

## How to file for Dissolution of Marriage With Children

### DISCLAIMER

**Information Not Legal Advice.** This document has been prepared for general information purposes only. The information provided is not legal advice. Legal advice is dependent upon the specific circumstances of each situation. Also, the law may vary from state to state, so that some information may not be correct for your jurisdiction. Finally, the information contained in this document is not guaranteed to be up to date. The information cannot replace the advice of competent legal counsel licensed in your state.

## What is the Process?

**NOTE:** The steps for filing for a dissolution may be slightly different in your judicial district. Always check with the Clerk of District Court in your district to make sure that you are following the right procedures.

**STEP ONE: Fill out the forms you need.** Read all of the forms listed in Step two to determine which forms will be most appropriate for your situation. Fill out these forms completely. Be sure to read “Introduction to Family Law in Montana” before you begin filling out the forms. It will highlight the major decisions you will have to make.

### Need Privacy?

Unless you ask the Court to protect information, everything filed with the court may be viewed by the public. Separate forms may be filed to protect information in your case files from being available for public view. These forms are available in the Privacy Protection Packet, available at [www.courts.mt.gov](http://www.courts.mt.gov) “Forms,” at [www.MontanaLawHelp.org](http://www.MontanaLawHelp.org) or by calling or visiting your local Self Help Law Center.

**NEED HELP?** There are resources available to assist you in filling out these forms.

**The Court Help Program.** The Court Help Program provides assistance to people representing themselves in court. There are self help law centers located throughout the state to assist you on a walk in basis and travelling appointments to other courthouses. Self help staff are not lawyers and cannot provide legal advice. Staff are informed about the court process and can answer many questions as well as review your forms for completeness. Find the Court Help services near you: [www.courts.mt.gov/selfhelp](http://www.courts.mt.gov/selfhelp)

**Montana Legal Services Association.** Montana Legal Services Association coordinates volunteer attorney legal resources at a free or reduced cost. If you qualify financially for assistance, Montana Legal Services may connect you with a pro bono attorney, an attorney at a reduced fee, or local attorney resources in your area. Visit [www.montanalawhelp.org](http://www.montanalawhelp.org), [www.mtlsa.org](http://www.mtlsa.org), or call MLSA at 1-800-666-6899.

**State Bar of Montana.** If you are interested in hiring an attorney to advise you or represent you in this matter, the State Bar Lawyer and Information Referral Service is a database of attorneys. You can be connected with attorneys for any place in the state to help your family legal matter. Access the Lawyer Referral and Information Service by visiting [www.montanabar.org](http://www.montanabar.org) or calling 1(406)449-6577.

## **STEP TWO: File Documents.**

Court documents for a Dissolution with Children are filed at the Clerk of District Court office in the county where you, your Spouse, or your children are living. After filling out the appropriate forms, make 3 sets of copies (4 sets of forms total) of the forms that start your case. Take all of the copies with you to the Clerk of District Court office.

The original set of forms will be kept by the Clerk of Court. One copy you will keep in a safe place, and the other copies you will serve on your Spouse and the Department of Health and Human Services in Step three.

Here is a list of the forms you need to bring to the Clerk of District Court to start the case:

1. Dissolution Petition **MP 113**
2. Proposed Parenting Plan **MP 300**
3. (If required) Parenting Time Schedule **MP-300 A**
4. (If required) Holidays, Vacations, and Special Occasions **MP 300 B**
5. (If required) Limited Parenting Visitation **MP 300 C.**
6. (If required) Description of Existing Medical Coverage **MP 300G**
7. Proposed Property Distribution **MP 500**
8. Request for Sheriff to Serve Documents **MP-401** \*The original of this document will be given back to you for Step Three.

**Comment [ELFO1]:** Will they file all documents or just initiating docs?

There is a charge for filing for dissolution in Montana. If you have financial hardship and cannot afford to pay the court, you may fill out a Form titled "Affidavit of Inability to Pay Filing Fee," available at [www.courts.mt.gov](http://www.courts.mt.gov) and at [www.MontanaLawHelp.org](http://www.MontanaLawHelp.org) or by calling or visiting your local Self Help Law Center.

## **STEP THREE: Serve your Spouse and the Department of Health and Human**

## Services (DPHHS).

### A. Serving the Department of Health and Human Services.

You must serve the Department of Health and Human Services (DPHHS) by mailing or delivering to your nearest Child Support and Enforcement Division (CSED) the following:

1. Notice and Acknowledgement to CSED **MP 404**

**AND** copies of the following documents that you filed with the Court in Step One:

2. Dissolution Petition **MP 113**
3. Proposed Parenting Plan **MP 300**
4. (If required) Parenting Time Schedule **MP-300 A**
5. (If required) Holidays, Vacations, and Special Occasions **MP 300 B**
6. (If required) Limited Parenting Visitation **MP 300 C.**
7. (If required) Description of Existing Medical Coverage **MP 300G**

### B. Serving your Spouse.

You must serve your Spouse by one of the four options described below the following:

1. Disclosure of Income and Expenses **MP 510**.<sup>\*</sup> This document is not filed with the Court, it is only served on your Spouse.

**AND** copies of the following documents that you filed with the Court in Step One:

2. Dissolution Petition **MP 113**
3. Proposed Parenting Plan **MP 300**
4. (If required) Parenting Time Schedule **MP-300 A**
5. (If required) Holidays, Vacations, and Special Occasions **MP 300 B**
6. (If required) Limited Parenting Visitation **MP 300 C.**
7. (If required) Description of Existing Medical Coverage **MP 300G**
8. Proposed Property Distribution **MP 500**

You may serve your spouse by one of four methods: (1) Service by Sheriff, (2) Service through Notice and Acknowledgement of your Spouse, (3) a private process server, or (4) Service by Publication. The method of service most appropriate depends on the details of your case and your relationship.

#### **OPTION #1: Service by the Sheriff.**

Service by Sheriff may be most appropriate for you if:

- You are concerned about your safety,
- You are not communicating well with your spouse, or
- You would like your case to move forward quickly.

Service by Sheriff is accomplished by delivering or mailing to the Sheriff in the

**Comment [ELFO2]:** Double check acknowledgment form logistics. See note in EFO outlook reminders.

County where your Spouse resides

1. Copies of all documents listed 1-8 above,

**AND**

2. Original and Copy of the Request for Sheriff to Serve Documents **MP-401**\*The original was given back to you after approved by the Clerk of District Court in Step Two.

The Sherriff Department usually charges a fee for service of process. If you have an Affidavit of Inability to Pay your Filing Fee approved by the Court, the Sheriff may waive the service fee.

**OPTION #2: Service through Notice and Acknowledgement of your Spouse.**

Service through Notice and Acknowledgment of your Spouse may be most appropriate for you if:

- You have regular communication with your spouse
- You believe your you and your spouse will cooperate
- You are willing to allow your Spouse extra time to respond to your petition.

In order to serve your Spouse by acknowledgment, you can hand deliver or send vial mail:

1. Copies of all documents listed 1-8 above,

**AND**

2. Notice and Acknowledgment of Service **MP-403**.

**OPTION #3: Private Process Server.** Service by a personal process server may be appropriate if:

- You are having trouble locating or serving your spouse by other means.
- You have the ability to hire a process server at less cost than a Sheriff (because you do not have an Affidavit of Inability to Pay or you are serving someone out of State).

The personal process server of your choice may specific requirements. Personal process servers will also likely charge a fee. At a minimum, your personal process service must serve your spouse:

1. Copies of all documents listed 1-8 above,

**AND**

2. Praeipce. This form is available on the State Law Library website.

**Comment [ELF03]:** May need to have a praecipce available.

**OPTION #4: Service by Publication.** Service by publication is an option of last resort and should only be pursued if:

- All other methods to serve your Spouse have failed
- You and everyone you know have no information about where your Spouse is.

Service by Publication requires a long process of filing many documents with the court. Service by Publication may also involve an additional expense imposed by

the newspaper you are ordered to publish notice in:

1. Request for Order Granting Service of Summons by Publication **MP-402.1**
2. Order for Service of Summons by Publication **MP-402.2**
3. Summons for Publication **MP-402.3**

Only after the Court has approved your request and signed an Order allowing Service by Publication can you proceed with service by publication.

**STEP FOUR: Wait and work towards a resolution.**

After your spouse is served, they have 21 days to respond to the petition. During this time you may discover many important things about your case.

If your spouse disagrees with any part of your proposed property distribution or parenting plan they may file an Answer to your petition. Along with an Answer, your Spouse may file their own proposed property distribution or proposed parenting plan. At that time, you can decide whether there is any room for agreement on some or all of your proposals.

**MEDIATION:** If you do not agree but you think you could come to some agreement, you may choose to go to mediation. Some courts require litigants to go to mediation before setting a hearing to finalize the case. Mediation is a process where a neutral facilitator (called a “mediator”) helps both people come up with a shared solution. Mediation is confidential and agreements made in mediation will only be filed in Court when both you and your Spouse agree. Mediation can be a cost effective way to find a compromise and speed up the dissolution process.

If, at any time, you change your mind, you may “amend” your proposal by filing a motion and a new version of your proposal. Your Spouse will have additional time to respond to new proposals. If you come to an agreement, you can file with the Court a Notice of Agreement **MP-\_\_\_** and the proposed agreement in writing.

**Comment [ELFO4]:** a. Interim Parenting Arrangements. If you are concerned about the parenting arrangement during this period of time, you may file a “Motion to Request an Interim Parenting Plan.” The result of an interim parenting plan would be the imposition of a plan for the time from the court order to the end of the dissolution.

**STEP FIVE: Request a final hearing.**

Once the time for your spouse to respond has expired, you can request a hearing to finalize your dissolution. You will now file these forms at the Clerk of District Court:

1. Request for a Hearing and Statement of Compliance with Financial Disclosure **MP 701**  
\*If your Spouse did not respond to your petition, you may request a default judgment on this form. Which means you are asking the Court to consider only what you have filed in making a decision.
2. Order Granting Hearing on Dissolution with Children **MP 702**
3. Dissolution Decree **MP 703**
4. Notice and Entry of Decree **MP 704**
5. (Optional) New proposals or agreements. In order to make sure the Court considers new proposals or agreements between you and your spouse, you will file all completed forms at this time.

**STEP SIX: Attend your final hearing.**

Attending your hearing is very important. The judge will ask you questions about your marriage and your children. This is the time for the judge to make a decision on your dissolution and parenting plan. After the judge has made a decision, the Judge will sign and complete the Decree of Dissolution **MP 703**. The Court will adopt the version of the Proposed Property Distribution **MP 500** and Proposed Parenting Plan **MP 300** that the Court considers fair and in the best interest of your children. The Court will indicate which property distribution and parenting plan are “Court Ordered” by signing the document and listing them as an “Exhibit” to the Final Decree.

**STEP SEVEN: File your Notice and Entry of Decree.**

After your hearing, you will need to file your Notice and Entry of Decree **MP 704** with the Clerk of District Court.

Your dissolution is not final until this step is complete. Request a copy of your final Dissolution Decree with Exhibits from the Clerk of District Court. If your Spouse was not present for the hearing, make two copies and mail copies of the following documents to your spouse:

1. Notice of Entry of Decree **MP 704**
2. Dissolution Decree **MP 703**
3. Court Ordered Parenting Plan **MP 300**
4. Court Ordered Property Distribution **MP 500**

Keep your copy of the Decree and Exhibits in a safe place. You can make extra of your Decree for day care providers, schools, and law enforcement.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City      State      Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address (optional)

**Petitioner appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY**

<p>In re the Marriage of:</p> <p>_____</p> <p style="text-align: center;"><i>(First, Middle, Last)</i>    Petitioner <i>(you)</i>,</p> <p>and</p> <p>_____</p> <p style="text-align: center;">Respondent <i>(your spouse)</i>.</p>	<p><b>Case No:</b> _____</p> <p><i>(leave blank, the clerk will write in)</i></p> <p><b>Petition for Dissolution of Marriage</b></p> <p><b>Without Minor Children</b></p>
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**1. Jurisdiction.**

- a. Either spouse meets the residency requirements in §40-4-104, M.C.A. For 90 days before filing this case, either spouse lived or was stationed in Montana.
- b. Our marriage is irretrievably broken because there is serious marital discord which adversely affects the attitude of one of both parties toward the marriage, and there is no reasonable prospect of reconciliation or we lived separate and apart for at least 180 days before this case was filed.
- c. The Montana Conciliation Law (beginning at §40-3-101, M.C.A.) does not apply in this case.

**2. You are the Petitioner. Your information:**

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Your e-mail address (optional): \_\_\_\_\_

Your Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

**MP-112 Petition for Dissolution without Minor Children DRAFT**

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This form may be used for non-commercial purposes only

Your Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Your occupation: \_\_\_\_\_

How long have you lived in this county? \_\_\_\_\_

How long have you lived in Montana? \_\_\_\_\_

**3. Your spouse is the Respondent. Your spouse's information:**

First Name: \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

Spouse's e-mail address (optional): \_\_\_\_\_

Spouse's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Spouse's Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your spouse's age: \_\_\_\_\_ Your spouse's occupation: \_\_\_\_\_

How long have they lived in this county? \_\_\_\_\_

How long have they lived in Montana? \_\_\_\_\_

**4. Your marriage. Choose one.**

We were married on (date) \_\_\_\_\_. We filed our marriage license in \_\_\_\_\_ County, State of \_\_\_\_\_.

**OR**

We were married at common law as of (date) \_\_\_\_\_. We assumed a marital relationship by mutual consent and agreement. We confirmed our marriage by living together and by public knowledge.

**OR**

We filed a declaration of marriage on (date) \_\_\_\_\_ in \_\_\_\_\_ County, State of \_\_\_\_\_.

**5. Separation. Choose one.**

We physically separated on (date) \_\_\_\_\_.

**OR**

We have not yet physically separated.

**6. Pregnancy. Choose one.**

The wife is not pregnant.

**OR**

The wife is pregnant and the husband is not the father.

**Notice:** A parenting plan must be filed after the child is born if the wife is pregnant and the husband is the father or the father is not known.

**7. Preliminary Disclosure. Choose one:**

I served my spouse a description of my income and expenses by using Form MP-510 when I served the petition.

**OR**

Within 60 days of filing this case I will serve my spouse a description of my income and expenses by using **Form MP-510**.

**8. Property Distribution. Choose one.**

We have marital property, including personal property, real property, other assets, liabilities, and/or debts that need to be distributed as we agree or by the court.

I ask the court to distribute our marital property as described in **Form MP-500** Financial Disclosure and Proposed Property Distribution. I filed this document separately.

**OR**

We entered into an agreement prior to getting married. (*Write MP-113-A on a copy of the prenuptial agreement and paper clip it to this document.*)

**9. Former Name. Choose one.**

I am asking that my name be restored to my previous name: \_\_\_\_\_.

**OR**

I want to keep my current name.

**10. Maintenance. Choose One.**

I am not requesting maintenance.

**OR**

I am requesting my spouse pay me \$\_\_\_\_\_ per month until (date)\_\_\_\_\_

for maintenance. The payment must be made on the \_\_\_\_ of each month directly to me.

**OR**

I am requesting to pay my spouse \$\_\_\_\_\_ per month until (date)\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of each month directly to my spouse.

I am requesting maintenance because I lack sufficient property to support myself and I am unable to gain employment sufficient to support myself or I need to care for a child with special needs.

