

Pro Se Dissolution – Contested - With Children – Clerk’s Checklist -- 2018 Forms

- If your county’s Clerk of Court does not have the forms, then the forms must come from the Self-Help Law Representative or from the Montana Law Library Website at <http://courts.mt.gov/forms> or you can use online interactive forms here: <https://www.montanalawhelp.org/self-help-forms>
- We are the Montana THIRD Judicial District Court, POWELL County
- PLEASE read all directions attached to packet. You may need to make extra copies of some of the documents (such as Parenting Plan)
- The filing fee for a dissolution is \$200.00
 - If you feel you qualify for waiving the fees, please ask the Clerk of Court’s Office for the paperwork, which must be returned to us for the Judge’s approval prior to filing your forms
- Confidentiality Issue: Every document you file with the Clerk of Court is public information, so
 - Use only the Birth Year and Initials for all minor children.
 - Use only the last four digits for any Social Security Numbers; VIN Numbers and all Account Numbers.
- Sign all forms and have notarized if required. Make sure you have all pages for each form and each page is filled out COMPLETELY.
 - Please keep all documents in order.
- Initial documents (refer to the packet check list below) must be served on opposing party.
 - All other filings must include a Certificate of Service stating that you have delivered (mailed) this document to the opposing party.
- At your hearing, make sure you have your \$45.00 Judgment Fee if you do not have a fee waiver.

INITIAL DOCUMENTS

_____ 1. **Petition for Dissolution of Marriage with Parenting Plan for Minor Children (MP 113)** 4 copies total – original to Court, a copy to each party, & one to CSED

_____ 2. **Petitioner’s Proposed Parenting Plan (MP 300)** 4 copies total – original to Court, a copy to each party, & one to CSED (attach Child Support Calculations to this document – see page 11 of Parenting Plan)

_____ 3. **Petitioner Proposed Property Distribution (MP-500)** 3 copies total – original to Court, and copy for each party (Must include Retirement, 401K, etc.)

_____ 4. **Petitioner Disclosure of Income and Expenses (MP-510)** IF you choose to file this document with the Court, then 3 copies total. If you choose not to file this document with the Court, then 2 copies total – one for you and one for the other party. (Must include Retirement, 401K, etc.)

_____ 5. **Summons and Temporary Economic Restraining Order by Clerk of Court (MP 400)** 3 copies total – Use with **Request for Sheriff to Serve Documents (MP 401)** – return the original to Court, and copy for each party

_____ 6. **Notice and Acknowledgment to Deputy Attorney General with the Child Support Enforcement Division (MP 404):** 1 copy - send this document with a copy of the Petition and Proposed Parenting Plan to Child Support Enforcement Division; 17 W. Galina; Butte, MT 59701 - file this document in our office once returned from them with a signature.

SERVICE DOCUMENTS

_____ 7. **Request for Sheriff to Serve Documents (MP 401):** (give this to the Sheriff in the county where the other party lives. Include the original Summons, a copy of the summons, and the documents listed on this) **OR**

_____ 7. **Acknowledgment of Service of Summons and Petition for Dissolution of Marriage (MP-403.2)** 3 copies total (Used only if other party will accept the Initial documents without being served by the Sheriff or process server.)

_____ a. Send to the other party along with the document titled **Notice and Request for Acknowledgment of Service of Summons and Petition for Dissolution of Marriage (MP-403.1)**. File the original Acknowledgment with the Court once the other party signs it.)

_____ 7. **Request for Order Granting Service by Publication (MP-402.1):** 2 copies total (used after service has been attempted and unsuccessful, you must file the ORIGINAL Summons and Proof of Non-Service with the Court before filing this.) Also turn in these documents with the Request:

_____ a. **Order for Service of Summons by Publication (MP-402.2)**

_____ b. **Summons for Publication (MP-402.3)**

FINAL DOCUMENTS

_____ 8. **Request for Hearing and Default by Clerk (MP 701)** 2 copies total – original to Court and a copy for you (Used only if the Respondent does not file an answer after 21 days of proof of service)

_____ 9. **Court Order on Hearing for Dissolution with Minor Children (MP 702)** – 1 copy

_____ 10. **Dissolution Decree With Minor Children (MP-703)** 1 copy. *MUST match Petition! You fill in page 1; as much as you can on Child Support (pages 2-4); and as much as you can on the Findings of Fact (pages 5-8) Submit this with your Request for Hearing for the Judge to review. This is what the Judge will sign at the hearing, you will receive 2 certified copies at no charge after the hearing. Extra certified copies are \$12.00 each or if you provide the copies, then \$2.00 per certification*

_____ 11. **Court Ordered Parenting Plan (MP 300)** 3 copies total, Original for Court and one for each party, we will certify your copies after the final hearing

_____ 12. **Notice of Entry of Decree (MP 704)** - 3 copies – original to Court, one for each party – you must mail one to the Respondent with a certified copy of the decree and parenting plan

_____ 13. **Montana State Case Registry and Vital Statistics** (Hand in early, filled out and signed. We must send this to Helena after your final hearing.)

ONLINE CHILD SUPPORT CALCULATOR WEBSITE: www.MontanaLawHelp.org

Go to FAMILY & KIDS > then CHILD SUPPORT> then MONTANA ONLINE CHILD SUPPORT CALCULATOR > then click link to MONTANA CHILD SUPPORT CALCULATOR (it's towards the bottom)