

INSTRUCTIONS: DIVORCE NO CHILDREN WITHOUT AGREEMENT

1. This packet includes the following documents:
 - a. Appearance
 - b. Petition for Dissolution
 - c. Summons
 - d. Notice of Provisional Hearing
 - e. Order on Provisional Hearing
 - f. Motion for Final Hearing
 - g. Notice of Final Hearing
 - h. Decree

2. Complete the following documents according to the instructions in this packet below:
 - Appearance
 - Petition for Dissolution
 - Summons
 - Notice of Provisional Hearing-Follow the instructions, *you will only fill out a small part of this form and only if you ask for provisional orders in your petition*
 - Order on Provisional Hearing- Follow the instructions, *you will only fill out a small part of this form and only if you ask for provisional orders in your petition*

3. Once your forms are completed and signed, make three (3) copies of each document.

4. Take the above completed and signed documents and copies with you to the courthouse in the county in which you are filing for divorce (the county in which one party currently lives and has lived for atleast three (3) months).

5. File your documents with the court Clerk. You will have to pay a fee. The fee may be different in each county. The Clerk will stamp your forms.

6. Send the stamped copies of the forms to the other party.

7. If you filed for a provisional hearing, you will receive a notice of the date and time of the hearing later (either by email or by mail). Read the notice telling you where to be. **It may also tell you that it is your responsibility to get a notice of the hearing to the other party. Also, you must go to the provisional hearing. Dress nicely and do not bring children with you.**

8. Sixty days after you file your Verified Petition For Dissolution, complete, make copies and file the following forms with the court the same way you did with the first group of forms:
 - Motion for Final Hearing
 - Notice of Final Hearing
 - Decree Of Dissolution

9. You will receive a notice of the date and time of the final hearing later (either by email or by mail). Read the notice telling you where to be. **It may also tell you that it is your responsibility to get a notice of the hearing to the other party. Also, you must go to the final hearing prepared to present evidence. Bring your child support worksheet and documentation of debts, assets and income. Dress nicely and do not bring children with you.**

STATE OF INDIANA NAME OF COUNTY IN WHICH YOU ARE FILING IN THE NAME OF COURT IF YOU DO NOT KNOW, LEAVE IT BLANK COURT
 COUNTY OF _____ CAUSE NO. LEAVE BLANK

IN RE THE MARRIAGE OF:

YOUR NAME
 Petitioner,

v.

THE OTHER SPOUSE'S NAME
 Respondent.

APPEARANCE BY UNREPRESENTED PERSON IN CIVIL CASE

1. My name is YOUR NAME and I am:
 CHECK THIS BOX → Initiating
 and in this case I am not represented by a lawyer.

2. Contact information for receiving legal service of document and case information as required by Court Rules. *(NOTE: If you are the Initiating Party and this case, or a related case, involves a protection from abuse order, a workplace violence restraining order, or a no-contact order, you must provide an address for the purpose of legal service of documents. But, that address should not be one that exposes your location.)*

Address: YOUR ADDRESS

Email address: YOUR EMAIL ADDRESS

CHECK THIS BOX IF YOU WANT THE COURT TO CONTACT YOU ONLY BY EMAIL → I will accept service at the above email address.

Phone: YOUR PHONE NUMBER

Fax: YOUR FAX NUMBER (IF YOU HAVE ONE)

OR, if in a related case, you have used the Attorney General confidential address, you may check the box below:

CHECK THIS BOX ONLY IF YOU ARE USING THE ATTORNEY GENERAL'S CONFIDENTIAL ADDRESS → Attorney General confidential address

3. This is a DN case type as defined in Administrative Rule 8(B)(3).

4. There are related cases: *(If yes, please indicate below)*

IF THERE ARE RELATED CASES, CHECK 'YES'. IF NOT, CHECK 'NO.' { Yes
 No

Caption and case number of related cases:

IF YOU CHECKED 'YES' IN PARAGRAPH 3, FILL IN THE RELATED CASE INFORMATION BELOW. IF YOU CHECKED 'NO' IN PARAGRAPH 3, LEAVE THIS SECTION BLANK.