**11. Other:**

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**I ask the court to take the following action:**

1. Enter a decree of dissolution of marriage dissolving our marriage;
2. Grant each party the marital property, including personal property, real property, other assets, liabilities, and/or debts as stated in the Petitioner's Financial Disclosure and Proposed Property Distribution filed separately.
3. If I asked the Court to do so, restore me to my former name.
4. If I asked the Court to do so, enter an order for maintenance.
5. If the court deems proper, award me my attorneys' fees and court costs pursuant to §40-4-110, MCA.
6. Other:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
7. And for any other relief this court decides is just and proper.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Your Signature: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

Petitioner  Respondent  Co Petitioners  
**Appearing without a lawyer**

**MONTANA** \_\_\_\_\_ **JUDICIAL DISTRICT COURT,** \_\_\_\_\_ **COUNTY**

<p>In re the Marriage of:</p> <p>_____ ,</p> <p style="text-align: center;"><i>(First, Middle, Last)</i> Petitioner <i>(you)</i>,</p> <p>and</p> <p>_____ ,</p> <p style="text-align: center;">Respondent <i>(your spouse)</i>.</p>	<p><b>Case No:</b> _____</p> <p><i>(leave blank, the clerk will write in)</i></p> <p><b>Petition for Dissolution of Marriage</b></p> <p><b>with Parenting Plan for Minor Children</b></p>
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**1. Jurisdiction.**

- a. Either spouse meets the residency requirements in § 40-4-104, M.C.A. For 90 days before filing this case, either spouse lived or was stationed in Montana.
- b. Our marriage is irretrievably broken because there is serious marital discord which adversely affects the attitude of one of both parties toward the marriage, and there is no reasonable prospect of reconciliation or we lived separate and apart for at least 180 days before this case was filed.
- c. The Montana Conciliation Law (beginning at § 40-3-101, M.C.A.) does not apply in this case.

**2. You are the Petitioner. Your information:**

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Your e-mail address (optional): \_\_\_\_\_

Your Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Your occupation: \_\_\_\_\_

How long have you lived in this county? \_\_\_\_\_

How long have you lived in Montana? \_\_\_\_\_

**3. Your spouse is the Respondent. Your spouse's information:**

First Name: \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

Spouse's e-mail address (optional): \_\_\_\_\_

Spouse's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Spouse's Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your spouse's age: \_\_\_\_\_ Your spouse's occupation: \_\_\_\_\_

How long have they lived in this county? \_\_\_\_\_

How long have they lived in Montana? \_\_\_\_\_

**4. Your marriage. Choose one.**

We were married on (date) \_\_\_\_\_. We filed our marriage license in \_\_\_\_\_ County, State of \_\_\_\_\_.

**OR**

We were married at common law as of (date) \_\_\_\_\_. We assumed a marital relationship by mutual consent and agreement. We confirmed our marriage by living together and by public knowledge.

**OR**

We filed a declaration of marriage on (date) \_\_\_\_\_ in \_\_\_\_\_ County, State of \_\_\_\_\_.

**5. Separation. Choose one.**

We physically separated on (date) \_\_\_\_\_.

**OR**

We have not yet physically separated.

**6. Pregnancy. Choose one.**

The wife is not pregnant.

**OR**

The wife is pregnant and the husband is the father.

**OR**

The wife is pregnant and is unsure who the father is.

**OR**

The wife is pregnant and the husband is not the father.

**Notice:** A parenting plan must be filed after the child is born if the wife is pregnant and the husband is the father or the father is not known.

**7. All minor children of the marriage, including those born to or adopted by both parties.**

Name	Age	Birth Year	Minor primarily lives with:
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other

We have more minor children. *(Fill out MP-113-B and paper clip it to this document)*

**8. Child(ren) residence(s).**

State law requires this information. You can find this law at § 40-7-110, M.C.A. Start with the children’s current address. Give the information for the past 5 years. If you don’t know the individual’s current address, write “not known” next to their name.

Children’s Names	Address	Starting MM/YY	Ending MM/YY	List all people living at this location, their relationship with child, and current address
			Still lives here	


There are more residences. (Fill out and paper clip Form **MP-113-C** to this document)

**9. Jurisdiction of the children. Choose the most accurate description.**

Our child(ren) lived in Montana for at least 6 consecutive months immediately before this case was filed. This makes Montana our child(ren)'s home state. If a child(ren) is less than six months old, the child(ren) lived in Montana since birth.

**OR**

Montana was the home state of the child(ren) within six months of this case being filed, and one parent continues to reside in Montana.

**OR**

The child(ren) and one parent have significant connections with Montana and substantial evidence about them is in Montana.

**OR**

The child(ren) are physically present in Montana and have been abandoned, the child(ren) are with a caretaker relative who was given custody, or an emergency exists requiring the child(ren)'s protection.

**OR**

No other state has jurisdiction over the child(ren) or the other state has declined jurisdiction over the children.

**10. Other Court Cases. Choose One.**

State law requires this information. You can find this law at § 40-7-110, M.C.A.

I don't know of any other court case that could affect this one.

**OR**

There are other court cases that could affect this one. Here is the list:

The first court case is:

- Order of Protection
- Criminal case
- Adoption
- Guardianship
- Child and Family Services
- Other: (describe)

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

- I participated as a  party  witness  other: \_\_\_\_\_
- I didn't participate.

The second court case is:

- Order of Protection  Criminal case  Adoption  Guardianship
- Child and Family Services  Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

- I participated as a  party  witness  other: \_\_\_\_\_
- I didn't participate.

- There are more court cases. *(Fill out and paper clip Form MP-113-E to this document)*

**11. Other people. Choose one:**

- I don't know of any other person, not my spouse, who has physical custody or claims to have physical custody or to have visitation rights with a child listed in this petition.

**OR**

- Here is a list of people who have physical custody or claim to have physical custody or visitation rights with a child listed in this petition:

Name	Address	Child's name	Description
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights

- I understand I must give notice of this case to anyone on this list. *(Fill out and paper clip a copy of Form MP-113-D to this document for each person on this list. Send Form MP-113-F to everyone listed.)*

**12. Parenting Plan.**

It is in the best interest of our child(ren) that this court adopt my proposed parenting plan. This is a document that I filed separately. My proposed parenting plan includes parenting time, child support, and medical support.

**NOTICE:** State law requires that a child support calculation using the Montana guidelines be filed with this court. I can find this law at §40-4-204, M.C.A.

**13. Preliminary Disclosure. Choose one:**

- I served my spouse a description of my income and expenses by using Form MP-510 when I served the petition.

**OR**

- Within 60 days of filing this case I will serve my spouse a description of my income and expenses by using **Form MP-510**.

**14. Property Distribution. Choose one.**

We have marital property, including personal property, real property, other assets, liabilities, and/or debts that need to be distributed as we agree or by the court.

- I ask the court to distribute our marital property as described in **Form MP-500** Financial Disclosure and Proposed Property Distribution. I filed this document separately.

**OR**

- We entered into an agreement prior to getting married. (*Write MP-113-A on a copy of the prenuptial agreement and paper clip it to this document.*)

**15. Former Name. Choose one.**

- I am asking that my name be restored to my previous name: \_\_\_\_\_.

**OR**

- I want to keep my current name.

**16. Maintenance. Choose One.**

- I am not requesting maintenance.

**OR**

- I am requesting my spouse pay me \$\_\_\_\_\_ per month until *(date)*\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of each month directly to me.

**OR**

- I am requesting to pay my spouse \$\_\_\_\_\_ per month until *(date)*\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of each month directly

to my spouse.

I am requesting maintenance because I lack sufficient property to support myself and I am unable to gain employment sufficient to support myself or I need to care for a child with special needs.

**17. Other:**

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**I ask the court to take the following action:**

1. Enter a decree of dissolution of marriage dissolving our marriage;
2. Adopt the Petitioner’s proposed parenting plan, including parenting time, child support, and medical support.
3. Grant each party the marital property, including personal property, real property, other assets, liabilities, and/or debts as stated in the Petitioner’s Financial Disclosure and Proposed Property Distribution filed separately.
4. If I asked the Court to do so, restore me to my former name.
5. If I asked the Court to do so, enter an order for maintenance.
6. If the court deems proper, award me my attorneys’ fees and court costs pursuant to § 40-4-110, MCA.
7. Other:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
8. And for any other relief this court decides is just and proper.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Your Signature: \_\_\_\_\_

<p>_____,  <input type="checkbox"/> Petitioner,                  and                  _____,  <input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner.</p>	<p><b>Case No:</b> _____</p> <p><b>Attachment: List of additional children of this relationship</b></p>
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Name	Age	Year of Birth	If minor, primary home
			<input type="checkbox"/> Mother <input type="checkbox"/> Shared <input type="checkbox"/> Father <input type="checkbox"/> Other _____
			<input type="checkbox"/> Mother <input type="checkbox"/> Shared <input type="checkbox"/> Father <input type="checkbox"/> Other _____
			<input type="checkbox"/> Mother <input type="checkbox"/> Shared <input type="checkbox"/> Father <input type="checkbox"/> Other _____
			<input type="checkbox"/> Mother <input type="checkbox"/> Shared <input type="checkbox"/> Father <input type="checkbox"/> Other _____
			<input type="checkbox"/> Mother <input type="checkbox"/> Shared <input type="checkbox"/> Father <input type="checkbox"/> Other _____
			<input type="checkbox"/> Mother <input type="checkbox"/> Shared <input type="checkbox"/> Father <input type="checkbox"/> Other _____
			<input type="checkbox"/> Mother <input type="checkbox"/> Shared <input type="checkbox"/> Father <input type="checkbox"/> Other _____
			<input type="checkbox"/> Mother <input type="checkbox"/> Shared <input type="checkbox"/> Father <input type="checkbox"/> Other _____
			<input type="checkbox"/> Mother <input type="checkbox"/> Shared <input type="checkbox"/> Father <input type="checkbox"/> Other _____

<p>_____,  <input type="checkbox"/> Petitioner,                  and                  _____,  <input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner.</p>	<p><b>Case No:</b> _____</p> <p><b>Attachment: Additional Children Residences</b></p>
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Children's Names	Address	Starting MM/YY	Ending MM/YY	List of all other people living at this location, their relationship with child, and current address

<p>_____,'</p> <p style="text-align: right;"><input type="checkbox"/> Petitioner,</p> <p>and</p> <p>_____,'</p> <p style="text-align: right;"><input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner.</p>	<p><b>Case No:</b> _____</p> <p><b>Attachment: Additional People who Claim Custody</b></p>
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Name	Address	Child's name	Description
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights

_____, <input type="checkbox"/> Petitioner <input type="checkbox"/> Co Petitioner, _____, <input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner .	<p><b>Case No:</b> _____</p> <p><b>Attachment: Additional Court Cases</b></p>
---	---

- Other: *(describe)* \_\_\_\_\_  
 Court: \_\_\_\_\_ Case No: \_\_\_\_\_  
 I participated as a  party  witness  other: \_\_\_\_\_  
 I didn't participate.
- Other: *(describe)* \_\_\_\_\_  
 Court: \_\_\_\_\_ Case No: \_\_\_\_\_  
 I participated as a  party  witness  other: \_\_\_\_\_  
 I didn't participate.
- Other: *(describe)* \_\_\_\_\_  
 Court: \_\_\_\_\_ Case No: \_\_\_\_\_  
 I participated as a  party  witness  other: \_\_\_\_\_  
 I didn't participate.
- Other: *(describe)* \_\_\_\_\_  
 Court: \_\_\_\_\_ Case No: \_\_\_\_\_  
 I participated as a  party  witness  other: \_\_\_\_\_  
 I didn't participate.
- Other: *(describe)* \_\_\_\_\_  
 Court: \_\_\_\_\_ Case No: \_\_\_\_\_  
 I participated as a  party  witness  other: \_\_\_\_\_  
 I didn't participate.
- Other: *(describe)* \_\_\_\_\_  
 Court: \_\_\_\_\_ Case No: \_\_\_\_\_  
 I participated as a  party  witness  other: \_\_\_\_\_  
 I didn't participate.

**MP-113-E Additional Court Cases**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

Petitioner  Respondent  Co Petitioners

**Appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY**

<p>In re the Parenting of:</p> <p>_____, <i>(name(s) of minor child(ren))</i></p> <p>_____, <i>(First, Middle, Last) Petitioner (you),</i></p> <p>and</p> <p>_____, <i>(First, Middle, Last) Respondent (other parent).</i></p>	<p><b>Case No:</b> _____ <i>(leave blank, the clerk will write in)</i></p> <p><b>Petition for Parenting Plan</b></p>
---	--

**1. Jurisdiction of the children. Choose the most accurate description.**

Our child(ren) lived in Montana for at least 6 consecutive months immediately before this case was filed. This makes Montana our child(ren)'s home state. If a child(ren) is less than six months old, the child(ren) lived in Montana since birth.

**OR**

Montana was the home state of the child(ren) within six months of this case being filed, and one parent continues to reside in Montana.

**OR**

The child(ren) and one parent have significant connections with Montana and substantial evidence about them is in Montana.

**OR**

The child(ren) are physically present in Montana and have been abandoned, the child(ren) are with a caretaker relative who was given custody, or an emergency exists requiring the child(ren)'s protection.

**OR**

- a.  No other state has jurisdiction over the child(ren) or the other state has declined jurisdiction over the children.

**2. You are the Petitioner. Your information:**

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Your e-mail address (optional): \_\_\_\_\_

Your Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Your occupation: \_\_\_\_\_

How long have you lived in Montana? \_\_\_\_\_

**3. The other parent is the Respondent. Other parent's information:**

First Name: \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

e-mail address (optional): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Age: \_\_\_\_\_ occupation: \_\_\_\_\_

How long have they lived in Montana? \_\_\_\_\_

**4. Pregnancy. Choose one.**

- The mother is not pregnant.

**OR**

- The mother is pregnant and the other parent is the father.

**OR**

- The mother is pregnant and is unsure who the other parent is.

**OR**

The mother is pregnant and the other parent is not the father.

**Notice:** A parenting plan must be filed after the child is born if the mother is pregnant and the other parent is the father or the father is not known.

**5. All minor children, including those born to or adopted by both parties.**

Name	Age	Birth Year	Minor primarily lives with:
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other

We have more minor children. *(Fill out **MP-113-B** and paper clip it to this document)*

**6. Child(ren) residence(s).**

State law requires this information. You can find this law at § 40-7-110, M.C.A. Start with the children’s current address. Give the information for the past 5 years. If you don’t know the individual’s current address, write “not known” next to their name.

Children’s Names	Address	Starting MM/YY	Ending MM/YY	List all people living at this location, their relationship with child, and current address
			Still lives here	

There are more residences. *(Fill out and paper clip Form **MP-113-C** to this document)*

**7. Other Court Cases. Choose One.**

State law requires this information. You can find this law at § 40-7-110, M.C.A.

I don't know of any other court case that could affect this one.

**OR**

There are other court cases that could affect this one. Here is the list:

The first court case is:

- Order of Protection    Criminal case    Adoption    Guardianship  
 Child and Family Services    Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

- I participated as a  party  witness  other: \_\_\_\_\_  
 I didn't participate.

The second court case is:

- Order of Protection    Criminal case    Adoption    Guardianship  
 Child and Family Services    Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

- I participated as a  party  witness  other: \_\_\_\_\_  
 I didn't participate.

There are more court cases. *(Fill out and paper clip Form MP-113-E to this document)*

**8. Other people. Choose one:**

I don't know of any other person, not the other parent, who has physical custody or claims to have physical custody or to have visitation rights with a child listed in this petition.

**OR**

Here is a list of people who have physical custody or claim to have physical custody or visitation rights with a child listed in this petition:

Name	Address	Child's name	Description
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights

			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights

I understand I must give notice of this case to anyone on this list. *(Fill out and paper clip a copy of Form MP-113-D to this document for each person on this list. Send Form MP-113-F to everyone listed.)*

**9. Parenting Plan.**

It is in the best interest of our child(ren) that this court adopt my proposed parenting plan. This is a document that I filed separately. My proposed parenting plan includes parenting time, child support, and medical support.

**NOTICE:** State law requires that a child support calculation using the Montana guidelines be filed with this court. I can find this law at §40-4-204, M.C.A.

**10. Other:**

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**I ask the court to take the following action:**

1. Adopt the Petitioner’s proposed parenting plan, including parenting time, child support, and medical support.
2. If the court deems proper, award me my attorneys’ fees and court costs pursuant to § 40-4-110, MCA.
3. Other:
  - a. \_\_\_\_\_  
\_\_\_\_\_
  - b. \_\_\_\_\_  
\_\_\_\_\_
  - c. \_\_\_\_\_

4. And for any other relief this court decides is just and proper.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Your Signature: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City      State      Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address *(optional)*

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City      State      Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address *(optional)*

**Co-Petitioners appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY**

<p>In re the Marriage of:</p> <p>_____,</p> <p style="text-align: right;"><i>(First, Middle, Last),</i></p> <p>and</p> <p>_____,</p> <p style="text-align: right;"><i>(First, Middle, Last)</i></p> <p style="text-align: right;">Co-Petitioners.</p>	<p><b>Case No:</b> _____</p> <p style="text-align: center;"><i>(leave blank, the clerk will write in)</i></p> <p style="text-align: center;"><b>Joint Petition for Dissolution of Marriage Without children</b></p>
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**1. Jurisdiction.**

- a. Either spouse meets the residency requirements in §40-4-104, M.C.A. For 90 days before filing this case, either spouse lived or was stationed in Montana.
- b. Our marriage is irretrievably broken because there is serious marital discord which adversely affects the attitude of one of both parties toward the marriage, and there is no reasonable prospect of reconciliation or we lived separate and apart for at least 180 days before this case was filed.
- c. The Montana Conciliation Law (beginning at §40-3-101, M.C.A.) does not apply in this case.

