

Vermillion Circuit Court Clerk
Post Office Box 10, Newport, Indiana 47966
765-492-5350

**FILING DIVORCE WITHOUT ASSISTANCE
FROM AN ATTORNEY/LAWYER**

WITHOUT CHILDREN

PLEASE READ THIS FIRST: It is very important for you to know that, when you sign a Court document (form), you may be helping or hurting your case. Before you sign any Court document or get involved with a Court case, it is important that you see a lawyer to make sure you are doing the right thing. There are risks in self-representation (proceeding without a lawyer). If one of the following is present, you should use a lawyer: physical abuse or violence; child(ren); mortgage; pension; considerable property or debts. However, if you choose to represent yourself, you MUST be prepared and proceed correctly.

The forms enclosed are SAMPLE forms only. They do not cover every situation.

**THE JUDGE, COURT STAFF, CLERK OR CLERK STAFF MAY NOT
GIVE YOU LEGAL ADVICE OR ANSWER QUESTIONS REGARDING
THE FORMS.**

****Websites which may provide additional assistance****

Self-Represented Litigants
Child Support Calculation

<http://www.in.gov/judiciary/selfservice/>
<http://www.in.gov/judiciary/childsupport/>

INSTRUCTIONS
(WITHOUT CHILDREN)

The forms enclosed are SAMPLE forms only. Please follow instructions.

1. Read through the forms and type, print, or write legibly in black ink in the appropriate blank. Each applicable form must be completed in full.
2. Make two (2) copies of all forms. You will have an original and two (2) copies. If you want the Clerk to make the copies for you, it will cost you \$1.00 per page.
3. Bring all forms to the Vermillion County Clerk's Office, plus the filing fee (cash, money order or certified check). You must bring with you, at least, the Verified Petition For Dissolution of Marriage, Summons, Appearance, and filing fee. If you wish to have a Preliminary Hearing, you must also have your Motion For Temporary Order. Most people do not request a Preliminary Hearing.
4. The responding party MUST be served with the papers and Summons, showing that the case is filed (Notice). If the Petitioner (person who filed the divorce) decides to send Notice by Sheriff, then there is an additional \$13.00 service fee, which is due upon filing. Additionally, the Petitioner may choose to send Notice by certified mail at no additional cost.
5. Indiana Law requires a minimum sixty (60) day waiting period after the Petition is filed before the divorce may be granted. At the end of the sixty (60) days, either party may file (1) Request for Final Hearing (form); or (2) Waiver of Final Hearing, and Decree of Dissolution of Marriage and Settlement Agreement (forms).
6. If the forms dealing with the Verified Waiver of Final Hearing and Decree of Dissolution of Marriage and Settlement Agreement are filed and properly completed, the Court may grant the divorce without a hearing.
7. **The Court, Court Staff, Clerk, and Clerk Staff may not give legal advice. The Judge may not talk to one side (party) without the other side being present.**

STATE OF INDIANA
VERMILLION CIRCUIT COURT

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____-DR-_____

Respondent

APPEARANCE

1. Party Name _____

2. Attorney Information: Self-Represented

3. Case Type: DR

4. Will NOT accept FAX service.

5. Names of all family members:

_____ child(ren) are involved in this matter.

6. Are there related cases? Yes No

Case Number(s): _____

Date

Signature

Phone # _____

STATE OF INDIANA
VERMILLION CIRCUIT COURT

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____-DR-_____

Respondent

VERIFIED PETITION FOR DISSOLUTION OF MARRIAGE

The Petitioner, _____, now states :

1. The Petitioner resides at _____, City of _____, State of _____, Zip Code _____, and the Respondent resides at _____, City of _____, State of _____, Zip Code _____.
2. The Petitioner and Respondent were married on _____, and separated on _____.
3. The Petitioner or Respondent, _____, has been a continuous resident of Vermillion County for the last three (3) months and the State of Indiana for the last six (6) months.
4. There are no children of the marriage, and the Wife is not pregnant.
5. Military:
 Neither party is a member of the military.
 One or both parties are members of the military.
6. The marriage has suffered an irretrievable breakdown and should be dissolved.

