

INSTRUCTIONS & CHECKLIST

PACKET “N” – SUMMARY DISSOLUTION

BEFORE YOU BEGIN: READ THESE INSTRUCTIONS AND FILL OUT A SENSITIVE DATA FORM.

The Montana Supreme Court has enacted Court Rules for Privacy and Public Access to Court Records in Montana. These rules apply to all court records. There is certain information that you cannot put in a court record which should be maintained as confidential.

Fill out the **SENSITIVE DATA FORM** in this packet to keep the following sensitive information confidential in a court record:

- 1) Complete Social Security Numbers
- 2) Complete Financial Account Numbers
- 3) Full names of minor children if applicable
- 4) Full birth dates of any person involved in this case

Use these formats when required to put sensitive information in any court documents in this packet:

- For a social security number, use this format: **XXX-XX-1234.**
- For a date of birth, use this format: **age ____.**
- For financial account numbers, use this format: **ending in the last four digits of 1234.**

- File this form with your Petition. Keep a copy in a safe place.
- The Clerk will keep the Sensitive Information Form separately. The public will not have access to this document, unless the court orders it.

Note: This packet is to be used when the parties can AGREE on property settlement and distribution (and a parenting plan if applicable), and file the action TOGETHER.

Every court document contains a “caption” on the top half of the first page which identifies the party completing the form and the case description. Fill out the caption **the exact same way** on every form.

STEP 1. -- Filling Out The Forms

Note: You might want to use a pen with **blue ink** so you always know which are the originals and which are copies. Also, put N/A (“not applicable”) in any spaces that don’t apply to your situation.

- Form #216 Fill in every section. Both parties sign page 3 in front of a notary public. Notaries can be found in the Clerk of Court’s office or at banks, law offices, etc.
- Form #217 Fill in every section. Both parties sign on page 6 in front of a notary public. This is “Attachment A”.
- Form #219 Complete - do not sign. The Judge will sign at the hearing.
- Form #220 Complete those sections you can. After the hearing you will be expected to **fully** complete the form.
- Form #221 Complete caption only.
- Form #222 Complete caption only. If you are changing your name back to your former name as part of the divorce, complete this Order for Name Change. This will be a confidential document since it contains your birth date. This Order may then be used to change your name with various agencies such as the Dept. of Motor

- Vehicles, Social Security office, etc.
- Form #224 This form is only necessary if there are minor children of the marriage. Fill in every section. Both parties sign on page 10 and 11 in front of a notary public. This is “Attachment B”.
- Make 1 copy of Forms #216, 217, 220, 221, 222, and 224 for your records and 1 copy for your spouse.
- Make 2 copies of Form #219.
- Deliver the original of all of these forms, together with 2 copies of Form #219, to the Clerk of Court - **with Form # 221 on top.**
- You will be notified of the hearing date for the final decree of dissolution.

STEP 3. -- Filing Your Case With Clerk of Court.

- Bring the originals and two copies of every form filled out in Step 1 to the Clerk of District Court’s Office for filing. The Clerk will assign a cause number and department number to identify your case with the Court.
- \$200.00 Filing Fee -- cash/money order/personal check (subject to change). If you cannot afford the fee, complete the Affidavits of Inability to Pay, Form 215a and 215b. For a summary dissolution **both** parties must complete the Affidavit of Inability to Pay in order to obtain a fee waiver. If the Judge decides you cannot afford to pay the filing fee, your fees may be waived in whole or in part.
- The Clerk will file stamp all your documents (copies and originals). The Clerk will keep the originals and give you the copies. One copy will be for your own personal records, the other for your spouse.
- If there are minor children from the marriage, the Clerk will issue an order to attend mandatory Parenting Plan Orientation, Form 223. Parenting Plan orientation is a 90-minute program that provides an overview of community resources available to assist parents and children through the process of separation and divorce.

III. HEARING IN COURT:

You have chosen to represent yourself. Arrive at the courthouse early. You must **both** attend the hearing. You should be prepared to be sworn in, take the witness stand, and answer any questions asked of you by the Judge.

IV. AFTER THE HEARING:

STEP 5. -- Final Paperwork.

- After the hearing, you must file Form 220 with the Clerk of Court.
- A filing fee of \$45 (subject to change) must be paid to the Clerk of Court before the Final Decree is filed. This fee is waived if the judge approved your Affidavit of Inability to Pay at the beginning of your case.
- Copies of the Final Decree will be available at the Clerk of Court’s office. The Clerk’s office charges \$10 per copy. However, you have already supplied two extra copies of the Final Decree. The Clerk’s office will “conform” these copies (date stamp them) with the original without any cost. The Clerk should then “certify” the two copies (i.e. make them “official”). The cost for certification is \$2.00 each.
- Form #222 If you are changing your name, you need a certified copy of Form # 222 after the judge signs it. You will take the certified copy of Form # 222 to the Department of Motor Vehicles and other agencies in order to change your name on your driver’s license, social security card, bank accounts, etc. This is a confidential document and will be sealed in your court file.