**2. First Co- Petitioner Information:**

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

E-mail address (optional): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Occupation: \_\_\_\_\_

How long has first co-petitioner lived in this county? \_\_\_\_\_

How long has first co-petitioner lived in Montana? \_\_\_\_\_

**3. Second Co-Petitioner information:**

First Name: \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

E-mail address (optional): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Occupation: \_\_\_\_\_

How long has second co-petitioner lived in this county? \_\_\_\_\_

How long second co-petitioner lived in Montana? \_\_\_\_\_

**4. Your marriage. Choose one.**

We were married on (date) \_\_\_\_\_. We filed our marriage license in \_\_\_\_\_ County, State of \_\_\_\_\_.

**OR**

We were married at common law as of (date) \_\_\_\_\_. We assumed a marital relationship by mutual consent and agreement. We confirmed our marriage by living together and by public knowledge.

**OR**

We filed a declaration of marriage on (date) \_\_\_\_\_ in \_\_\_\_\_ County, State of \_\_\_\_\_.

**5. Separation. Choose one.**

We physically separated on (date) \_\_\_\_\_.

**OR**

We have not yet physically separated.

**6. Pregnancy. Choose one.**

The wife is not pregnant.

**OR**

The wife is pregnant and the husband is not the father.

**Notice:** A parenting plan must be filed after the child is born if the wife is pregnant and the husband is the father or the father is not known.

**7. Preliminary Disclosure. Choose one:**

We gave each other a description of our income and expenses by using **Form MP-510** before we filed this petition.

**OR**

Within 60 days of filing this case we will give each other a description of our income and expenses by using **Form MP-510**.

**8. Property Distribution. Choose one.**

We have marital property, including personal property, real property, other assets, liabilities, and/or debts that need to be distributed as we agree or by the court.

We ask the court to distribute our marital property as described in **Form MP-500**

Financial Disclosure and Proposed Property Distribution. We filed this document separately.

**OR**

- We entered into an agreement prior to getting married. *(Write MP-113-A on a copy of the prenuptial agreement and paper clip it to this document.)*

**9. Former Name. Choose one.**

- First Co-Petitioner is asking that their name be restored to their previous name:  
\_\_\_\_\_.

**OR**

- First Co-Petitioner wants to keep their current name.

**AND**

- Second Co-Petitioner is asking that their name be restored to their previous name: \_\_\_\_\_.

**OR**

- Second Co-Petitioner wants to keep their current name.

**10. Maintenance. Choose One.**

- We are not requesting maintenance.

**OR**

- We agree Second Co-Petitioner pay First Co-Petitioner \$\_\_\_\_\_ per month until *(date)*\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of each month directly to First Co-Petitioner.

**OR**

- We agree First Co-Petitioner pay Second Co-Petitioner \$\_\_\_\_\_ per month until *(date)*\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of each month directly to Second Co-Petitioner.

We are requesting maintenance because  First Co-Petitioner  Second Co-Petitioner lacks sufficient property to support themselves and they are unable to gain employment sufficient to support themselves or they need to care for a child with special needs.

**11. Other:**

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**We ask the court to take the following action:**

1. Enter a decree of dissolution of marriage dissolving our marriage;
2. Grant each party the marital property, including personal property, real property, other assets, liabilities, and/or debts as stated in our Financial Disclosure and Proposed Property Distribution filed separately.
3. If we asked the Court to do so, restore us to our former name.
4. If we asked the Court to do so, enter an order for maintenance.
5. Other:
  - a. \_\_\_\_\_  
\_\_\_\_\_
  - b. \_\_\_\_\_  
\_\_\_\_\_
  - c. \_\_\_\_\_  
\_\_\_\_\_
6. And for any other relief this court decides is just and proper.

**We declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. We understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

First Co-Petitioner Signature: \_\_\_\_\_

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Second Co-Petitioner Signature: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City      State      Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address *(optional)*

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City      State      Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address *(optional)*

**Co-Petitioners appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY**

In re the Marriage of:  
  
\_\_\_\_\_,  
*(First, Middle, Last),*  
  
and  
  
\_\_\_\_\_,  
*(First, Middle, Last)*  
  
Co-Petitioners.

**Case No:** \_\_\_\_\_  
*(leave blank, the clerk will write in)*  
  
**Joint Petition for  
Dissolution of Marriage  
with Parenting Plan for Minor Children**

**1. Jurisdiction.**

- a. Either spouse meets the residency requirements in §40-4-104, M.C.A. For 90 days before filing this case, either spouse lived or was stationed in Montana.
- b. Our marriage is irretrievably broken because there is serious marital discord which adversely affects the attitude of one of both parties toward the marriage, and there is no reasonable prospect of reconciliation or we lived separate and apart for at least 180 days before this case was filed.
- c. The Montana Conciliation Law (beginning at §40-3-101, M.C.A.) does not apply in this case.

**2. First Co- Petitioner Information:**

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

E-mail address (optional): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Occupation: \_\_\_\_\_

How long has first co-petitioner lived in this county? \_\_\_\_\_

How long has first co-petitioner lived in Montana? \_\_\_\_\_

**3. Second Co-Petitioner information:**

First Name: \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

E-mail address (optional): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Occupation: \_\_\_\_\_

How long has second co-petitioner lived in this county? \_\_\_\_\_

How long second co-petitioner lived in Montana? \_\_\_\_\_

**4. Your marriage. Choose one.**

We were married on (date) \_\_\_\_\_. We filed our marriage license in \_\_\_\_\_ County, State of \_\_\_\_\_.

**OR**

We were married at common law as of (date) \_\_\_\_\_. We assumed a marital relationship by mutual consent and agreement. We confirmed our marriage by living together and by public knowledge.

**OR**

We filed a declaration of marriage on (date) \_\_\_\_\_ in \_\_\_\_\_ County, State of \_\_\_\_\_.

**5. Separation. Choose one.**

We physically separated on (date) \_\_\_\_\_.

**OR**

We have not yet physically separated.

**6. Pregnancy. Choose one.**

The wife is not pregnant.

**OR**

The wife is pregnant and the husband is the father.

**OR**

The wife is pregnant and is unsure who the father is.

**OR**

The wife is pregnant and the husband is not the father.

**Notice:** A parenting plan must be filed after the child is born if the wife is pregnant and the husband is the father or the father is not known.

**7. All minor children of the marriage, including those born to or adopted by both parties.**

Name	Age	Birth Year	Minor primarily lives with:
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other

**MP-116 Joint Petition for Dissolution With Minor Children**

			<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Both	<input type="checkbox"/> Other
			<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Both	<input type="checkbox"/> Other
			<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Both	<input type="checkbox"/> Other
			<input type="checkbox"/> Mother	<input type="checkbox"/> Father	<input type="checkbox"/> Both	<input type="checkbox"/> Other

We have more minor children. *(Fill out **MP-113-B** and paper clip it to this document)*

**8. Child(ren) residence(s).**

State law requires this information. You can find this law at § 40-7-110, M.C.A. Start with the children’s current address. Give the information for the past 5 years. If you don’t know the individual’s current address, write “not known” next to their name.

Children’s Names	Address	Starting MM/YY	Ending MM/YY	List all people living at this location, their relationship with child, and current address
			Still lives here	

There are more residences. *(Fill out and paper clip Form **MP-113-C** to this document)*

**9. Jurisdiction of the children. Choose the most accurate description.**

Our child(ren) lived in Montana for at least 6 consecutive months immediately before this case was filed. This makes Montana our child(ren)’s home state. If a child(ren) is less than six months old, the child(ren) lived in Montana since birth.

**OR**

Montana was the home state of the child(ren) within six months of this case being filed, and one parent continues to reside in Montana.

**OR**

The child(ren) and one parent have significant connections with Montana and substantial evidence about them is in Montana.

**OR**

- The child(ren) are physically present in Montana and have been abandoned, the child(ren) are with a caretaker relative who was given custody, or an emergency exists requiring the child(ren)'s protection.

**OR**

- No other state has jurisdiction over the child(ren) or the other state has declined jurisdiction over the children.

**10. Other Court Cases. Choose One.**

State law requires this information. You can find this law at § 40-7-110, M.C.A.

- We don't know of any other court case that could affect this one.

**OR**

- There are other court cases that could affect this one. Here is the list:

The first court case is:

- Order of Protection    Criminal case    Adoption    Guardianship
- Child and Family Services    Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

- I participated as a  party  witness  other: \_\_\_\_\_
- I didn't participate.

The second court case is:

- Order of Protection    Criminal case    Adoption    Guardianship
- Child and Family Services    Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

- I participated as a  party  witness  other: \_\_\_\_\_
- I didn't participate.

- There are more court cases. *(Fill out and paper clip Form MP-113-E to this document)*

**11. Other people. Choose one:**

- We don't know of any other person who has physical custody or claims to have physical custody or to have visitation rights with a child listed in this petition.

**OR**

- Here is a list of people who have physical custody or claim to have physical

custody or visitation rights with a child listed in this petition:

Name	Address	Child's name	Description
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights

We understand we must give notice of this case to anyone on this list. (Fill out and paper clip a copy of Form **MP-113-D** to this document for each person on this list. Send Form **MP-113-F** to everyone listed.)

**12. Parenting Plan.**

It is in the best interest of our child(ren) that this court adopt our joint proposed parenting plan. This is a document that we filed separately. Our proposed parenting plan includes parenting time, child support, and medical support.

**NOTICE:** State law requires that a child support calculation using the Montana guidelines be filed with this court. We can find this law at §40-4-204, M.C.A.

**13. Preliminary Disclosure. Choose one:**

We gave each other a description of our income and expenses by using **Form MP-510** before we filed this petition.

**OR**

Within 60 days of filing this case we will give each other a description of our income and expenses by using **Form MP-510**.

**14. Property Distribution. Choose one.**

We have marital property, including personal property, real property, other assets, liabilities, and/or debts that need to be distributed as we agree or by the court.

We ask the court to distribute our marital property as described in **Form MP-500** Financial Disclosure and Proposed Property Distribution. We filed this document separately.

**OR**

- We entered into an agreement prior to getting married. *(Write MP-113-A on a copy of the prenuptial agreement and paper clip it to this document.)*

**15. Former Name. Choose one.**

- First Co-Petitioner is asking that their name be restored to their previous name:  
\_\_\_\_\_.

**OR**

- First Co-Petitioner wants to keep their current name.

**AND**

- Second Co-Petitioner is asking that their name be restored to their previous name: \_\_\_\_\_.

**OR**

- Second Co-Petitioner wants to keep their current name.

**16. Maintenance. Choose One.**

- We are not requesting maintenance.

**OR**

- We agree Second Co-Petitioner pay First Co-Petitioner \$\_\_\_\_\_ per month until *(date)*\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of each month directly to First Co-Petitioner.

**OR**

- We agree First Co-Petitioner pay Second Co-Petitioner \$\_\_\_\_\_ per month until *(date)*\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of each month directly to Second Co-Petitioner.

We are requesting maintenance because  First Co-Petitioner  Second Co-Petitioner lacks sufficient property to support themselves and they are unable to gain employment sufficient to support themselves or they need to care for a child with special needs.

**17. Other:**

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**We ask the court to take the following action:**

1. Enter a decree of dissolution of marriage dissolving our marriage;
2. Adopt our joint proposed parenting plan, including parenting time, child support, and medical support.
3. Grant each party the marital property, including personal property, real property, other assets, liabilities, and/or debts as stated in our Financial Disclosure and Proposed Property Distribution filed separately.
4. If we asked the Court to do so, restore us to our former name.
5. If we asked the Court to do so, enter an order for maintenance.
6. Other:
  - a. \_\_\_\_\_  
\_\_\_\_\_
  - b. \_\_\_\_\_  
\_\_\_\_\_
  - c. \_\_\_\_\_  
\_\_\_\_\_
7. And for any other relief this court decides is just and proper.

**We declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. We understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

First Co-Petitioner Signature: \_\_\_\_\_

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Second Co-Petitioner Signature: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number  
Co Petitioner  
**Appearing without a lawyer**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number  
Co Petitioner  
**Appearing without a lawyer**

**MONTANA** \_\_\_\_\_ **JUDICIAL DISTRICT COURT,** \_\_\_\_\_ **COUNTY**

<p>In re the Parenting of:</p> <p>_____, <i>(name(s) of minor child(ren))</i></p> <p>_____, <i>(First, Middle, Last) Co Petitioner (you),</i></p> <p>and</p> <p>_____, <i>(First, Middle, Last) Co Petitioner (other parent).</i></p>	<p><b>Case No:</b> _____ <i>(leave blank, the clerk will write in)</i></p> <p><b>Joint Petition for Parenting Plan</b></p>
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**1. Jurisdiction of the children. Choose the most accurate description.**

- Our child(ren) lived in Montana for at least 6 consecutive months immediately before this case was filed. This makes Montana our child(ren)'s home state. If a child(ren) is less than six months old, the child(ren) lived in Montana since birth.

**OR**

Montana was the home state of the child(ren) within six months of this case being filed, and one parent continues to reside in Montana.

**OR**

The child(ren) and one parent have significant connections with Montana and substantial evidence about them is in Montana.

**OR**

The child(ren) are physically present in Montana and have been abandoned, the child(ren) are with a caretaker relative who was given custody, or an emergency exists requiring the child(ren)'s protection.

**OR**

a.  No other state has jurisdiction over the child(ren) or the other state has declined jurisdiction over the children.

**2. Co Petitioner. Your information:**

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Your e-mail address (optional): \_\_\_\_\_

Your Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Your occupation: \_\_\_\_\_

How long have you lived in Montana? \_\_\_\_\_

**3. Co Petitioner. Your information:**

First Name: \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

Your e-mail address (optional): \_\_\_\_\_

Your Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Your age: \_\_\_\_\_ Your occupation: \_\_\_\_\_

How long have you lived in Montana? \_\_\_\_\_

**4. Pregnancy. Choose one.**

The mother is not pregnant.

**OR**

The mother is pregnant and the other parent is the father.

**OR**

The mother is pregnant and is unsure who the other parent is.

**OR**

The mother is pregnant and the other parent is not the father.

**Notice:** A parenting plan must be filed after the child is born if the mother is pregnant and the other parent is the father or the father is not known.

**5. All minor children, including those born to or adopted by both parties.**

Name	Age	Birth Year	Minor primarily lives with:
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other

We have more minor children. *(Fill out MP-113-B and paper clip it to this document)*

**6. Child(ren) residence(s).**

State law requires this information. You can find this law at § 40-7-110, M.C.A. Start with the children’s current address. Give the information for the past 5 years. If you don’t know the individual’s current address, write “not known” next to their name.

Children’s Names	Address	Starting MM/YY	Ending MM/YY	List all people living at this location, their relationship with child, and current address
			Still lives here	


There are more residences. (Fill out and paper clip Form **MP-113-C** to this document)

**7. Other Court Cases. Choose One.**

State law requires this information. You can find this law at § 40-7-110, M.C.A.

I don't know of any other court case that could affect this one.

**OR**

There are other court cases that could affect this one. Here is the list:

The first court case is:

- Order of Protection    Criminal case    Adoption    Guardianship
- Child and Family Services    Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

- I participated as a  party  witness  other: \_\_\_\_\_
- I didn't participate.

The second court case is:

- Order of Protection    Criminal case    Adoption    Guardianship
- Child and Family Services    Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

- I participated as a  party  witness  other: \_\_\_\_\_
- I didn't participate.