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Additional information as required by local rule:

INCLUDE ADDITIONAL INFORMATION HERE IF IT IS REQUIRED BY LOCAL RULE.

Signature

CERTIFICATE OF SERVICE

THIS SECTION TELLS THE COURT THAT YOU SENT THIS DOCUMENT TO YOUR SPOUSE. YOU WILL SEND THIS TO HIM/HER AFTER YOU TAKE THESE TO THE COURTHOUSE TO FILE FOR DIVORCE.

I hereby certify that I sent a copy of this document on _____ DATE YOU SEND TO YOUR SPOUSE by first-class U.S. mail, postage prepaid to _____ NAME OF YOUR SPOUSE at the following address:

SPOUSE'S ADDRESS

PRINT THIS FORM AND SIGN HERE

Signature

STATE OF INDIANA IN THE _____ COURT
COUNTY OF _____ CAUSE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT THE OTHER FORMS YOU HAVE FILLED OUT IN THIS CASE AND COPY THE INFORMATION HERE.

VERIFIED PETITION FOR DISSOLUTION OF MARRIAGE

ON PAGE 2, PARAGRAPH 20 OF THIS PETITION YOU ARE ASKED WHETHER YOU WOULD LIKE PROVISIONAL ORDERS. IF YOU DO, BE SURE TO CHECK THIS BOX. IF NOT, LEAVE IT BLANK.

With Request for Provisional Orders

The Petitioner, YOUR NAME, now states:

1. Petitioner's residential address is:

YOUR ADDRESS

2. Respondent's residential address is:

SPOUSE'S ADDRESS

3. Petitioner has been a resident of the state of STATE YOU LIVE IN for LENGTH OF TIME IN STATE years and LENGTH OF TIME IN STATE months and a resident of COUNTY YOU LIVE IN County for LENGTH OF TIME IN COUNTY years and LENGTH OF TIME IN STATE months.

4. Respondent has been a resident of the state of STATE SPOUSE LIVES IN for LENGTH OF TIME IN STATE years and LENGTH OF TIME IN STATE months and a resident of COUNTY SPOUSE LIVES IN County for LENGTH OF TIME IN COUNTY years and LENGTH OF TIME IN STATE months.

5. PARTY WHO HAS LIVED IN COUNTY YOU ARE FILING IN FOR ATLEAST THREE MONTHS has been a continuous resident of COUNTY YOU ARE FILING IN County or stationed at a United States military installation within the county for the last three (3) months.

6. PARTY WHO HAS LIVED IN INDIANA FOR ATLEAST SIX MONTHS has been a continuous resident of the State of Indiana or stationed at a United States military installation within Indiana for the last six (6) months.

7. Petitioner and Respondent were married on DATE MARRIED, and separated on DATE SEPARATED.

8. There are no children born of the marriage.

9. There CHOOSE 'ARE' OR 'ARE NOT' debts or assets to divide.

PETITIONER, RESPONDENT OR
NEITHER PARTY

SELECT THE
BOX THAT
IS TRUE

- 10. _____ is pregnant.
- 11. This marriage has suffered an irretrievable breakdown and should be dissolved.
- 12. I am filing this petition on my own behalf.

-OR-

I am the guardian of INCAPACITATED PERSON and am filing this petition because INCAPACITATED PERSON is incapacitated. My name is GUARDIAN NAME and my address is: GUARDIAN ADDRESS

and I have attached a copy of the court order granting me authority to petition for dissolution of marriage described in IC 29-3-9-12.2.

- 15. Petitioner 'IS' OR 'IS NOT' a lifetime sex or violent offender.
- 16. Respondent 'IS' OR 'IS NOT' a lifetime sex or violent offender.