7. Change of name:

Wife would like her former name of _____
restored to her.

Wife does not want to change her name.

I request that this Court issue its Order dissolving the marriage of the parties, and for all other just and proper relief.

I affirm under the penalties of perjury that the foregoing representations are true.

Dated: _____

Signature

**STATE OF INDIANA
VERMILLION CIRCUIT COURT**

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____ -DR-_____

Respondent

SUMMONS

[For Dissolution of Marriage Cases Only]

TO RESPONDENT: _____

1. You are hereby notified that you have been sued by the Petitioner for Dissolution of Marriage in the Court indicated above.
2. If this summons is accompanied by an Notice to Appear, you should appear in Court on the date and time stated in the Order to Appear. If you do not appear, evidence may be heard in your absence and a determination made by the Court. If a Temporary Restraining Order is attached, it is effective immediately upon your receipt or knowledge of the Order.
3. If you wish to retain an attorney to represent you in this matter, it is advisable to do so before the date stated in the Notice to Appear.
4. If you take no action in this case after the receipt of this summons, the Court can grant a Dissolution of Marriage or make a determination regarding any of the following: paternity, child custody, child support, maintenance, parenting time, property division (real or personal) and any other distribution of assets and debts.

Dated: _____

Clerk, Vermillion County

Court name: Vermillion Circuit Court Clerk

Court address: P.O. Box 10, Newport, IN 47966

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):

SHERIFF'S RETURN OF SERVICE OF SUMMONS

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

- 1. By delivering a copy of the Summons and a copy of the complaint to the Respondent identified on the first page of Summons.
- 2. By leaving a copy of the Summons and a copy of the complaint at _____, which is the dwelling place or usual place of abode of and by mailing a copy of the Summons to the Respondent at the above address.
- 3. 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 Complaint to the Respondent identified on the first page of the Summons by _____ mail, requesting a return receipt, at the address provided by the Petitioner.

Dated: _____, 20____

Clerk, Vermillion County

By: _____

Deputy

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 Complaint mailed to the Respondent identified on the 1st 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 Complaint 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 Complaint mailed to the Respondent identified on the 1st page of this Summons was accepted by _____ on behalf of the Respondent on the _____ day of _____, 20____.

Clerk, Vermillion County

By: _____

Deputy

STATE OF INDIANA
VERMILLION CIRCUIT COURT

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____-DR-_____

Respondent

MOTION FOR TEMPORARY ORDER

I request the Court hold a Preliminary Hearing to issue a Provisional (temporary) Order for the following: **(check the box(es) for each issue you would like for the Judge to hear)**

- Temporary Custody of the minor child(ren);
- Temporary child support for the minor child(ren);
- Temporary parenting time (visitation) for the non-custodial parent;
- Temporary possession of marital residence;
- Temporary division of debts;
- Temporary division of property;
- Restraining the parties from removing the child(ren) from the state without permission of the Court or all parties;
- Restraining the parties from transferring, encumbering, concealing, or in any way disposing of any property of the parties;
- Other: _____

I affirm under the penalties of perjury that the foregoing representations are true.

Date

Signature

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of this Motion by first class mail to the opposing attorney, or opposing party if not represented on _____, 20 _____

Signature

STATE OF INDIANA
VERMILLION CIRCUIT COURT

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____-DR-_____

Respondent

NOTICE OF PROVISIONAL HEARING

A Verified Petition for Dissolution of Marriage and request for Temporary (Provisional) Order has been filed in this Court. The Court now sets this matter for a Provisional Hearing on _____, 20 _____, at _____ A.M./P.M. The parties may present evidence on their behalf. Failure to appear may result in matters being decided in your absence.