There are more court cases. (Fill out and paper clip **Form MP-113-E** to this document)

**8. Other people. Choose one:**

I don't know of any other person, not the other parent, who has physical custody or claims to have physical custody or to have visitation rights with a child listed in this petition.

**OR**

Here is a list of people who have physical custody or claim to have physical custody or visitation rights with a child listed in this petition:

Name	Address	Child's name	Description
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights

I understand I must give notice of this case to anyone on this list. (Fill out and paper clip a copy of Form **MP-113-D** to this document for each person on this list. Send Form **MP-113-F** to everyone listed.)

**9. Parenting Plan.**

It is in the best interest of our child(ren) that this court adopt our proposed parenting plan. This is a document that we filed separately. Our proposed parenting plan includes parenting time, child support, and medical support.

**NOTICE:** State law requires that a child support calculation using the Montana guidelines be filed with this court. I can find this law at §40-4-204, M.C.A.

**10. Other:**

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**We ask the court to take the following action:**

1. Adopt the Petitioner's proposed parenting plan, including parenting time, child support, and medical support.
2. Other:

- a. \_\_\_\_\_  
\_\_\_\_\_
- b. \_\_\_\_\_  
\_\_\_\_\_
- c. \_\_\_\_\_  
\_\_\_\_\_

3. And for any other relief this court decides is just and proper.

**We declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. We understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Co Petitioner: \_\_\_\_\_

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Co Petitioner: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

Respondent

Appearing without a lawyer

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY

In re the Marriage of:

\_\_\_\_\_,  
(First, Middle, Last) Petitioner (your spouse),

and

\_\_\_\_\_,  
Respondent (you).

Case No: \_\_\_\_\_

(leave blank, the clerk will write in)

**Response to Petition for  
Dissolution of Marriage  
Without Children**

**1. Jurisdiction. Choose one.**

I admit that the Court has jurisdiction over this case.

**OR**

I deny that the Court has jurisdiction over this case because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

**2. Petitioner information. Choose one.**

I admit that the Petitioner's information is correct.

**OR**

I deny that the Petitioner's information is correct and state that the correct information is:

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Petitioner's e-mail address (optional): \_\_\_\_\_

Petitioner's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Petitioner's Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Petitioner's Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Petitioner's occupation: \_\_\_\_\_

How long has Petitioner lived in this county? \_\_\_\_\_

How long has Petitioner lived in Montana? \_\_\_\_\_

**3. Respondent's information. Choose one.**

I admit my information is correct.

**OR**

I deny my information is correct and state that the correct information is:

First Name: \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

My e-mail address (optional): \_\_\_\_\_

My Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

My Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

My age: \_\_\_\_\_ My occupation: \_\_\_\_\_

How long I have lived in this county: \_\_\_\_\_

How long I have lived in Montana: \_\_\_\_\_

**4. Your marriage. Choose one.**

I admit that information about our marriage is correct.

**OR**

I deny that the information about our marriage is correct and state that the correct information is:

We were married on (date) \_\_\_\_\_. We filed our marriage license in \_\_\_\_\_ County, State of \_\_\_\_\_.

**OR**

We were married at common law as of (date) \_\_\_\_\_ . We assumed a marital relationship by mutual consent and agreement. We confirmed our marriage by living together and by public knowledge.

**OR**

We filed a declaration of marriage on (date) \_\_\_\_\_ in \_\_\_\_\_ County, State of \_\_\_\_\_ .

**5. Separation. Choose one.**

I admit that information about our separation is correct.

**OR**

I deny that the information about our separation is correct and state that the correct information is:

We physically separated on (date) \_\_\_\_\_ .

**OR**

We have not yet physically separated.

**6. Pregnancy. Choose one.**

I admit that information about pregnancy is correct.

**OR**

I deny that the information about pregnancy is correct and state that the correct information is:

The wife is not pregnant.

**OR**

The wife is pregnant and the husband is the father.

**OR**

The wife is pregnant and is unsure who the father is.

**OR**

The wife is pregnant and the husband is not the father.

**Notice:** A parenting plan must be filed after the child is born if the wife is pregnant and the husband is the father or the father is not known.

**7. Preliminary Disclosure. Choose one:**

I admit that I received form **MP-510** from the Petitioner.

**OR**

I deny that I received from **MP-510** from the Petitioner.

**AND**

Regardless of whether I received form MP-510 from Petitioner, I am sending Petitioner a description of my income and expenses using form **MP-510**.

**8. Property Distribution. Choose one.**

I agree with Petitioner's proposed property distribution.

**OR**

I do not agree with Petitioner's proposed property distribution, and

I ask the court to distribute our marital property as described in **Form MP-500** Financial Disclosure and Proposed Property Distribution. I filed this document separately.

**OR**

We entered into an agreement prior to getting married. (*Write MP-113-A on a copy of the prenuptial agreement and paper clip it to this document.*)

**9. Former Name. Choose one.**

I am asking that my name be restored to my previous name: \_\_\_\_\_.

**OR**

I want to keep my current name.

**10. Maintenance. Choose One.**

I agree with Petitioner's request for maintenance.

**OR**

I do not agree with Petitioner's request for maintenance, and

I am requesting my spouse pay me \$\_\_\_\_\_ per month until (date)\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of each month directly to me.

**OR**

I am requesting to pay my spouse \$\_\_\_\_\_ per month until (date)\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of each month directly to my spouse.

I am requesting maintenance because I lack sufficient property to support myself and I am unable to gain employment sufficient to support myself or I need to care

for a child with special needs.

**11. Other:**

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**I ask the court to take the following action:**

1. Enter a decree of dissolution of marriage dissolving our marriage;
2. Grant each party the marital property, including personal property, real property, other assets, liabilities, and/or debts as stated in the Financial Disclosure and Proposed Property Distribution I agreed to or filed separately.
3. If I asked the Court to do so, restore me to my former name.
4. If I asked the Court to do so, enter an order for maintenance.
5. If the court deems proper, award me my attorneys' fees and court costs under § 40-4-110, MCA.
6. Other:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
7. And for any other relief this court decides is just and proper.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Your Signature: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

Respondent

Appearing without a lawyer

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY

In re the Marriage of:

\_\_\_\_\_,  
(First, Middle, Last) Petitioner (your spouse),

and

\_\_\_\_\_,  
Respondent (you).

Case No: \_\_\_\_\_

(leave blank, the clerk will write in)

**Response to Petition for  
Dissolution of Marriage  
with Parenting Plan for Minor Children**

**1. Jurisdiction. Choose one.**

I admit that the Court has jurisdiction over this case,

**OR**

I deny that the Court has jurisdiction over this case because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

**2. Petitioner information. Choose one.**

I admit that the Petitioner's information is correct.

**OR**

I deny that the Petitioner's information is correct and state that the correct information is:

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Petitioner's e-mail address (optional): \_\_\_\_\_

Petitioner's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Petitioner's Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Petitioner's Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Petitioner's occupation: \_\_\_\_\_

How long has Petitioner lived in this county? \_\_\_\_\_

How long has Petitioner lived in Montana? \_\_\_\_\_

**3. Respondent's information. Choose one.**

I admit my information is correct.

**OR**

I deny my information is correct and state that the correct information is:

First Name: \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

My e-mail address (optional): \_\_\_\_\_

My Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

My Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

My age: \_\_\_\_\_ My occupation: \_\_\_\_\_

How long I have lived in this county: \_\_\_\_\_

How long I have lived in Montana: \_\_\_\_\_

**4. Your marriage. Choose one.**

I admit that information about our marriage is correct.

**OR**

I deny that the information about our marriage is correct and state that the correct information is:

We were married on (date) \_\_\_\_\_. We filed our marriage license in \_\_\_\_\_ County, State of \_\_\_\_\_.

**OR**

We were married at common law as of (date) \_\_\_\_\_ . We assumed a marital relationship by mutual consent and agreement. We confirmed our marriage by living together and by public knowledge.

**OR**

We filed a declaration of marriage on (date) \_\_\_\_\_ in \_\_\_\_\_ County, State of \_\_\_\_\_ .

**5. Separation. Choose one.**

I admit that information about our separation is correct.

**OR**

I deny that the information about our separation is correct and state that the correct information is:

We physically separated on (date) \_\_\_\_\_ .

**OR**

We have not yet physically separated.

**6. Pregnancy. Choose one.**

I admit that information about pregnancy is correct.

**OR**

I deny that the information about pregnancy is correct and state that the correct information is:

The wife is not pregnant.

**OR**

The wife is pregnant and the husband is the father.

**OR**

The wife is pregnant and is unsure who the father is.

**OR**

The wife is pregnant and the husband is not the father.

**Notice:** A parenting plan must be filed after the child is born if the wife is pregnant and the husband is the father or the father is not known.

**7. Minor children of the marriage, including those born to or adopted by both parties.**

I admit that information about the minor child(ren) of the marriage is correct.

**OR**

I deny that the information about the minor child(ren) of the marriage is correct and state that the correct information is:

Name	Age	Birth Year	Minor primarily lives with:
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other

We have more minor children. *(Fill out MP-113-B and paper clip it to this document)*

**8. Child(ren) residence(s). Choose One.**

I admit that information about the child(ren)'s residence is correct.

**OR**

I deny that the information about the child(ren)'s residence is correct and state that the correct information is:

Start with the children's current address. Give the information for the past 5 years. If you don't know the individual's current address, write "not known" next to their name.

Children's Names	Address	Starting MM/YY	Ending MM/YY	List all people living at this location, their relationship with child, and current address
			Still lives here	

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There are more residences. (Fill out and paper clip Form **MP-113-C** to this document)

**9. Jurisdiction of the children.**

I admit that the Court has jurisdiction over the minor children.

**OR**

I deny that the Court has jurisdiction over the minor children because

**Choose the most accurate description.**

The child(ren) have not lived in Montana for at least 6 consecutive months immediately before this case was filed. For the last six month the children have lived in the state of \_\_\_\_\_. This makes the state of \_\_\_\_\_ the child(ren)'s home state. If a child(ren) is less than six months old, the child(ren) lived in the state of \_\_\_\_\_ since birth.

**OR**

A court in the state of \_\_\_\_\_ has an open case regarding the children. That case is in \_\_\_\_\_ County, state of \_\_\_\_\_ and the case number is: \_\_\_\_\_

**10. Other Court Cases. Choose One.**

I admit that information about other court cases is correct.

**OR**

I deny that the information about other court cases is correct and state that the correct information is:

I don't know of any other court case that could affect this one.

**OR**

There are other court cases that could affect this one. Here is the list:

The first court case is:

Order of Protection    Criminal case    Adoption    Guardianship

Child and Family Services    Other: (describe)

\_\_\_\_\_ Court: \_\_\_\_\_ Case No: \_\_\_\_\_

I participated as a  party  witness  other: \_\_\_\_\_

I didn't participate.

The second court case is:

- Order of Protection    Criminal case    Adoption    Guardianship  
 Child and Family Services    Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

I participated as a  party  witness  other: \_\_\_\_\_

I didn't participate.

There are more court cases. *(Fill out and paper clip Form MP-113-E to this document)*

**11. Other people. Choose one:**

I admit that information about other people who have or claim physical custody or visitation rights is correct.

**OR**

I deny that the information about other people who have or claim physical custody or visitation rights is correct and state that the correct information is:

I don't know of any other person, not my spouse, who has physical custody or claims to have physical custody or to have visitation rights with a child listed in this petition.

**OR**

Here is a list of people who have physical custody or claim to have physical custody or visitation rights with a child listed in this petition:

Name	Address	Child's name	Description
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights

I understand I must give notice of this case to anyone on this list. *(Fill out and paper*

clip a copy of Form **MP-113-D** to this document for each person on this list. Send Form **MP-113-F** to everyone listed.)

## 12. Parenting Plan.

I admit that the Proposed Parenting Plan submitted by the Petitioner is in the best interests of the child(ren).

**OR**

I deny that the proposed parenting plan submitted by the Petitioner is in the best interests of the child(ren). It is in the best interest of the child(ren) that this court adopt my proposed parenting plan. This is a document that I filed separately. My proposed parenting plan includes parenting time, child support, and medical support.

**NOTICE:** State law requires that a child support calculation using the Montana guidelines be filed with this court. I can find this law at §40-4-204, M.C.A.

## 13. Preliminary Disclosure. *Choose one:*

I admit that I received form **MP-510** from the Petitioner.

**OR**

I deny that I received from **MP-510** from the Petitioner.

**AND**

Regardless of whether I received form MP-510 from Petitioner, I am sending Petitioner a description of my income and expenses using form **MP-510**.

## 14. Property Distribution. *Choose one.*

I agree with Petitioner's proposed property distribution.

**OR**

I do not agree with Petitioner's proposed property distribution, and

I ask the court to distribute our marital property as described in **Form MP-500** Financial Disclosure and Proposed Property Distribution. I filed this document separately.

**OR**

We entered into an agreement prior to getting married. (*Write MP-113-A on a copy of the prenuptial agreement and paper clip it to this document.*)

## 15. Former Name. *Choose one.*

I am asking that my name be restored to my previous name: \_\_\_\_\_.

**OR**

I want to keep my current name.

**16. Maintenance. Choose One.**

I agree with Petitioner’s request for maintenance.

**OR**

I do not agree with Petitioner’s request for maintenance, and

I am requesting my spouse pay me \$\_\_\_\_\_ per month until  
(date)\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of  
each month directly to me.

**OR**

I am requesting to pay my spouse \$\_\_\_\_\_ per month until  
(date)\_\_\_\_\_ for maintenance. The payment must be made on the \_\_\_\_ of  
each month directly to my spouse.

I am requesting maintenance because I lack sufficient property to support myself  
and I am unable to gain employment sufficient to support myself or I need to care  
for a child with special needs.

**17. Other:**

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**I ask the court to take the following action:**

1. Enter a decree of dissolution of marriage dissolving our marriage;
2. Adopt the proposed parenting plan I agreed to or submitted, including parenting time, child support, and medical support.
3. Grant each party the marital property, including personal property, real property, other assets, liabilities, and/or debts as stated in the Financial Disclosure and Proposed Property Distribution I agreed to or filed separately.
4. If I asked the Court to do so, restore me to my former name.
5. If I asked the Court to do so, enter an order for maintenance.
6. If the court deems proper, award me my attorneys’ fees and court costs under § 40-4-110, MCA.
7. Other:

a. \_\_\_\_\_  
\_\_\_\_\_

- b. \_\_\_\_\_  
\_\_\_\_\_
- c. \_\_\_\_\_  
\_\_\_\_\_

8. And for any other relief this court decides is just and proper.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Your Signature: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

Respondent

Appearing without a lawyer

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY

In re the Marriage of:

\_\_\_\_\_,  
(First, Middle, Last) Petitioner (your spouse),

and

\_\_\_\_\_,  
Respondent (you).

Case No: \_\_\_\_\_

(leave blank, the clerk will write in)

**Response to Petition for Parenting Plan**

**1. Jurisdiction. Choose one.**

I admit that the Court has jurisdiction over this case,

**OR**

I deny that the Court has jurisdiction over this case because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

**2. Petitioner information. Choose one.**

I admit that the Petitioner's information is correct.

**OR**

I deny that the Petitioner's information is correct and state that the correct information is:

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Petitioner's e-mail address (optional): \_\_\_\_\_

Petitioner's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Petitioner's Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Petitioner's Year of Birth: \_\_\_\_\_ Age: \_\_\_\_\_ Petitioner's occupation: \_\_\_\_\_

How long has Petitioner lived in this county? \_\_\_\_\_

How long has Petitioner lived in Montana? \_\_\_\_\_

**3. Respondent's information. Choose one.**

I admit my information is correct.

**OR**

I deny my information is correct and state that the correct information is:

First Name: \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

My e-mail address (optional): \_\_\_\_\_

My Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

My Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

My age: \_\_\_\_\_ My occupation: \_\_\_\_\_

How long I have lived in this county: \_\_\_\_\_

How long I have lived in Montana: \_\_\_\_\_

**4. Pregnancy. Choose one.**

I admit that information about pregnancy is correct.

**OR**

I deny that the information about pregnancy is correct and state that the correct information is:

The mother is not pregnant.

**OR**

The mother is pregnant and the father is a party to this case.