17. Change of name:

SELECT THE
BOX THAT
IS TRUE

- Wife would like the following former name restored
IF WIFE WOULD LIKE HER FORMER NAME, PUT IT HERE
- Wife does not request a name change.

- 18. Petitioner 'IS' OR 'IS NOT' a member of the military.
- 19. Respondent 'IS' OR 'IS NOT' a member of the military.

I request that this Court issue its order dissolving the marriage of the parties, and for all other just and proper relief and until this matter is finalized:

IF YOU DO NOT WANT
THE COURT TO ISSUE
ANY ORDERS BEFORE
YOUR DIVORCE IS
FINAL, CHECK THIS
BOX

- 20. I do not request any provisional orders.

-OR-

I request the following provisional orders:

- Temporary possession of the marital residence;
- Temporary division of debts;
- Temporary division of property;
- Temporary division of motor vehicles;

IF YOU WANT THE
COURT TO ISSUE
TEMPORARY ORDERS
BEFORE YOUR
DIVORCE IS FINALIZED,
CHECK ALL THE BOXES
THAT APPLY. YOU
ALSO NEED TO CHECK
THE 'PROVISIONAL
ORDERS' BOX ON THE
FIRST PAGE.

- Spousal maintenance;
- Restraining the parties from transferring, encumbering, concealing, or in any way disposing any of the property of the parties;
- Other:

The undersigned affirms under penalties for perjury that the foregoing representations and statements are true.

PRINT THIS FORM AND SIGN HERE
Signature

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of this document on DATE MAILED by first-class U.S. mail, postage prepaid to RESPONDENT (YOUR SPOUSE) at the following address:

SPOUSE'S ADDRESS

PRINT THIS FORM AND SIGN HERE
Signature

STATE OF INDIANA) IN THE _____ COURT
)SS:
COUNTY OF _____) CAUSE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT THE OTHER FORMS YOU HAVE FILLED OUT IN THIS CASE AND COPY THE INFORMATION HERE.

SUMMONS

[For Dissolution of Marriage Cases Only]

The State of Indiana to Respondent: YOUR SPOUSE'S NAME
YOUR SPOUSE'S ADDRESS

You have been sued by your spouse for dissolution of marriage. The case is pending in the Court named above.

If this Summons is accompanied by an Order Setting Hearing, you must appear in Court on the date and time stated on the Order Setting Hearing. IF YOU DO NOT APPEAR, EVIDENCE MAY BE HEARD AND A DECISION MAY BE MADE BY THE COURT. If a Temporary Restraining Order is issued, it is effective immediately upon your receipt or knowledge of the Order.

If you wish to retain an attorney to represent you in the matter, it is advisable to do so before the date stated on the Notice of Provisional Hearing.

If you take no action in this case after receipt of this Summons, the Court can grant a Dissolution of Marriage and/or make determinations that may include but not limited to any of the following: paternity, child custody, child support, maintenance, parenting time, property (real or personal), and other distribution of assets and debts, attorney fees and costs.

Dated: **LEAVE BLANK** _____, Clerk
_____, County

The following manner of service of Summons is hereby designated:

- Registered/Certified mail to be sent by the Clerk
- Service by Sheriff on Individual at address shown above
- Service by Sheriff at place of employment, (name and address of spouse's employer)

LEAVE THIS

SHERIFF'S RETURN OF SERVICE OF SUMMONS

I hereby certify that I have served this summons on the _____ day of _____, 20____.

By delivering a copy of the Summons and a copy of the complaint to the Respondent identified on the first page of the Summons.

PAGE BLANK

By leaving a copy of the Summons and copy of the complaint/petition at: _____ which is the dwelling place or usual place of abode of the Respondent and by mailing a copy of the Summons to the Respondent at the above address.

Other Service or Remarks: _____.

