouse lives in Iowa or you have lived in Iowa for the last year before you filed the Petition for Dissolution of Marriage with No Minor Children.

Do not use this form if any of these are true:

- You and your spouse have children under the age of 18.
- You and your spouse have children 18 years of age or older who need support.

Examples: The child is 18 years of age but is still in high school.

The child is 18 years of age or older but is in college or disabled and needs support.

No forms are available for these situations:

- You want to divide property, but are not married.
- You have children with another person and you want to have custody of the children, but you are not married.
- You and your spouse are divorced, but you want to change something in the divorce order.
- You want support for yourself or your children, but you do not want a divorce.

Contact an attorney if one of these is true:

- You do not know if you should use this form – OR –
- You do not understand how to use this form.

Court staff cannot give you legal advice.

- Court staff cannot tell you if you should use this form. They cannot tell you which boxes to check or what information you should write on the form.

If this is the form you need:

- Begin at the top of page 1 on the Settlement Agreement and fill in the information. Use the information on the following pages to help you fill in the form correctly.

Print clearly when you write information on this form.

It is illegal to sign another person's signature on any court form.

How to Fill in Form **FL-128**

Part A. IN THE DISTRICT COURT

- On the first line print the name of the county where the Petition was filed.
- On the second line print your spouse's full name and your full name, as they appear on the Petition. Use the legal names you have now.

Part B. UPON THE PETITION OF

- Fill in the lines in part **B.** as they appear on the Petition form (**FL-101**).
- In the box on the right, write in the court's "Equity case number" for your divorce case. It appears in this same location on the Petition form (**FL-101**) and almost all other court forms filed in your case.
- The district court clerk will stamp the date your answer is filed under "Clerk Stamps Here."

Part C. PERSONAL INFORMATION

► **If you have been assaulted by your spouse and you fear for your safety, you may leave your address and phone number blank.**

1. On the blank write in the Husband's name, present address, city, state, zip code, county, and date of birth. Make sure the information is correct.

2. On the blank write in the Wife's name, present address, city, state, zip code, county, and date of birth. Make sure the information is correct.

Part D. AGREEMENT

3. Children: If there are children under the age of 18 -- or if the wife is pregnant -- you **cannot use this form.** You should talk to an attorney.

a. Check the box if there are no children under the age of 18 who are the children of **both** the husband and the wife.

- If the husband and wife had children together (born or adopted) before the marriage and the children are under the age of 18, **you cannot use this form.**
- If the husband and wife had children together (born or adopted) during the marriage and the children are under the age of 18, **you cannot use this form.**

b. Check the box if there are no children under the age of 18 who were adopted or born while the wife and husband were married.

- If any children under the age of 18 were born or adopted during the marriage, **you can not use this form.** You cannot use this form *even if the husband is not the father.*

- c. Check the box if there are no children 18 years of age or older who are children of both the husband and the wife and who still need support.
- If there are children 18 years of age or older who need support, **you cannot use this form.**
 - Examples:
 - A child is 18 years of age but is still in high school.
 - A child is 18 years of age or older but is in college or disabled and needs support
- d. Check the box if the wife is not pregnant. **If the wife is pregnant, you cannot use this form.**

4. Breakdown of Marriage. This statement is required for dissolution of Marriage in Iowa.

5. Counseling. This statement is required for dissolution of Marriage in Iowa.

6. Waiting Period Before Decree.

- a. If more than 90 days have passed since Respondent accepted service or was served with notice of this action, check the box.
- b. If less than 90 days have passed since Respondent accepted service or was served with notice of this action, read “b” carefully and check if it is true.

7. Financial Statements.

- a. If “a” is true, check the box.
- b. If “b” is true, check the box.
- c. The Financial Statements filed by Husband and Wife will give the court a complete record of your financial situation. If you are asking the court not to make you file financial statements, print the reasons why on the line provided.

8. Division of Personal Property.

- a. If “a” is true, check the box – then go to **9**.
- b. Check “b” if the personal property obtained during the marriage has not yet been divided.
 - Print a list of the personal property to be given to the Husband
 - Print a list of the personal property to be given to the Wife.

9. Division of Real Estate

a. **Ownership of Real Estate**

- (1) Check this if Husband and Wife do not own any real estate.
- (2) Check this if Husband and Wife do own any real estate, then fill in the address of the real estate and the legal description of the land as it is described in the deed or contract.

b. **How the Real Estate will be Divided**

- (1) Check this if the real estate identified in **9**.a.(2) is to be sold and not kept by either the Husband or Wife. Then write in the percentage of the profit or debt left over after the sale that will go to the Husband and the Wife. Then go to **10**.
- (2) Check this if Husband will become the only owner of the real estate identified in **9**.a.(2). Then go to **10**.
- (3) Check this if the Wife will become the only owner of the real estate identified in **9**.a.(2). Then go to **10**.