**OR**

The mother is pregnant and is unsure who the father is.

**OR**

The wife is pregnant and the father is not a party to this case.

**Notice:** A parenting plan must be filed after the child is born if the mother is pregnant and the father is a party to this case or the father is not known.

**5. Minor children, including those born to or adopted by both parties.**

I admit that information about the minor child(ren) is correct.

**OR**

I deny that the information about the minor child(ren) of the is correct and state that the correct information is:

Name	Age	Birth Year	Minor primarily lives with:
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other
			<input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Both <input type="checkbox"/> Other

We have more minor children. *(Fill out MP-113-B and paper clip it to this document)*

**6. Child(ren) residence(s). Choose One.**

I admit that information about the child(ren)'s residence is correct.

**OR**

I deny that the information about the child(ren)'s residence is correct and state that the correct information is:

Start with the children's current address. Give the information for the past 5 years. If you don't know the individual's current address, write "not known" next to their name.

Children's Names	Address	Starting MM/YY	Ending MM/YY	List all people living at this location, their relationship with child, and current address
			Still lives here	

There are more residences. (Fill out and paper clip Form **MP-113-C** to this document)

**7. Jurisdiction of the children.**

I admit that the Court has jurisdiction over the minor children.

**OR**

I deny that the Court has jurisdiction over the minor children because

**Choose the most accurate description.**

The child(ren) have not lived in Montana for at least 6 consecutive months immediately before this case was filed. For the last six month the children have lived in the state of \_\_\_\_\_. This makes the state of \_\_\_\_\_ the child(ren)'s home state. If a child(ren) is less than six months old, the child(ren) lived in the state of \_\_\_\_\_ since birth.

**OR**

A court in the state of \_\_\_\_\_ has an open case regarding the children. That case is in \_\_\_\_\_ County, state of \_\_\_\_\_ and the case number is: \_\_\_\_\_

**8. Other Court Cases. Choose One.**

I admit that information about other court cases is correct.

**OR**

I deny that the information about other court cases is correct and state that the correct information is:

I don't know of any other court case that could affect this one.

**OR**

There are other court cases that could affect this one. Here is the list:

The first court case is:

- Order of Protection    Criminal case    Adoption    Guardianship  
 Child and Family Services    Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

I participated as a  party  witness  other: \_\_\_\_\_

I didn't participate.

The second court case is:

- Order of Protection    Criminal case    Adoption    Guardianship  
 Child and Family Services    Other: *(describe)*

Court: \_\_\_\_\_ Case No: \_\_\_\_\_

I participated as a  party  witness  other: \_\_\_\_\_

I didn't participate.

There are more court cases. *(Fill out and paper clip Form MP-113-E to this document)*

**9. Other people. Choose one:**

I admit that information about other people who have or claim physical custody or visitation rights is correct.

**OR**

I deny that the information about other people who have or claim physical custody or visitation rights is correct and state that the correct information is:

I don't know of any other person, not my spouse, who has physical custody or claims to have physical custody or to have visitation rights with a child listed in this petition.

**OR**

Here is a list of people who have physical custody or claim to have physical custody or visitation rights with a child listed in this petition:

Name	Address	Child's name	Description
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody

			<input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights
			<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims physical custody <input type="checkbox"/> Claims visitation rights

I understand I must give notice of this case to anyone on this list. *(Fill out and paper clip a copy of Form MP-113-D to this document for each person on this list. Send Form MP-113-F to everyone listed.)*

**10. Parenting Plan.**

I admit that the Proposed Parenting Plan submitted by the Petitioner is in the best interests of the child(ren).

**OR**

I deny that the proposed parenting plan submitted by the Petitioner is in the best interests of the child(ren). It is in the best interest of the child(ren) that this court adopt my proposed parenting plan. This is a document that I filed separately. My proposed parenting plan includes parenting time, child support, and medical support.

**NOTICE:** State law requires that a child support calculation using the Montana guidelines be filed with this court. I can find this law at §40-4-204, M.C.A.

**11. Other:**

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**I ask the court to take the following action:**

1. Adopt the proposed parenting plan I agreed to or submitted, including parenting time, child support, and medical support.
2. If the court deems proper, award me my attorneys' fees and court costs under § 40-4-110, MCA.

3. Other:

- a. \_\_\_\_\_  
\_\_\_\_\_
- b. \_\_\_\_\_  
\_\_\_\_\_
- c. \_\_\_\_\_  
\_\_\_\_\_

4. And for any other relief this court decides is just and proper.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Your Signature: \_\_\_\_\_

<p>_____,  <input type="checkbox"/> Petitioner,  _____,  <input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner .</p>	<p><b>Case No:</b> _____</p> <p><b>Attachment: Limited Parenting Time</b></p>
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**1. Children Covered by this Schedule**

Each of our children

**OR**

List: \_\_\_\_\_

**2. Limitations. Choose all that apply.**

a.  Mother's  Father's  Other: \_\_\_\_\_ parenting time is limited in the following way: \_\_\_\_\_

\_\_\_\_\_

If there is a cost to this limitation, that cost will be divided \_\_\_% Mother \_\_\_% Father.

Limitations will continue until: \_\_\_\_\_.

b.  Mother's  Father's  Other: \_\_\_\_\_ parenting time must be supervised by: \_\_\_\_\_

\_\_\_\_\_

If there is a cost to supervision, that cost will be divided \_\_\_% Mother \_\_\_% Father.

Supervision will continue until: \_\_\_\_\_.

c.  Other: \_\_\_\_\_

\_\_\_\_\_

For Court Use Only **Decree Attachment:** \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address (optional)  
 Petitioner  Respondent  Co Petitioner

**Appearing without a lawyer**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address (optional)  
 Co Petitioner

**Appearing without a lawyer**

**MONTANA** \_\_\_\_\_ **JUDICIAL DISTRICT COURT,** \_\_\_\_\_ **COUNTY**

In re the Marriage of:

\_\_\_\_\_,  
 Petitioner  Co Petitioner,

and

\_\_\_\_\_,  
 Respondent  Co Petitioner.

**Case No:** \_\_\_\_\_

**Petitioner's**     **Respondent's**  
 **Agreed**         **Court Ordered**

**Proposed**  **Amended**  
**Parenting Plan**

**1. Objectives.**

- a. To protect the best interest of our minor children;
- b. To provide for the physical care of our minor children;
- c. To maintain our children’s emotional stability and minimize our children’s exposure to parental conflict;
- d. To help our children have a healthy relationship with both parents, families, and friends;
- e. To provide for our minor children’s changing needs as they grow and mature;
- f. To explain the rights and responsibilities of each parent to our minor children;
- g. To help us avoid expensive future court battles over the minor children.

**2. Parent Information:**

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Your e-mail address (optional): \_\_\_\_\_

Your Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

Name First: \_\_\_\_\_ Middle: \_\_\_\_\_ Last: \_\_\_\_\_

Your e-mail address (optional): \_\_\_\_\_

Your Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ County: \_\_\_\_\_

**3. Our Children:**

This parenting plan applies to these children:

Name	Age	Year of Birth

*(If you have additional children, fill out and paper clip Form **MP-113-B** to this document.)*

**4. The same or different parenting time schedules. Choose one.**

We will have the same parenting schedule with all of our children. *(Fill out and paper clip Form MP-300-A to this document.)*

**OR**

We will have different parenting schedules for our children. This is in the best interest of our children because \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

*(Fill out as many versions of Form MP-300-A as necessary to cover all the children and paper clip them to this document.)*

**5. Holidays, Vacation, and Special Occasions. Choose one.**

There is a special schedule for holidays, vacation, and special occasions. *(Fill out and paper clip Form MP-300-B to this document.)*

**OR**

There is no special schedule for holidays, vacation, and special occasions. We will follow the schedule on **Form MP-300-A**.

**6. Supervised or Limited Parenting Time. Choose one.**

Supervised or limited visitation is not necessary.

**OR**

Supervised or limited visitation is necessary. It is in our children's best interest for  
Mother Father Both parents to have supervised or limited parenting time  
because *(describe)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

*(Fill out and paper clip MP-300-C to this document)*

**7. Travel with Our Children. Choose all that apply.**

a. Mother Father Both parents may travel freely in the State of Montana with our children. This travel must be in keeping with our parenting time schedule.

b.  Mother  Father  Both parents must have written permission from the other parent or a court order to take our children out of:

a \_\_\_\_ mile radius of the child's residence.

the following counties (*specify*) \_\_\_\_\_

the State of Montana

This is in the best interest of our children because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c.  Other (*specify*) \_\_\_\_\_

\_\_\_\_\_

**8. Passport. Choose all that apply.**

Our children don't have a passport.  Mother  Father may apply for a passport for any of our children. The other parent consents to the issuance of this passport.

If our children have a passport, it belongs to them. But  Mother  Father will be the custodian of the passport.

Other (*specify*) \_\_\_\_\_

\_\_\_\_\_

**9. Communications. Choose all that apply.**

While our children are with one parent:

Our children will be able to initiate communication with the other parent at reasonable times.

The other parent is allowed to initiate communication with our children at reasonable times.

The other parent has a specific time to communicate with our children:

\_\_\_\_\_

Other (*specify*): \_\_\_\_\_

\_\_\_\_\_

**10. State and Federal Benefit Programs**

Some state and federal benefit programs require one parent be designated custodian. This doesn't affect our parenting rights or responsibilities. It only affects

which parent may include the children when they apply for benefits.

**Choose One**

For the purposes of state and federal benefit programs that require a designation of custodian the  Mother  Father is designated custodian.

**OR**

Other (specify): \_\_\_\_\_

**11. Designation of Children for Income Tax Purposes.**

Mother will claim all of our children as dependents on her income tax

every tax year  in odd-numbered tax years  in even numbered tax years

Father will claim all of our children as dependents on his income tax

every tax year  in odd-numbered tax years  in even-numbered tax years

Other (specify): \_\_\_\_\_

Each parent will fill out the necessary tax forms to claim our children as dependents for income tax purposes.

This arrangement will begin in the tax year our parenting plan is signed by the court.

**12. Co-Parenting Guidelines.**

- a. Each parent will promote a healthy relationship between our children and the other parent. We won't demean or speak negatively about the other in front of or to our children.
- b. Each parent will notify the other parent at least \_\_\_\_  minutes  hours  days in advance when we won't use or need our parenting time. The missed time won't be made up, unless we both agree.
- c.  If  Mother  Father is more than \_\_\_\_\_ minutes late for their parenting time the other parent may cancel the parenting time. The missed time won't be made up, unless we both agree.
- d. Each parent will be flexible about our parenting time when family necessities, illnesses, or other commitments reasonably require a change. The requesting parent will act in good faith and give as much notice as circumstances permit.
- e.  Each parent will supply our children with appropriate clothing, toys, games, or books for their scheduled parenting time with the other parent. These items are

our children's and are to be returned with our children at the end of the parenting time.

**OR**

- Each parent will supply our children appropriate clothing, toys, games, or books for their scheduled parenting time while they are with us. Our children will not take these items between our houses. Any items that our children arrived with are to be returned at the end of the parenting time.
- f.  Each parent is responsible for making sure that our children attend their regularly scheduled activities, including sports and other extra-curricular activities, while the children are with that parent.
- g. If our children has a special activity or medical condition that requires clothing and/or equipment that is not normally with the parent having parenting time, that parent must ask that the clothing and/or equipment comes with our children and returns with our children at the end of the parenting time.
- h. Each parent will encourage and protect healthy relationships between our children and relatives, family and friends. Usually the children will visit paternal relatives during the time when our children are with their father and with the maternal relatives during the time when our children are with their mother, unless we agree otherwise.
- i. Each parent will guarantee the safety of the children. Activities that may be considered dangerous include: ***Choose all that apply.***
- Any person, including a parent, who abuse alcohol or use illegal drugs within 24 hours of contact with our children;
- Second-hand smoke;
- Other: \_\_\_\_\_
- \_\_\_\_\_.
- j. If a parent observes or becomes aware that the children are in physical danger, the observing party will immediately contact law enforcement and may file an action with the court to enforce this agreement. Temporary suspension of parenting time may be appropriate under the circumstances until the safety concerns are resolved.

**13. Decision Making.**

- a. Both parents have the right to make emergency decisions affecting the health or safety of our children.
- b. We have the right to make decisions about the day-to-day care and control of our

children while they are with us.

**Choose any that apply.**

- c.  We will make major decisions about our children’s education together. If we cannot agree, the decision will be made by Mother Father.
- d.  We will make major decisions about our children’s non-emergency health care together. If we cannot agree, the decision will be made by Mother Father.
- e.  We will make major decisions about our children’s spiritual development together. If we cannot agree, the decision will be made by Mother Father  either party during their respective parenting time.
- f.  We will make major decisions about our children’s extra-curricular activities together. If we cannot agree, the decision will be made by Mother Father  either party during their respective parenting time.

**OR**

- g. Mother Father will be the sole decision maker about major decisions for our children’s lives, including  education non-emergency health care, spiritual development, and extra-curricular activities. This is in our children’s best interest because:

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- h. Other (*specify*):

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**14. Access to Our Children’s Information. Choose One.**

- We will both have access to all information about our children, including school records, counseling records, medical, and dental records. We can find this law at §40-4-225, M.C.A.

**OR**

- It is appropriate that only Mother Father have access because \_\_\_\_\_
-

**15. Access to Our Information. Choose One.**

We will keep each other and the court updated in writing of the following:

- Residential and mailing addresses;
- Telephone numbers;
- Social Security numbers;
- Driver's license numbers;
- Name, address, and phone number of employers;
- Health insurance coverage for our children, including the insurance company, name of the plan, the policy identification number, and the names of the covered children;
- Health insurance coverage for our children which is available through an employer or other group, and if the employer or group would pay any part of the premium.

**OR**

It is appropriate that the personal information of  Mother  Father be kept confidential and not be given to the other parent because \_\_\_\_\_  
\_\_\_\_\_.

**16. Parent's Residential Change.**

- a. If either of us plans to change the place we live and it will significantly affect the other parent's contact with our children, the moving parent must give notice to the other parent.
- b. The notice must be in writing and include a proposed amended parenting plan. *(We can use Form MP-904 Notice of Intent to Move to give this notice.)*
- c. There are two ways the moving parent may deliver the notice and proposed amended parenting plan to the other parent:
  - By having law enforcement or a person who is 18 or over and not a party to the case hand-deliver it to them,
  - Or by certified mail.
- d. The moving parent must file proof of service and the proposed amended parenting plan with this court.
- e. If the other parent objects to the proposed amended parenting plan, that parent must file an objection with the court within the 30-day period. If the other parent doesn't file an objection, this means they are in agreement with the moving parent and the court may adopt the plan.

**17. Temporary Assistance for Needy Families and Family Medicaid Benefits.****Choose One.**

- Either Mother or Father is receiving  Temporary Assistance for Needy Families (TANF) and/or  Family Medicaid;

**OR**

- Neither party is receiving these benefits.

**OR**

- I do not know if  Mother  Father is receiving these benefits. I am not receiving any of these benefits.

**18. Notice to Child Support Enforcement Division. Choose One.**

- Child Support Enforcement Division has an active case to determine paternity, to establish or enforce child support, to establish or enforce medical support, or one of us is receiving these benefits. I notified Child Support Enforcement Division of this case. *(Fill out and serve MP-404)*

**OR**

- Child Support Enforcement Division does not have an active case and neither parent is receiving these benefits.

**19. Child Support Calculation.****a. Child Support Amount.**

- Mother  Father must pay \$\_\_\_\_\_ per child per month in child support to the other parent because:

**Choose one.**

- This amount is consistent with the attached final Child Support Enforcement Division Order signed by the Administrative Law Judge. *(Write MP-300-D in the upper right hand corner of the CSED calculation order and paper clip it to this document.)*

**OR**

- This amount is consistent with the child support calculation prepared by  Mother  Father  The Court  other\_\_\_\_\_ *(Write MP-300-E in the upper right hand corner of this calculation and paper clip to this document.)*

**OR**

- This amount is not consistent with the child support amount prepared by  Child Support Enforcement Division  Mother  Father  The Court or

other \_\_\_\_\_; however, this amount is in the best interest of our child because:

\_\_\_\_\_  
\_\_\_\_\_.