Sheriff's costs

Sheriff

By: _____
Deputy

CLERK'S CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 20____, I mailed a copy of this Summons and a copy of the Petition to the Respondent identified on the first page of the Summons by (registered or certified mail), _____ requesting a return receipt, at the address provided by the Petitioner.

Dated: _____

Clerk, _____ County

RETURN ON SERVICE OF SUMMONS BY MAIL

I hereby certify that the attached receipt was received by me showing that the Summons and a copy of the Petition mailed to the Respondent identified on the first page of this Summons was accepted by the Respondent on the ____ day of _____, 20____.

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the petition was returned not accepted on the ____ day of _____, 20____.

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the Petition mailed to the Respondent identified on the first page of this Summons was accepted by _____ on behalf of the Respondent on the ____ day of _____, 20____.

LEAVE THIS PAGE BLANK

Dated: _____

Clerk, _____ County

STATE OF INDIANA
COUNTY OF _____

IN THE _____ COURT
CAUSE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT THE OTHER FORMS YOU FILLED OUT IN THIS CASE AND COPY THE INFORMATION HERE.

ORDER SETTING PROVISIONAL HEARING

A Verified Petition for Dissolution of Marriage and Request for Provisional Orders has been filed in this Court. The Court now sets this matter for a Provisional Hearing. The parties must be prepared to present evidence in support of their petition. Failure to appear may result in matters being decided in your absence.

IT IS SO ORDERED that this matter shall be heard on:

Dated: _____

Judicial Officer

LEAVE THIS SECTION

The Clerk shall serve this pleading upon _____
by certified mail at the following address (this requires an additional fee payable to the Clerk):

BLANK

The Clerk shall have this pleading served upon _____
by sheriff at the following address:

Distribution:

YOUR NAME
YOUR ADDRESS

YOUR SPOUSE'S NAME
YOUR SPOUSE'S ADDRESS

STATE OF INDIANA

IN THE _____ COURT

COUNTY OF _____

CAUSE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT THE OTHER FORMS YOU HAVE FILLED OUT IN THIS CASE AND COPY THE INFORMATION HERE.

PROVISIONAL ORDER

Petitioner **appears/does not** appear and Respondent **appears/does not** appear for provisional hearing on _____. The Court having been duly advised in this matter now finds the following:

- Petitioner shall have temporary possession of the marital residence.
- Respondent

- Petitioner shall maintain medical, dental and optical insurance as available through employment, or Health Insurance Marketplace, or by government provided insurance for the following persons:
- Respondent

LEAVE

BLANK

- Petitioner shall pay temporary spousal maintenance to the other party as follows:
- Respondent

There shall be a temporary division of debts as follows:

- Petitioner shall be responsible for the following debts:
- Respondent

- Petitioner shall be responsible for the following debts:
- Respondent _____
- _____
- _____
- _____

There shall be a temporary division of property, as follows:

- Petitioner shall have sole possession of the following items of property:
- Respondent _____
- _____
- _____
- _____

- Petitioner shall have sole possession of the following items of property:
- Respondent _____

LEAVE

There shall be a temporary division of motor vehicles, as follows:

- Petitioner shall have temporary possession of the following vehicles:
- Respondent _____
- (Vehicle #1, Make, Model, and Year)*
- _____
- (Vehicle #2, Make, Model, and Year)*

BLANK

- Petitioner shall have temporary possession of the following vehicles:
- Respondent _____
- (Vehicle #1, Make, Model, and Year)*
- _____
- (Vehicle #2, Make, Model, and Year)*

There shall be a temporary restraining order in effect during these proceedings:

- Restraining the parties from transferring, encumbering, or concealing, or in any way disposing of any of the property of the parties;
- Other: _____
- _____
- _____

ALL WHICH IS SO ORDERED LEAVE BLANK

LEAVE BLANK

Judicial Officer

Distribution:

YOUR NAME

YOUR ADDRESS

SPOUSE'S NAME

SPOUSE'S ADDRESS

STATE OF INDIANA
COUNTY OF _____

IN THE _____ COURT
CAUSE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT THE OTHER FORMS YOU HAVE FILLED OUT IN THIS CASE AND COPY THE INFORMATION HERE.