10. Division of Debts

You may *check only one* of these:

- a. Check this if there are no debts to divide. Then go to **11**.
- b. Check this if there are debts to be divided.

(1) Husband will pay these debts

- (a) In the first column, write in the full name of the business or person to whom you owe a debt.
- (b) In the second column, write in the last four numbers of the “Account Number” – if there is one. If there is no account number, write in a description such as “personal loan.”
- (c) In the third column, write in the “Total Amount Still Owed.” This is the remaining balance owed, not your monthly payment:

Examples:

(a) <u>Business or person to whom a debt is owed</u>	(b) <u>Account number</u> - if any <i>(Last 4 numbers only)</i>	(c) <u>Total Amount Still Owed</u>
Capitol Bank Mastercard	1357	\$5,000
Ford Credit Corp.	2468	\$11,500
U.S. Bank Visa Card	3579	\$4,250
Charles Berkley	Personal loan	\$200

(2) Wife will pay the following debts: Fill in the debts that the wife will pay. Follow the examples above.

11. Cash Payment. You may *check only one* of these:

- a. If “a” is true, check the box.
- b. If Husband will be paying Wife a cash payment, print the amount of money that he will be paying her.
- c. If Wife will be paying Husband a cash payment, print the amount of money that she will be paying him.

12. Alimony. You may *check only one* of these:

- a. If “a” is true, check the box.
- b. Check “b” if the Husband will pay alimony to the Wife, and print the terms of alimony (name of person paying alimony, total amount to be paid, number of payments, amount of each payment, and when payments will be made (such as “the 1st Monday of every month”).
- c. Check “b” if the Wife will pay alimony to the Husband, and print the terms of alimony (name of person paying alimony, total amount to be paid, number of payments, amount of each payment, and when payments will be made (such as “the 1st Monday of every month”).

13. Name Change.

- a. This is about the Husband’s name
 - (1) Check this box if it will not be changed.
 - (2) Check this box if it will be changed and write in the new name in the blank space.

- b. This is about the Wife's name
- (1) Check this box if it will not be changed.
 - (2) Check this box if it will be changed and write in the new name in the blank space.

14. Court Fees. You may *check only one* of these:

- a. If "a" is true, check the box.
- b. If "b" is true, check the box.
- c. If "c" is true, check the box.
- d. If "d" is true, check the box.

15. Attorney Fees.

- a. Husband's attorney fees. You may *check only one* of these:
 - (1) If this is true, check the box.
 - (2) If this is true, check the box.
 - (3) If this is true, check the box and fill in the dollar amount to be paid by Wife.
- b. Wife's attorney fees. You may *check only one* of these:
 - (1) If this is true, check the box.
 - (2) If this is true, check the box.
 - (3) If this is true, check the box and fill in the dollar amount to be paid by Husband.

16. Necessary Documents. You must do what this statement says. You do not have to write anything on the form for **16**.

17. Other Agreements. If Husband and Wife have made other agreements that are not covered in the rest of the Settlement Agreement, write a brief description of these other agreements in the space provided.

Part E. ATTORNEY HELP

- Check a. if an attorney did not help you decide which boxes to check or what to write in any of the spaces on the form.
- Check b. if an attorney did help you decide which boxes to check or what to write in any of the spaces on the form. If you check b., you must fill in the information in the lines below b. If you do not know what to write in these lines, contact the attorney who helped you with the form.

Part F. OATH AND SIGNATURE

Wife should sign her name on the line provided, then print her name on the line below it.

Husband should sign his name on the line provided, then print his name on the line below it.

By signing this form you are stating that the information on this form is true. The court may punish you if you lie on this form.

**Checklist of things you should do after you complete the
Settlement Agreement form:**

- Carefully check your Settlement Agreement form. Be sure you've answered all questions.
- Make two photocopies of the original form.
- Take the original and the copies to the district court clerk's office; ask them to time-stamp all of them.
- File the original Settlement Agreement form at the district court clerk's office.
- Ask the district court clerk to give the Settlement Agreement to a judge for approval (or to set a hearing date when you can meet with a judge to discuss your Settlement Agreement).
- Immediately after you leave the district court clerk's office, deliver (by mail or in-person) one copy to your spouse or your spouse's attorney.
- Keep the other copy for your own records.

Keep these instructions.

Do not give these instructions to the Clerk of District Court.