*(Write MP-300-E in the upper right hand corner all calculations made and documents used in reaching this child support amount and paper clip to this document)*

**OR**

No one has calculated child support at this time. But, Child Support Enforcement Division has opened a case. The CSED case number is \_\_\_\_\_. Mother Father will file the CSED Child Support Order along with the Request for a Hearing on the Dissolution.

**b. Child Support Payments. Choose One.**

On or before the first of every month, Mother Father must make payments to Child Support Enforcement Division. Payments must be made to CSED if a party is receiving Title IV-A Benefits (TANF, Family Medicaid), or Title IV-D benefit (if there is an active case with CSED). We can find this law at §40-5-909, M.C.A.

**OR**

On or before the \_\_\_\_\_ day of each month, Mother Father must make payments directly to  Mother or  Father.

**OR**

On or before the first of each month, Mother Father must make payments to the Clerk of District Court.

**20. Immediate Income Withholding. Choose One.**

Mother's  Father's income is subject to immediate income withholding. We can find this law beginning at §40-5-315, M.C.A.

**OR**

The child support order is exempt from immediate income withholding because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**21. Child Support Termination. Child support payments must continue until: Choose One.**

The child turns 18 or graduates from high school, whichever occurs later but no

later than when the child turns 19.

**OR**

- Father  Mother agrees to continue to pay child support until: \_\_\_\_\_  
because \_\_\_\_\_.

**22. Medical Support. Choose One.**

- a.  The Montana Child Support Enforcement Division or another appropriate agency or court established a medical support order.

**Choose One:**

- The medical support order is included in the attached Child Support Order

**OR**

- The medical support order is separate and I am attaching it. (*Write **MP-300-F** in the upper right hand corner of the medical support order and paper clip it to this document.*)

**OR**

- The minor children need their medical and dental expenses to be covered. There is no medical support order and the court should adopt the attached medical support order. (*Fill out and paper clip Form **MP-300-G** to this document.*)

**b. Our responsibilities:**

- a. We will fill out, sign, and deliver all necessary documents to the insurance company to make sure our children are continuously covered under the plan.
- b. We will timely submit claims to the insurance company for processing.
- c. We will give each other insurance cards or other methods for access to coverage.
- d. If the insurance company reimburses a parent who didn't pay the bill, that parent will immediately pay the parent who did pay the bill.
- e. If one of us is responsible for paying medical costs and expenses and we don't pay, the court may enter a judgment against us for unpaid support. The Court may hold that parent in contempt for non-payment of support.
- f. If we are responsible for paying the insurance premium and we don't, the other parent, the Department of Public Health and Human Services, or other responsible party, may pay the premium. The court may enter a judgment against the nonpaying parent for unpaid support. The Court may hold that parent in contempt for non-payment.

**NOTICE: The court may impose civil penalties for intentionally violating the medical support order. You can find this law at §40-5-821, M.C.A.**

**23. Review of Parenting Plan.**

We will review this parenting plan with each other when there is a significant change of circumstance. When we disagree about this parenting plan, we will act in the best interest of our children. **Choose One:**

We will:

- Step 1: Try to resolve our issues through informal discussion;
- Step 2: If possible, we will take our issues to a professional mediator.

We agree our first-choice of mediator will be

We agree that Father will pay \_\_\_\_\_% and Mother will pay \_\_\_\_\_% of the cost of the mediator.

- Step 3: If we are unable to resolve our issues, we will file a formal motion and ask the court to decide.

**OR**

Mediation is not appropriate because there is reason to suspect domestic violence and we will ask the judge to decide our issues through a formal motion.

**24. Violation of the Parenting Plan.**

If a parent has actual knowledge of these parenting plan terms and that parent violates those terms, that person may be charged with a crime, be arrested, have to pay a fine and go to jail. We can find this law at §§ 45-5-631 or 45-7-309 M.C.A.

**25. Modification.**

The Court can only modify this agreement, if:

- we both agree to the modification, or
- there is a substantial change in circumstances, and one of us files a motion with the court.

**NOTICE: The Department of Public Health and Human Services or one of us may request Child Support Enforcement Division modify our child support order if one of us is receiving services under Title IV-A of the Social Security Act, or Child Support Enforcement Division is providing enforcement services. We can find this law at starting at § 40-5-271(3), M.C.A..**

**26. Other Provision:**

\_\_\_\_\_  
\_\_\_\_\_

**27. Other Provision:**

\_\_\_\_\_  
\_\_\_\_\_

**28. Request for Parenting Plan be Ordered by the Court.**  Petitioner  Respondent

Co-Petitioners request(s) the Court adopt this Parenting Plan as the final and enforceable Parenting Plan.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Sign Here: \_\_\_\_\_ Print Name: \_\_\_\_\_

Petitioner  Respondent  Co-Petitioner

*(Only fill out this section if you are filing an agreed parenting plan)*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Other Parent Sign Here: \_\_\_\_\_ Print Name: \_\_\_\_\_

Petitioner  Respondent  Co-Petitioner

*(Leave the following section blank. It is for the Judge to use.)*

**Order by the Court**

- The Court found this parenting plan in the best interests of the children.
- The Judge’s signature on this document makes this plan the parenting plan parties must follow.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

<p>_____,  <input type="checkbox"/> Petitioner,  and  _____,  <input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner.</p>	<p><b>Case No:</b> _____</p> <p><b>Attachment: Parenting Time Schedule</b></p>
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**1. Children Covered by this Schedule**

Each of our children

**OR**

List: \_\_\_\_\_

**NOTE:** All of our minor children must be covered under a parenting time schedule.

**2. Parenting time**

The  mother's  father's parenting time will be as follows:

**Choose all that apply:**

Weekends:

The  1<sup>st</sup>  2<sup>nd</sup>  3<sup>rd</sup>  4<sup>th</sup> weekend(s) of the month and the 5th weekend in  odd  even  every month(s). The first weekend of the month is the first weekend with a Saturday.

Weekend parenting time begins:

(day of week) \_\_\_\_\_ at (time) \_\_\_\_\_  a.m.  p.m.

and ends:

(day of week) \_\_\_\_\_ at (time) \_\_\_\_\_  a.m.  p.m.

Weekdays:

Monday  Tuesday  Wednesday  Thursday  Friday

from \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_  a.m.  p.m.

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

a. The other parent's parenting time will be for all time not listed above.

**3. Child Care Options. Choose one if applicable:**

- If either parent is unable to care for the children during their scheduled parenting time, that parent shall arrange appropriate substitute care for the children.
- If either parent is unable to care for the children for longer than \_\_\_\_\_ during their scheduled parenting time, that parent shall contact the other parent and offer the other parent the opportunity to provide care for the children before arranging for substitute care.
- Other (specify): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**4. Transportation for Our Children.**

a. Our children will only be driven by a licensed and insured driver. The vehicle must have legal and age-appropriate restraint devices.

**Choose one:**

The parent whose parenting time is  starting  ending is responsible for transporting our children.

**OR**

Each parent is responsible for transporting our children to and from parenting time and will meet at \_\_\_\_\_ to exchange our children at the beginning and end of each parenting time.

**OR**

Other (specify): \_\_\_\_\_.

b. Transportation cost.

**Choose One:**

Transportation costs will be paid for by the parent responsible for transporting our children.

**OR**

Other: \_\_\_\_\_.

c. (Optional)  Supervised Exchanges. Exchanges of the children must be supervised as follows: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

<p>_____,</p> <p style="text-align: right;"><input type="checkbox"/> Petitioner,</p> <p>and</p> <p>_____,</p> <p style="text-align: right;"><input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner.</p>	<p><b>Case No:</b> _____</p> <p><b>Attachment: Holidays, Vacation, and Special Occasions</b></p>
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**1. Children Covered by this Schedule**

All our children

**OR**

List: \_\_\_\_\_

*A separate form **MP-300-B** is attached for each of our minor children.*

**2. Special Schedule Rules**

- a. There are specific tables for holiday, school breaks, vacation, and special occasions.
- b. If a single day holiday falls on a Friday or a Monday, we will treat this as a three-day weekend unless we indicate differently on the Holiday chart.
- c. Unless we specify different times, all single day holidays will start at \_\_\_\_\_ a.m. and end at \_\_\_\_\_ p.m.
- d. Any three-day weekend, holiday, school break, or special occasion that is not specified will be spent with the parent who would normally have that time.
- e. If there is a conflict between the different schedules that have our children scheduled to be with both of us on the same day, we will resolve this conflict by using the following ranking to determine who our children will be with.
- f. Rank the order of priority, with 1 being the highest priority

	Special Occasions
	School Breaks
	Holiday
4	Regular parenting time schedule

**3. Special Occasions. Complete all rows that apply.**

Special Occasions	Start Time	End Time	Every Year	Even Years	Odd Years	Other:	N/A
Mother's Day			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Father's Day			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Child's birthday (name: _____) (date:_____)			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Child's birthday (name: _____) (date:_____)			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Child's birthday (name: _____) (date:_____)			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Mother's birthday			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Father's birthday			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Other: <i>(specify event and date)</i>							
			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		

**(Optional) Additional Notes on Special Occasions:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**4. School Breaks. Complete all rows that apply.**

School Breaks	Start Time	End Time	Every Year	Even Years	Odd Years	Other:	N/A
Spring Break			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Summer Break			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Winter Break			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Other: <i>(specify event and date)</i>							
			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		

**(Optional) Additional notes on School Breaks:**

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**5. Holidays. Complete all rows that apply.**

Holiday	Start Time	End Time	Every Year	Even Years	Odd Years	Other:	N/A
January 1			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Martin Luther King's Birthday (weekend)			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
President's Day (weekend)			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Memorial Day (weekend)			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		

**MP-300-B Holidays, Vacation, and Special Occasions**

July 4 <sup>th</sup>			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Labor Day (weekend)			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Columbus Day (weekend)			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Halloween			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
<b>Holiday</b>	<b>Start Time</b>	<b>End Time</b>	<b>Every Year</b>	<b>Even Years</b>	<b>Odd Years</b>	<b>Other:</b>	<b>N/A</b>
Veterans Day			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Thanksgiving			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Christmas Eve			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Christmas Day			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
New Year's Eve			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
Other: <i>(specify event and date)</i>							
			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		
			<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father	<input type="checkbox"/> mother <input type="checkbox"/> father		

**(Optional) Additional notes on Holidays:**

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_____, <div style="text-align: right;"><input type="checkbox"/> Petitioner,</div> _____, <div style="text-align: center;"><input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner .</div>	<p><b>Case No:</b> _____</p> <p><b>Attachment: Description of Existing Medical Coverage</b></p>
--	---

**A. Current Coverage. Choose All That Apply.**

- i.  The child(ren) are presently covered under the following insurance plan:

Carrier Name:

Policy No.:

Petitioner  Respondent must continue to provide medical coverage through this plan as long as it is available at a reasonable cost, and as long as no other plan or individual insurance is available that will better serve the interests of the parties.

- ii.  The child(ren) receive medical assistance under Title XIX of the federal Social Security Act (Medicaid).

- iii.  The child(ren) are not covered under an existing insurance plan.

a.  Respondent  Petitioner is required to obtain individual health coverage for the child. Cost for medical coverage including premiums, deductibles, uncovered expenses, and copayments will be divided \_\_\_% to Petitioner and \_\_\_% to Respondent.

b.  Cost for obtaining individual health coverage for the child is unreasonable or not cost effective because:\_\_\_\_\_.

Respondent  Petitioner is responsible for obtaining health coverage for the child when it becomes available to the parent at a reasonable cost. Cost for the medical coverage including premiums, deductibles, uncovered expenses, and copayments will be divided \_\_\_% to Petitioner and \_\_\_% to Respondent.

**NOTICE: The cost of medical insurance or health benefit plan may be considered in a child support calculation if it is known at the time of calculation, but it is not necessarily a dollar for dollar credit.**

**B. Contingency Medical Support.**

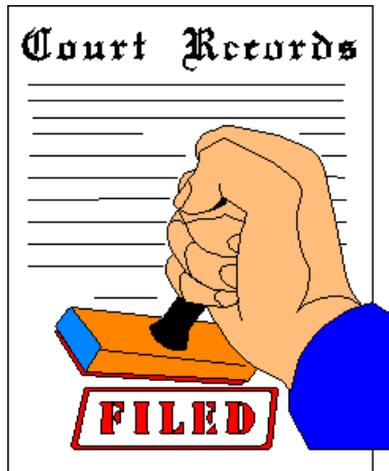
If the minor child(ren) are either (i) covered by Medicaid, (ii) are not covered under an existing insurance plan, or (iii) if the existing coverage becomes no longer available, the following provisions shall apply:

- a. The Petitioner must provide medical coverage for the child(ren), as long as it is available at reasonable cost, and as long as there is no other insurance plan that will better serve the parties.
- b. The Respondent must provide medical coverage for the child(ren), as long as it is available at reasonable cost, and as long as there is no other insurance plan that will better serve the parties.
- c. Both parties must provide insurance, if both parents have insurance plans that are at a combined reasonable cost and whose benefits are complementary or compatible with each other.
- e. If the primary parent has obtained individual insurance or a health benefits plan for the child, both parents may agree in writing to share the costs of maintaining the coverage.
- f. If circumstances change and a party believes that changes in cost are not reasonable or cost-beneficial, the party may ask the court to change the medical support order.

## How to File an Answer to a Petition for Parenting Plan

### **Disclaimer:**

These instructions will tell you how to file your own Answer to a Petition for Parenting Plan. This can be a confusing and complicated process. If you have questions about the instructions or the Answer form, you should talk to a lawyer. This Answer form is not designed to deal with every Parenting Plan situation and cannot take the place of a lawyer. If you use these forms without contacting a lawyer, you risk losing important legal rights.



Always be aware of filing deadlines. Typically, the deadline for filing an Answer to Petition for Parenting Plan is **21** days after you were served with the Petition (excluding the day of delivery.) You cannot use this packet if the deadline for filing your Answer with the Court has already passed.

The steps for filing an Answer may be slightly different in your judicial district. Always check with the Clerk of District Court in your district to make sure that you are following the proper procedures.

### **What Form Will I Need?**

- (1) Answer to Petition for Parenting Plan
- (2) (OPTIONAL) Proposed Parenting Plan

### **Who Should Use This Answer Form?**

This Answer form can be used when the court has requested that you respond to a Petition for Parenting Plan. It is only necessary to file an answer after you have been served with a Petition and a deadline for your answer has been set. Remember, it is your choice whether or not to file an answer. If you agree completely with the Petition, you may choose not to file an answer. In which case, the judge may order a default judgment granting the petitioner everything asked for

in the **Petitioner's Proposed Parenting Plan**.

### **Does It Cost Money To File An Answer?**

The Clerk will charge you a fee for filing your Answer to Petition for Parenting Plan. The cost may vary between judicial districts. Call your local Clerk of District Court to ask about the filing fee in your judicial district.

You might be financially eligible to have the filing fees waived. If you think you might be eligible, ask your local Clerk of District Court for a fee waiver application before you file or download the form from the "Legal System" section of [www.MontanaLawHelp.org](http://www.MontanaLawHelp.org).



### **Definitions:**

*Petitioner* – The Petitioner is the person who first asked the court for something by filing a petition. If you are using this form to answer a Petition for Parenting Plan, the Petitioner is the other parent of your children involved in this action.

*Respondent* – The Respondent is the person who must respond to a court case by filing a Response (also called an Answer.) You are the Respondent in your case because you must file an Answer to Petition for Parenting Plan.

**Self Represented Litigant**– This term is used to notify the court and the Petitioner that you are representing yourself and that you are not being represented by a lawyer in your parenting plan case.

*Parenting* – Montana no longer uses the words "custody" and "visitation," instead, it uses the terms "parenting" or "parenting time."

*Default Judgment* – This is a judgment granted to a Petitioner when the Respondent does not file an answer within the twenty-one day deadline. A default judgment usually grants a Petitioner everything that they asked for in the Petition,

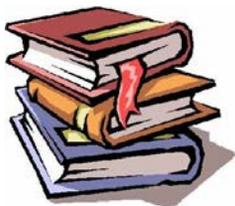
as long as the court finds the request to be equitable and in the best interests of the children.