MOTION FOR FINAL HEARING

The Petitioner now states that sixty (60) days have passed since the last filing of the Verified Petition for Dissolution of Marriage and requests that this matter be set for Final Hearing on the next available hearing date.

PRINT THIS FORM AND SIGN HERE

Signature

YOUR ADDRESS

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of this document on **DATE YOU MAIL** by first-class U.S. mail, postage prepaid to **SPOUSE'S NAME** at the following address:

SPOUSE'S ADDRESS

PRINT THIS FORM AND SIGN HERE

Signature

STATE OF INDIANA
COUNTY OF _____

IN THE _____ COURT
CAUSE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT
THE OTHER FORMS YOU HAVE FILLED OUT IN THIS
CASE AND COPY THE INFORMATION HERE.

ORDER SETTING FINAL HEARING

The Petitioner has filed a Motion for Final Hearing which the Court has considered and now grants.

IT IS SO ORDERED that the final hearing for this matter shall be heard on:

[The court allows _____ for the hearing.]

Dated: _____

Judicial Officer

The Clerk shall serve this pleading upon _____
by certified mail at the following address (this requires an additional fee payable to the Clerk):

**LEAVE
BLANK**

The Clerk shall have this pleading served upon _____
by sheriff at the following address:

Distribution:

STATE OF INDIANA
COUNTY OF _____

IN THE _____ COURT
CAUSE NO. _____

IN RE THE MARRIAGE OF:

Petitioner,

v.

Respondent.

FOR THE SECTION ABOVE THE DOTTED LINE LOOK AT
THE OTHER FORMS YOU HAVE FILLED OUT IN THIS CASE
AND COPY THE INFORMATION HERE.

DECREE OF DISSOLUTION OF MARRIAGE

The Court having reviewed the Verified Petition for Dissolution of Marriage and having held a final hearing in this matter, now finds the following:

1. Petitioner and Respondent were married on MARRIAGE DATE, and separated on SEPARATION DATE.
2. PERSON WHO HAS LIVED IN COUNTY FOR 3 MONTHS has been a continuous resident of COUNTY County for the last three months.
3. PERSON WHO HAS LIVED IN STATE FOR SIX MONTHS has been a continuous resident of the State of Indiana for the last six months prior to the filing of the Verified Petition for Dissolution of Marriage
4. PETITIONER, RESPONDENT OR NEITHER PARTY is pregnant.
5. Petitioner 'IS' OR 'IS NOT' a member of the military.
6. Respondent 'IS' OR 'IS NOT' a member of the military.
7. There are no children of the marriage.
8. **Joint debt.**

The division of jointly held debts shall be as follows:

The parties have no outstanding debts for which they are responsible

Petitioner will be solely responsible for the following debts and shall hold Respondent harmless from liability, expense, attorney's fees, and loss which may be incurred by Respondent arising out of Petitioner's failure to pay such debts.

Name of Creditor

Amount of Debt

_____	_____
_____	_____
_____	_____
_____	_____

LEAVE

Respondent will be solely responsible for the following debts and shall hold Petitioner harmless from liability, expense, attorney's fees, and loss which may be incurred by Petitioner arising out of Respondent's failure to pay such debts.

Name of Creditor

Amount of Debt

_____	_____
_____	_____
_____	_____
_____	_____

BLANK

9. Individual debt.

The individual debt division shall be as follows:

Debts held in Petitioner's name only:

Petitioner shall be solely responsible for all debts held in **his/her** individual name, and all debts incurred by **him/her** in **his/her** name since the date of final separation. Petitioner agrees to hold Respondent harmless from liability, expense, attorney's fees, and loss which may be incurred by Respondent, arising out of Petitioner's failure to pay such debts.