SO ORDERED this _____ day of _____, 20 _____.

Date

Judge

**STATE OF INDIANA
VERMILLION CIRCUIT COURT**

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____ -DR-_____

Respondent

VERIFIED WAIVER OF FINAL HEARING

Come now the Petitioner and Respondent, pursuant to Ind. Code 31-1-11.5-8, and submit their Verified Waiver of Final Hearing. In support of this Waiver, the parties state that:

1. More than sixty (60) days have elapsed since the filing of the Petitioner's Verified Petition for Dissolution of Marriage;
2. Both parties request the Court to approve their Settlement Agreement and Decree of Dissolution of Marriage;
3. Both parties voluntarily waive the opportunity to hold a Final Hearing on contested issues.

I affirm under the penalties of perjury that the foregoing representations are true.

Date: _____

Your Signature

Spouse's Signature

STATE OF INDIANA
VERMILLION CIRCUIT COURT

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____-DR-_____

Respondent

MOTION FOR FINAL HEARING

I request this matter be set for Final Hearing. It has been sixty (60) days or more since the Petition for Dissolution was filed. The hearing will take

- 15 minutes or less
- 60 minutes or less
- more than 60 minutes

Therefore, I request the Court to set this for Final Hearing.

Date

Signature

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of this Motion by first class mail to the opposing attorney, or opposing party if not represented on _____, 20 _____

Signature

**STATE OF INDIANA
VERMILLION CIRCUIT COURT**

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____ -DR-_____

Respondent

NOTICE OF FINAL HEARING

A Motion For Final Hearing has been filed in this Court. The Court now sets this matter for a Final Hearing on _____, 20 ____, at _____ A.M./P.M. The parties may present evidence on their behalf. Failure to appear may result in matters being decided in your absence.

SO ORDERED this _____ day of _____, 20 _____.

BRUCE V. STENGEL, JUDGE
VERMILLION CIRCUIT COURT

**STATE OF INDIANA
VERMILLION CIRCUIT COURT**

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____ -DR-_____

Respondent

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 as follows:

1. The Court has jurisdiction over the subject-matter and the parties.
2. The parties were married on _____, and separated on _____.
3. _____ has been a continuous resident of Vermillion County for the last three months, and the State of Indiana for the last six months prior to the filing of the Verified Petition for Dissolution of Marriage.
4. There are no children of the marriage and none are expected.
5. Military:
 - Neither party is a member of the military.
 - One or both parties are members of the military.
6. The parties have agreed on the following debt division:
 - The parties already have divided their debts.
 - Petitioner will be solely responsible for and shall hold Respondent harmless from, the following debts:

Name of Creditor

Amount of Debt

- Respondent will be solely responsible for, and shall hold Petitioner harmless from the following debts:

Name of Creditor

Amount of Debt

_____	_____
_____	_____
_____	_____

7. The parties have agreed on the following vehicle division:

- There are no vehicles to divide.
- Petitioner will have sole possession of the following vehicles, and Respondent shall execute all documents necessary to transfer title of said vehicles within thirty (30) days of the date of this Order:

Vehicle #1, Make, Model, and Year

Vehicle #2, Make, Model, and Year

- Respondent will have sole possession of the following vehicles, and Petitioner shall execute all documents necessary to transfer title of said vehicles within thirty (30) days of the date of this Order:

Vehicle #1, Make, Model, and Year

Vehicle #2, Make, Model, and Year

8. The parties have agreed on the following property division:

- The parties already have divided all items of property.
- Petitioner will have sole possession of the following items of property:

- Respondent will have sole possession of the following items of property:

9. The parties have agree on the following real estate division:

The parties do not own any real estate.

The Petitioner will have the following real estate, and be responsible for any indebtedness on the property:

The Respondent will have the following real estate, and be responsible for any indebtedness on the property:

Other:

10. Change of names:

Wife would like her maiden name or previous married name of _____ restored to her.