### **Where Can I Get More Information?**

The Montana Code Annotated (M.C.A.) contains the law on Parenting Plans. The laws can be found beginning at Title 40, Chapter 4, Section 201 of the M.C.A. This is often abbreviated as M.C.A. § 40-4-201. The Montana Code Annotated can be found at your local library or on the Montana State Law Library website at [www.lawlibrary.mt.gov](http://www.lawlibrary.mt.gov). Click on the “State Laws” option near the top of the page and select “MCA” from the list.

The State Law Library web site also contains an easy-to-read “Introduction to Family Law in Montana.” This can be found at the Montana State Law Library website, [www.lawlibrary.mt.gov](http://www.lawlibrary.mt.gov)

1. Click ‘Find a Law by Topic’
2. Click ‘Parenting Plans’
3. Scroll down to ‘Free Information on the Web about Child Custody in Montana’
4. Click on ‘Introduction to Family Law in Montana’



### **Where Can I Get Legal Help?**

If you need help, the following resources may be available to you:

1. Montana Legal Services Association (MLSA) provides free legal assistance to low and moderate-income individuals. To find out if you qualify for MLSA services, call the MLSA HelpLine at 1-800-666-6899.
2. The State Bar Lawyer Referral and Information Service (LRIS) refers people to Montana lawyers who have agreed to charge a reasonable fee for the first visit. The referral is free. Contact LRIS at 1-406-449-6577.
3. The State Law Library can help you to find and use legal resources such as books, forms, and websites. You can visit the Law Library website at

[www.lawlibrary.mt.gov](http://www.lawlibrary.mt.gov). Or you can contact a Reference Librarian at 1-406-444-3636 or by email at [mtlawlibrary@mt.gov](mailto:mtlawlibrary@mt.gov).

## **How Do I Use The Answer To Petition For Parenting Plan Form?**

Complete the following steps:

### **Step One: Fill In the Answer Form**

Fill in the Answer to Petition for Parenting Plan form completely. Look at every paragraph of the Petition and the Proposed Parenting Plan you were served and make sure you have “agreed” or “disagreed” to every paragraph.

Fill out the Respondent’s Proposed Parenting Plan. Your Proposed Parenting Plan must be different than respondents and must be in the best interest of your children. If you and the other parent do not have significant disagreements you may choose to work out a parenting plan you can both agree to. The Court considers the “best interest of the child” according to the factors listed in section 40-4-212, MCA.

Get your Answer and Parenting Plan notarized. This is when you sign the signature line in front of a notary. The Clerk of Court offers this service for a small fee, in addition to most banks and law offices.

### **Step Two: Make Copies**

You will need a total of three completed Answer and Proposed Parenting Plan forms (2 copies plus the original.) The original will go the District Court, one copy will go to the Petitioner, and you will keep one copy for your own records.

### **Step Three: File Your Answer and Proposed Parenting Plan with the Court**

Go to the Clerk of District Court in the County Courthouse where the Petition for Parenting Plan was filed. As mentioned above, you will have to pay a filing fee unless you are eligible for a fee waiver.

File the original Answer to Petition for Parenting Plan and Proposed Parenting Plan form with the Clerk of District Court.

Bring your copy of the Answer and Proposed Parenting Plan with you and ask the Clerk to stamp it, showing that the document has been filed. Keep an organized file of all your court papers and letters concerning your case.

#### **Step Four: Send A Copy To The Petitioner**

Once you have filed your Answer, it is your responsibility to send a copy to the Petitioner.

Mail a **copy of the Answer and Proposed Parenting** Plan to the Petitioner at the exact address you listed for him or her on the “Certificate of Service” section of the Answer form. You should use the regular first class mailing service offered by the U.S. Postal Service for this purpose.

#### **Step Five: Prepare Your Own Proposed Parenting Plan**

~~Because you are contesting the Petitioner’s Proposed Parenting Plan, it is in your best interest to submit your own Proposed Parenting Plan to the Court. This provides you with an opportunity to show the Court and the Petitioner exactly how you think the Parenting Plan should look. Follow the instructions below to prepare your own Proposed Parenting Plan.~~

~~Go to the Montana State Law Library website at [www.lawlibrary.mt.gov](http://www.lawlibrary.mt.gov).~~

~~Click ‘Find a Law by Topic.’~~

~~Click ‘Parenting Plans.’~~

Click ‘**Petition for Parenting Plan Packet.**’

~~Select ‘Parenting Plan’ from the list of documents.~~

~~Complete the Proposed Parenting Plan (instructions are provided on the form). Remember to notarize the document.~~

~~File the original Proposed Parenting Plan with the Clerk, mail a copy to the Petitioner and keep a copy for your own files.~~

#### **Step Five: Attend Mediation**

**Many Judges require the Petitioner and the Respondent to attend mediation before their parenting plan case will be heard by the Court. When you file your Answer, ask the Clerk whether your Judge will require mediation.**

**If you and your spouse manage to work out an agreement prior to your hearing you may file a parenting plan signed and notarized by both of you establishing your**

agreement. Different Court scheduling practices apply to parties who agree to a parenting plan.

**\*Important note:** Victims of domestic violence cannot be ordered to attend mediation. If you are a victim of domestic violence at the hands of the Petitioner, you have the option of notifying the Judge that you chose not to attend the mediation. This means your case will go directly to the hearing stage, described below.

### **Step Six: Prepare For A Hearing In Front Of The Judge**

Because you are choosing to file an Answer, your Parenting Plan action is contested and a Judge will hold a hearing to make a decision on the contested issues.

[ ] Collect evidence to support your case at the hearing. This evidence should include any paperwork or witnesses that will persuade the Judge to decide the contested issues in your favor. The following are some examples of the evidence you might gather for the hearing:

#### **Evidence about your child:**

- Report cards
- Attendance records from school/daycare
- Progress reports from school/daycare
- Health care providers' progress/treatment reports
- Mental health care providers' notes/diagnoses/treatment reports

#### **Evidence about parents/family members/others who play a significant role in your child's life:**

- Health care providers' treatment reports
- Mental health care providers/chemical dependency providers' notes/diagnoses/treatment reports
- Police reports
- Child protective services reports
- Court records of criminal charges/convictions
- Reports from domestic violence advocacy programs
- Previous court orders (protection orders, contempt orders, etc)
- Receipts from expenses spent on the child (for health care, clothing, school, etc)
- Administrative or court findings of unpaid child support

You should write down and practice the questions that you want to ask the Petitioner at the hearing. *Important:* Only ask questions that you think will help your case.

You should also practice what you want to say to the Judge. Practice with a friend until you feel comfortable with everything that you want to say.

**Step Seven: Go To The Hearing**

The time and date for the hearing will be sent to you on a court document normally called a “Scheduling Order.” You must attend that hearing. Be at the courthouse at least 15 minutes before your scheduled hearing time. Dress as you would for an important job interview. Ask the Clerk of District Court which courtroom your Judge is in. Go to the appropriate courtroom and wait for the Judge to call your name and cause number. Be calm and polite and address the Judge as “Your Honor.”

Bring all of your court papers to the hearing.

Bring all of the evidence you gathered in Step Six above.

If the Petitioner is at the hearing, the Judge will ask him/her to be sworn in and take the witness stand. The Petitioner will be allowed to tell his/her side of the story. Then you will be allowed to ask the Petitioner any questions you have prepared.

The judge will then ask you to take the witness stand. You should bring your evidence with you. You will then be allowed to tell your side of the story. The Petitioner will be given the opportunity to ask you any question he/she has prepared.

After the hearing, the Judge will enter a final ruling on the contested issues in your Parenting Plan case. It may take awhile for the Judge to enter a final ruling. However, once the ruling has been made, the Judge will mail a copy to you.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number  
Respondent Self Represented

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY**

The [ ] Marriage of:/[ ] Parenting of:

minor child(ren);

\_\_\_\_\_,  
Petitioner (*Other Parent*),

and

\_\_\_\_\_,  
Respondent (*You*).

Cause No.: \_\_\_\_\_

**Answer to  
Petition for  
Parenting Plan**

**ANSWER**

I am the Respondent in this case. I am answering the Petition for Parenting Plan in my case:

Answer to Petition for Parenting Plan, Page 6 of 31. © Approved by the Montana Supreme Court Standing Committee on Self-Represented Litigants.

Use of this form is restricted to not-for-profit purposes.

Last updated 11/23/2015

1. These paragraphs in the Petition for Parenting Plan are true. I admit them (*list the paragraph numbers that are true*):

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2. These paragraphs in the Petition for Parenting Plan are not true. I deny them (*list the paragraph numbers that are not true*):

---

---

3. These paragraphs in the Petition for Parenting Plan are partly true and partly not true. I admit the parts that are true and deny the parts that are not true (*for each paragraph that is partly true and partly not true, list the paragraph number and tell the Court what is not true*):

A. Paragraph No. \_\_

Everything in this paragraph is true except for (*state the part of the paragraph that is not true*):

---

---

---

B. Paragraph No. \_\_

Everything in this paragraph is true except for (*state the part of the paragraph that is not true*):

---

---

---

C. Paragraph No. \_\_

Everything in this paragraph is true except for (*state the part of the paragraph that is not true*):

---

---

---

4. I do not know whether these paragraphs in the Petition for Parenting Plan are true or not true. I deny them (*if you don't know whether a paragraph is true or not true, list the paragraph number here*):

---

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5. I deny any claims not specifically admitted in this Answer.

6. Other Provisions:

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I respectfully request that the Court deny the Parenting Plan requested by Petitioner and order Respondent's Proposed Parenting Plan, filed separately, be adopted by this Court and order any further relief that the Court deems proper.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Respondent Pro Se (Your Signature)

\_\_\_\_\_  
Print Your Name

STATE OF MONTANA )  
 ) : ss  
COUNTY OF \_\_\_\_\_)

\_\_\_\_\_, being first duly sworn on oath, says that  
he/she is the Respondent in the above-entitled proceeding; that he/she has read the above Answer  
and knows the contents thereof; and that the matter, facts and things stated therein are true to the  
best of his/her knowledge and belief.

\_\_\_\_\_  
Respondent Pro Se (Your Signature)

\_\_\_\_\_  
Print Your Name

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of Montana.  
Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

**Comment [c1]:** Check this notary in final  
formatted version

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

State Zip Code

\_\_\_\_\_  
Phone Number  
Respondent Self Represented

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY**

<p>In re the Marriage of:</p> <p>_____, Petitioner,</p> <p>and</p> <p>_____, Respondent.</p>	<p>Cause No.: _____</p> <p><input type="checkbox"/> Petitioner's/<input type="checkbox"/> Respondent's <input type="checkbox"/> Proposed/<input type="checkbox"/> Final <b>Parenting Plan</b></p>
--	---

**1. Identification of the Parties**

a. Petitioner's Name:

Address:

b. Respondent's Name:

Address:

**2. Identification of the Child(ren)**

This parenting plan applies to the following minor child(ren) of the parties:

Name (first and last): \_\_\_\_\_ Date of Birth: \_\_\_/\_\_\_/\_\_\_

State of residence for last six months:

Name (first and last): \_\_\_\_\_ Date of Birth: \_\_\_/\_\_\_/\_\_\_

State of residence for last six months:

Name (first and last): \_\_\_\_\_ Date of Birth: \_\_\_/\_\_\_/\_\_\_

State of residence for last six months:

Name (first and last): \_\_\_\_\_ Date of Birth: \_\_\_/\_\_\_/\_\_\_

State of residence for last six months:

Name (first and last): \_\_\_\_\_ Date of Birth: \_\_\_/\_\_\_/\_\_\_

State of residence for last six months:

If needed, attach additional sheets as Exhibit \_\_\_\_.

**3. Objectives of the Parenting Plan**

- a. To protect the best interest(s) of the minor child(ren);
- b. To provide for the physical care of the minor child(ren);
- c. To maintain the child(ren)'s emotional stability and minimize the child(ren)'s exposure to parental conflict;
- d. To provide for the minor child(ren)'s changing needs as they grow and mature;
- e. To set forth the authority and responsibilities of each parent with respect to the minor child(ren);
- f. To help the parents avoid expensive future court battles over the minor child(ren).

**4. Residential Schedule for the Child(ren)** *The provisions set forth below in Paragraphs 4(a)-(i) are one way to write your residential schedule. This schedule is designed to provide for the child(ren)'s changing needs as they grow and mature. It specifies the periods of time during which the child(ren) will reside with each parent, including holidays, vacations, and other special occasions. If you choose not to use the provisions provided, you may write your own schedule in Paragraph 4(j) below.*

**a. Pre-School Schedule** (Choose One):

- There are no child(ren) under school age.
- There are child(ren) under school age, but the school schedule set forth in 4(b) below shall apply to the child(ren) regardless of their age(s).
- Prior to enrollment in school, the child(ren) shall reside primarily with the  Mother /  Father, except for the following days and times when the other parent shall have parenting time with the child(ren):

---

---

**or**

- Describe the residential schedule for the minor child(ren) prior to their enrollment in school:*

---

---

**b. School Schedule** (Choose One):

- Upon enrollment in school, the child(ren) shall reside with the  Mother /  Father, except for the following days and times when the other parent shall have parenting time with the child(ren):

---

**or**

- Describe the residential schedule for the minor child(ren):*

---

---

**c. Holiday and Special Occasion Schedule**

No holiday and special occasion schedule shall apply. The school year or pre-school schedule set forth above shall apply.

**or**

The following schedule shall apply for the holidays and special occasions listed below:

<u><b>Holiday/Special Occasion</b></u>	<b>With Mother</b> (Specify Odd/Even/Every)	<b>With Father</b>
New Year's Day	_____	_____
Martin Luther King Day*	_____	_____
Presidents' Day*	_____	_____
Easter	_____	_____
Mother's Day	_____	_____
Memorial Day*	_____	_____
Father's Day	_____	_____
July 4 <sup>th</sup>	_____	_____
Labor Day*	_____	_____
Halloween	_____	_____
Veterans' Day*	_____	_____
Thanksgiving	_____	_____
Christmas Eve	_____	_____
Christmas Day	_____	_____
Mother's Birthday	_____	_____
Father's Birthday	_____	_____
Child(ren)'s Birthday(s)	_____	_____
_____	_____	_____

Choose All That Apply:

- Unless otherwise noted below, holidays/special occasions shall begin at \_\_\_\_\_ a.m. and end at \_\_\_\_\_ p.m.
- Holidays which fall on a Friday or a Monday and which are traditionally considered three day holidays (as noted by an asterisk (\*) above)  
 shall not/ shall include the Saturday and Sunday immediately preceding or following the holiday.
- Thanksgiving shall begin on (day and time) \_\_\_\_\_ and shall extend until (day and time) \_\_\_\_\_.
- Christmas Eve shall begin on (day and time) \_\_\_\_\_ and shall extend until (day and time) \_\_\_\_\_.
- Christmas Day shall begin on (day and time) \_\_\_\_\_ and shall extend until (day and time) \_\_\_\_\_.
- The child(ren)'s school attendance shall take priority over the holiday and special day schedule. The child(ren) shall not miss school because of the holiday or special occasion schedule.

**d. Winter Vacation (Choose One):**

- No winter vacation schedule shall apply. The school year or pre-school schedule set forth above shall apply.

**or**

- (i) The parent exercising parenting time with the child(ren) on Christmas Eve (as outlined above) shall have the following additional parenting time with the child(ren) over winter vacation:

\_\_\_\_\_  
\_\_\_\_\_

- (ii) The parent exercising parenting time with the child(ren) on Christmas Day (as outlined above) shall have the following additional parenting time with the child(ren) over winter vacation:

\_\_\_\_\_  
\_\_\_\_\_.

**or**

- Describe the residential schedule for the child(ren)'s winter vacation:

.

**e. Summer Vacation (Choose One):**

- No summer vacation schedule shall apply. The school year or pre-school schedule set forth above shall apply.

**or**

- The child(ren) shall reside with the  Mother /  Father during summer vacations, except for the following days and times when the child(ren) shall be with the other parent:

\_\_\_\_\_.

**or**

- Describe the residential schedule for the child(ren)'s summer vacation: \_\_\_\_\_.

**f. Spring Break (Choose One):**

- No Spring Break schedule shall apply. The school year or pre-school schedule set forth above shall apply.