Other:

Debts held in Respondent's name only:

Respondent shall be solely responsible for all debts held in **his/her** individual name, and all debts incurred by **him/her** in **his/her** name since the date of final separation. Respondent agrees to hold Petitioner harmless from liability, expense, attorney's fees, and loss which may be incurred by Petitioner, arising out of Respondent's failure to pay such debts.

Other:

10. **Vehicles**

The vehicle division shall be as follows:

- There are no vehicles to divide.
- Petitioner shall have possession of the following vehicle(s), and Respondent shall execute all documents necessary to transfer title of said vehicles within a reasonable time following the date of this Order:

(Vehicle #1, Make, Model and Year)

(Vehicle #2, Make, Model and Year)

- Respondent shall have possession of the following vehicle(s), and Petitioner shall execute all documents necessary to transfer title of said vehicles within a reasonable time following the date of this Order:

(Vehicle #1, Make, Model and Year)

(Vehicle #2, Make, Model and Year)

All outstanding debts related to the above listed vehicles has been allocated above.

11. Personal property.

The parties' personal property division shall be as follows:

The parties have divided all items of personal property.

Petitioner shall have sole possession of the following items of personal property:

Respondent shall have sole possession of the following items of personal property:

12. Marital Residence.

The parties are owners of real estate located at _____,

and:

Petitioner shall retain/ take possession and shall become the sole owner of

Respondent said real estate

Petitioner shall vacate the marital residence by _____

Respondent

Petitioner shall be responsible for all payments related to property, taxes and
 Respondent homeowners insurance and shall receive the deductions for mortgage interest and taxes.

Petitioner shall transfer, by Quitclaim Deed, _____ interest in said real
 Respondent estate to the party retaining possession of the marital residence by _____.

Petitioner will refinance the mortgage debt related to the marital
 Respondent residence and make good faith effort to obtain a release of the other party on said debt on the earliest possible date. Upon release of the other party from mortgage debt, the other party shall transfer, by Quitclaim Deed, **his/her** interest in said real estate. The party assuming responsibility for mortgage agrees to hold the other party harmless from all liability, expense, attorney fees, loss or damages which may be a result of a failure to make payments on said mortgage debt.

Other _____
_____ **BLANK** _____

The parties are jointly responsible on a lease for a residence located at _____
_____ and

Petitioner shall retain possession of the leased premises, be responsible for
 Respondent the remaining rental payment and fees due under said lease, and

agrees to hold the other party harmless for all liability, expense, attorney fees, loss or damage which may be a result of the failure to make required payments under said lease.

- Petitioner shall vacate the leased residence by _____.
- Respondent
- Other _____

13. **Change of names.**

Petitioner would like the following former name restored and is not a lifetime sex or violent offender or Petitioner has complied with I.C. 31-15-2-19; Petitioner shall hereinafter be known as:

Respondent would like the following former name restored and is not a lifetime sex or violent offender or Respondent has complied with I.C. 31-15-2-19; Respondent shall hereinafter be known as:

Neither Petitioner nor Respondent requests a name change.

14. The marriage has suffered an irretrievable breakdown and should be dissolved.

15. **Findings of the Court**

The Court, having held a hearing during which both parties appeared and presented evidence, now finds that the property distribution provisions of this order:

constitute a presumptive equal division of marital property and is therefore just reasonable.

do not constitute the presumptive equal division of marital property, however are, for the reasons set forth below, just and reasonable:

IT IS THEREFORE ORDERED by the Court that the parties' marriage is hereby dissolved.

Date: LEAVE BLANK LEAVE BLANK
Judicial Officer

Distribution:

Petitioner's Name and Mailing Address:
YOUR NAME
YOUR ADDRESS

Respondent's Name and Mailing Address:
SPOUSE'S NAME
SPOUSE'S ADDRESS