Wife does not want to change her name.

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

IT IS THEREFORE ORDERED by the Court that the parties' marriage is hereby dissolved, and their property and debts shall be divided as stated above.

Date

BRUCE V. STENGEL, JUDGE
VERMILLION CIRCUIT COURT

**STATE OF INDIANA
VERMILLION CIRCUIT COURT**

IN RE THE MARRIAGE OF

Petitioner

and

CAUSE NO. 83C01-_____ -DR-_____

Respondent

DECREE OF DISSOLUTION OF MARRIAGE AND SETTLEMENT AGREEMENT

The parties having submitted their Settlement Agreement and the Court having seen and considered the Verified Petition for Dissolution of Marriage and Verified Waiver of Final Hearing submitted by the parties, now approves the following agreement:

1. The parties were married on _____, and separated on _____.
2. _____ has been a continuous resident of Vermillion County for the last three months, and the State of Indiana for the last six months prior to the filing of the Verified Petition for Dissolution of Marriage.
3. The wife is not pregnant and there are no children of the marriage.
4. Military:
 - Neither party is a member of the military.
 - One or both parties are members of the military.
5. The parties have agreed on the following debt division:
 - The parties already have divided their debts.
 - Petitioner will be solely responsible for and shall hold Respondent harmless from, the following debts:

Name of Creditor

Amount of Debt

_____	_____
_____	_____
_____	_____

- Respondent will be solely responsible for, and shall hold Petitioner harmless from the following debts:

<i>Name of Creditor</i>	<i>Amount of Debt</i>
_____	_____
_____	_____
_____	_____

6. The parties have agreed on the following vehicle division:

- There are no vehicles to divide.
- Petitioner will have sole possession of the following vehicles, and Respondent shall execute all documents necessary to transfer title of said vehicles within thirty (30) days of the date of this Order:

Vehicle #1, Make, Model, and Year

Vehicle #2, Make, Model, and Year

Respondent will have sole possession of the following vehicles, and Petitioner shall execute all documents necessary to transfer title of said vehicles within thirty (30) days of the date of this Order:

Vehicle #1, Make, Model, and Year

Vehicle #2, Make, Model, and Year

7. The parties have agreed on the following property division:

- The parties already have divided all items of property.
- Petitioner will have sole possession of the following items of property:

- Respondent will have sole possession of the following items of property:

8. The parties have agree on the following real estate division:

- The parties do not own any real estate.
- The Petitioner will have the following real estate, and be responsible for any indebtedness on the property:

- The Respondent will have the following real estate, and be responsible for any indebtedness on the property:

- Other:

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

16. Change of names:

- Wife would like her maiden name or previous married name of _____ restored to her.
- Wife does not want to change her name.

The parties have disclosed all relevant documents and exchanged all information on value of property, pensions, real estate, and other assets and debts. The parties agree that this division of property is/is not an approximate equal division of the assets and debts. The parties agree that if this division is not a nearly equal division, that the deviation from the presumptive equal division should be accepted by the Court because it is the parties' agreement and neither party has been forced or threatened to accept this agreement.

I affirm under the penalties of perjury that the foregoing representations are true.

Your Signature

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Before me, _____, a notary public in and for _____
County, State of Indiana, personally appeared _____, and he/she
being first duly sworn upon his/her oath, says that the facts alleged in the foregoing instrument
are true.

Date _____

Notary Public

MY COMMISSION EXPIRES:

Your Spouse's Signature

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Before me, _____, a notary public in and for _____
county, State of Indiana, personally appeared _____, and he/she
being first duly sworn upon his/her oath, says that the facts alleged in the foregoing instrument
are true.

Date _____

Notary Public

MY COMMISSION EXPIRES:

IT IS THEREFORE ORDERED by the Court that the parties' marriage is hereby dissolved,
and the terms of their agreement as set out above shall be incorporated into this Order.

Date

Judge