**or**

The child(ren) shall reside with the  Mother /  Father during Spring Break, except for the following days and times when the child(ren) shall be with the other parent: \_\_\_\_\_.

**or**

Describe the residential schedule for the child(ren)'s Spring Break:

\_\_\_\_\_.

**g. Other Vacations with Parents**

*Describe the schedules for any other vacations with the parents:*

\_\_\_\_\_.

**h. Priorities under the Residential Schedule**

If the residential schedule outlined above results in a conflict where the child(ren) are scheduled to be with both parents at the same time, the conflict shall be resolved by priority being given as follows:

Rank the order of priority, with 1 being the highest priority

\_\_\_\_ Preschool and School Schedule

\_\_\_\_ Holidays/Special Occasions

\_\_\_\_ Winter/Summer/Spring Break Vacations

\_\_\_\_ Other Vacations with Parents

**or**

Other:

\_\_\_\_\_.

**i. Supervised and Limited Visitation (Choose One):**

The residential schedule listed above is not subject to any additional restrictions or limitations on parenting time.

**or**

(i) The  Mother's/  Father's parenting time shall be supervised or limited because he/she has exhibited the following behavior which is not in the best interest(s) of the minor child(ren):

(ii) It is in the best interest(s) of the minor child(ren) that the  Mother's/  Father's parenting time be subject to the following conditions:

How Often/ For How Long:

\_\_\_\_\_.

Where: \_\_\_\_\_.

Supervised by Whom: \_\_\_\_\_.

(iii) The supervised and limited visitation conditions shall take priority over any other terms of the residential schedule above.

(iv) If the  Mother /  Father has completed the following and has followed through with any and all recommendations by the evaluator, treatment counselor, and/or other professional recommendations, the  Mother/  Father agrees to consider a modification to allow less restricted visitation after \_\_\_\_\_ months of supervised and limited visitation. (Check All That Apply):

Alcohol / drug evaluation

Substance abuse treatment

Psychological evaluation

Anger management counseling

Parenting classes

Other: \_\_\_\_\_.

Other: \_\_\_\_\_.

**j. Other:**

**5. Designation of Custodian**

For the purpose of all other state and federal statutes which require a designation or determination of custody, the  Mother /  Father shall be designated the custodian.

However, this designation shall not affect either parent's rights and responsibilities under this parenting plan.

**6. Transportation Arrangements (Choose All That Apply):**

Transportation arrangements for the child(ren) between parents shall be as follows: \_\_\_\_\_.

Unless both parents agree upon a different meeting place, the exchange of the child(ren) shall be at: \_\_\_\_\_.

Transportation costs shall be distributed as follows: \_\_\_\_\_.

If the  Mother /  Father is more than \_\_\_\_ minutes late to pick the child(ren) up for a visit, that visit shall be canceled.

**7. Telephone Contact (Choose One):**

While the child(ren) reside with one parent, the other parent shall be permitted to speak with the child(ren) at reasonable times.

**or**

While the child(ren) reside with one parent, the other parent shall be permitted to speak with the child(ren) at the following times only:

**8. Co-Parenting Guidelines** (Choose All That Apply):

- Each parent shall promote a healthy, beneficial relationship between the child(ren) and the other parent and shall not demean or speak out negatively in any manner that would damage the relationship between either parent and the child(ren).
- Each parent shall notify the other parent at least \_\_\_\_\_ days in advance when a particular parenting time shall not be exercised. The missed time shall not be substituted unless mutually agreed to by both parents. The parents are expected to fairly modify visitation when family necessities, illnesses, or other commitments reasonably so require. The requesting parent shall act in good faith and give as much notice as circumstances permit.
- Each parent shall supply the appropriate child(ren)'s clothing with them for their scheduled time with the other parent. These clothes are to be considered the child(ren)'s clothes and shall be returned with the child(ren).
- Each parent shall provide separate clothes for the child(ren) at their own residence, unless mutually agreed to by both parents. In the cold months of the year, both parents are required to have adequate boots, gloves, hats, and jackets for the child(ren), unless mutually agreed to by both parents.
- If a parent plans a special activity that requires clothing and/or equipment that would normally not be with the child(ren), it is that parent's responsibility to check and see if the child(ren) have such clothing and/or equipment with the other parent, to ask that the clothing and/or equipment travels with the child(ren), and to ensure that the clothing and/or equipment returns the same with the child(ren).
- Each parent shall be responsible for ensuring that the child(ren) attend regularly scheduled activities, including but not limited to sports and extra-curricular activities, while the child(ren) are with that parent

- Neither parent shall permit the child(ren) to be subjected to (Choose All That Apply):
  - Persons abusing alcohol or using illegal drugs within 24 hours of contact with the child(ren). This includes the abuse of alcohol or the use of illegal drugs by the parent.
  - Smoking environment.
  - Use of profane language.
  - Removal of the child(ren) from Montana, except as authorized by the Court or mutually agreed to by both parents.
  - Other: \_\_\_\_\_.
  - Other: \_\_\_\_\_.
  - Any violation of these terms will result in the immediate termination of that parent's contact with the child(ren).
- Relationships between the child(ren) and relatives and family friends on both sides of the family shall be protected and encouraged. The parents shall have their child(ren) maintain ties with both the maternal and paternal relatives. In Montana, grandparents have a legal right to request a court to order reasonable visitation with their grandchild(ren), if it is in the best interest(s) of the child(ren). Usually the child(ren) will visit with the paternal relatives during times the child(ren) are with their father and with the maternal relatives during times they are with their mother.

**9. Decision Making**

**a. Day-to-Day Decisions**

Each parent shall be authorized to make decisions regarding the day-to-day care and control of the child(ren) while the child(ren) are residing with that parent, unless or except as provided below (Choose All That Apply):

Sole decision making shall be granted to the  Mother/ Father for the following reasons:\_\_\_\_\_

Major decisions concerning the child(ren)'s education shall be made by  the Mother/ the Father/ both parents jointly.

Major decisions concerning the non-emergency health care of the child(ren) shall be made by  the Mother/ the Father/ both parents jointly.

Major decisions concerning the spiritual development of the child(ren) shall be made by  the Mother/ the Father/ both parents jointly.

The consent of both parents shall be required before any minor child(ren) shall be permitted to (Choose All That Apply):

- Get a tattoo
- Pierce any body part
- Marry
- Enlist in the armed services
- Other:
- Other:

Other:

Other:

**b. Emergency Decisions**

Regardless of the allocation of decision making in this parenting plan, each parent shall be authorized to make emergency decisions affecting the health or safety of the child(ren).

**10. Access to Information**

- a. As required by M.C.A. § 40-4-225, both parents shall have access to all information relating to their child(ren) including, but not limited to, school records, counseling records, medical and dental records.
  - b. As required by M.C.A. § 40-4-204(6)(a), both parents shall update each other and the Court with written notice of changes to the following information:
    - (i) Residential and mailing addresses;
    - (ii) Telephone number;
    - (iii) Social Security number;
    - (iv) Driver's license number;
    - (v) Name, address, and phone number of employers;
    - (vi) Health insurance coverage for the child(ren);
    - (vii) Health insurance available through either parent's employer which could cover the minor child(ren).
- It is appropriate that the personal information of the  Mother/  Father shall remain confidential and shall not be provided to the other parent because:

\_\_\_\_\_.

**11. Residential Changes**

As required by M.C.A. § 40-4-217, if a parent's change in residence will significantly affect the other parent's contact with the child(ren), written notice shall be served personally or sent by certified mail to the other parent not less than 30 days before the proposed change in residence and must include a proposed revised residential schedule. Proof of service must be filed with the court that adopted the parenting plan. Failure of the parent who receives notice to respond to the written notice or to seek amendment of the residential schedule within the 30-day period constitutes acceptance of the proposed revised residential schedule.

**12. Review of Parenting Plan (Optional)**

The parents will review this parenting plan at the following times:

---

**13. Dispute Resolution**

The following shall apply when disputes arise between the parents in carrying out or amending this parenting plan (Choose One):

No alternative dispute resolution process, except court action, shall apply unless ordered at the discretion of the Court.

No alternative dispute resolution process is appropriate. The following limiting factors exist, as provided in M.C.A. § 40-4-219(9) (Choose All That Apply):

This is a case of physical abuse or threat of physical abuse by one parent against the other parent or the child(ren).

A parent has been convicted of deliberate homicide, mitigated deliberate homicide, sexual assault, sexual intercourse without consent, deviate sexual conduct with an animal, incest, aggravated promotion of

prostitution of a child, endangering the welfare of children, partner or family member assault, or sexual abuse of children.

**or**

a. Disputes between the parents shall be submitted to mediation, counseling, or arbitration by:

b. The cost of this process shall be allocated between the parents as follows

(Choose One):

Based on each parent's proportional share of income as determined from the child support worksheet.

As determined in the dispute resolution process.

Mother: \_\_\_\_\_ % , Father: \_\_\_\_\_%.

c. A parent will begin the dispute resolution process by notifying the other parent by written request sent by certified mail.

d. In the dispute resolution process:

(i) Preference shall be given to carrying out this parenting plan.

(ii) Unless an emergency exists, the parents shall use the designated process to resolve disputes relating to implementation of the plan, except those related to financial support.

(iii) A written record shall be prepared of any agreement or arbitration award reached in counseling or mediation, and a copy shall be provided to each parent.

(iv) If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court may award attorney's fees and financial sanctions to the other parent.



\_\_\_\_\_  
Print Name

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(Seal)

\_\_\_\_\_  
Name (*printed*): \_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

**Order by the Court** (*Leave the following section blank. It will be completed by the Court if this document is adopted as the Final Parenting Plan.*)

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Comment [c2]:** Check formatting on final because notary block is separate.

\_\_\_\_\_  
DISTRICT COURT JUDGE

**Certificate of Service**

I certify that I sent a copy of this **Answer and Respondent's Proposed Parenting Plan** to the Petitioner. I sent the copy on *(date)* \_\_\_\_\_. I sent the copy using U.S. Mail, postage prepaid, to the following address *(Use the name and address listed in the top left corner of the Petition for Parenting Plan. If your spouse has a lawyer, this will be the lawyer's address. If your spouse does not have a lawyer, it will be your spouse's address.)*:

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City      State    Zip Code

\_\_\_\_\_  
Respondent Pro Se *(Your Signature)*  
\_\_\_\_\_  
Print Your Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

Petitioner  
**Appearing without a lawyer**

**MONTANA** \_\_\_\_\_ **JUDICIAL DISTRICT COURT** \_\_\_\_\_ **COUNTY**

<p>In re the Marriage of:</p> <p>_____ ,</p> <p>and</p> <p>_____ ,</p> <p style="text-align: right;">Respondent <i>(your spouse)</i>.</p>	<p><b>Case No:</b> _____ <i>(leave blank, the clerk will complete)</i></p> <p style="text-align: center;"><b>Request for Sheriff to Serve Documents</b></p>
---	---

To the Sheriff of \_\_\_\_\_ County:

Please serve upon the Respondent the following documents:

- Summons and Temporary Economic Restraining Order (original and one copy)
- Petition for Dissolution of Marriage
- Petitioner's Declaration of Income and Expenses
- Petitioner's Proposed Property Distribution
- Petitioner's Proposed Parenting Plan
- Optional: Notice and Acknowledgment to Child Support Enforcement Division
- Optional: Notice of Filing Montana Child Support Guidelines Financial Affidavit
- \_\_\_\_\_
- \_\_\_\_\_

Also enclosed is:

- The Petitioner's Affidavit and Order of Inability to Pay Filing Fees which waives the fee for service in this matter;

**OR**

- \$ \_\_\_\_\_ to cover the fee for service in this matter

1. Physical Description of Respondent: \_\_\_ ft \_\_\_ inches. Hair color \_\_\_\_\_ Eye Color \_\_\_\_\_

Other: \_\_\_\_\_

2. The Respondent [ ] does not/[ ] does carry a weapon.

3. At present, the Respondent can be found:

[ ] At his/her residence: \_\_\_\_\_.

Times normally at this address: [ ] \_\_\_:\_\_\_ a/p to \_\_\_:\_\_\_ a/p and [ ] \_\_\_:\_\_\_ a/p to \_\_\_:\_\_\_ a/p.

[ ] Other: \_\_\_\_\_.

[ ] At his/her place of employment: \_\_\_\_\_.

Times normally at this address: [ ] \_\_\_:\_\_\_ a/p to \_\_\_:\_\_\_ a/p and [ ] \_\_\_:\_\_\_ a/p to \_\_\_:\_\_\_ a/p.

[ ] Other: \_\_\_\_\_.

[ ] Other location: \_\_\_\_\_.

Times normally at this address: [ ] \_\_\_:\_\_\_ a/p to \_\_\_:\_\_\_ a/p and [ ] \_\_\_:\_\_\_ a/p to \_\_\_:\_\_\_ a/p.

[ ] Other: \_\_\_\_\_.

Please serve the papers on the Respondent as soon as possible. Please return the original Summons to me at the address above, along with proof of service or a statement that you were unable to locate the Respondent.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Petitioner appearing without a lawyer (sign here)

**Record of Service** (for Sheriff's use only)

I certify that: **Choose One**

- I personally served the following documents:
  - Summons and Temporary Economic Restraining Order (original and one copy)
  - Petition for Dissolution of Marriage
  - Petitioner's Declaration of Income and Expenses
  - Petitioner's Proposed Property Distribution
  - Petitioner's Proposed Parenting Plan
  - Notice and Acknowledgment to Child Support Enforcement Division
  - Notice of Filing Montana Child Support Guidelines Financial Affidavit
  - \_\_\_\_\_
  - \_\_\_\_\_

on the Respondent by delivering a copy to him/her personally on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ in the County of \_\_\_\_\_, State of \_\_\_\_\_.

**OR**

- After due effort, I was unable to locate or serve the Respondent in the County of \_\_\_\_\_, State of \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Sheriff  
 By: \_\_\_\_\_  
 Deputy Sheriff

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

**Petitioner appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY**

In re the Marriage of:

\_\_\_\_\_  
Petitioner (*you*),

and

\_\_\_\_\_  
Respondent (*your spouse*).

Case No: \_\_\_\_\_

**Request for Order Granting  
Service by Publication**

Petitioner, \_\_\_\_\_, states under oath:

1. I am the petitioner in this case.
2. I filed a petition to dissolve my marriage with respondent and to get a parenting plan for our children.
3. I filed the petition with the Clerk of District Court on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.
4. The clerk issued a summons and temporary economic restraining order.
5. The process server returned the summons and temporary economic restraining order and petition as unserved because they could find respondent.
6. Respondent's: (*choose one*):

Address is: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Last known address is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Address is unknown.

7. Respondent (*choose all that apply*):

- resides out of the state;
- departed from the state;
- cannot, after due diligence, be found;
- has concealed himself/herself in order to avoid the service of summons.

8. I cannot personally serve the summons and petition on Respondent.

9. Respondent is a necessary and proper party to this case.

10. I know that I must pay for the costs of publication, and that the first publication must happen within 60 days after I file this affidavit.

11. For these reasons, I request an order for service of summons by publication to be made in (*name of newspaper*) \_\_\_\_\_, in (*name of county*) \_\_\_\_\_ County, Montana.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Your Signature: \_\_\_\_\_  
Petitioner  
Appearing without a lawyer

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
 \_\_\_\_\_ COUNTY

In re the Marriage of:  _____, <div style="text-align: right;">Petitioner (<i>you</i>),</div> and  _____, <div style="text-align: right;">Respondent (<i>your spouse</i>).</div>	Case No: _____   <div style="text-align: center;"> <b>Order for                      Service of Summons by                      Publication</b> </div>
---	---

Petitioner filed a Request for Service of Summons by Publication. The Clerk of

District Court finds:

1. Petitioner filed a petition to dissolve the marriage between Petitioner and Respondent and to get a parenting plan.
2. Respondent is a necessary and proper party to this case.
3. Respondent cannot be personally served because of the reasons listed in Petitioner’s request for order granting service of summons by publication.

**It is ORDERED that** Respondent is to be served by publication. Under Rule 4(D)(o) of the Montana Rules of Civil Procedure, the summons must:

- be published in a paper of general circulation in the county where the case is pending;
- be published once a week in this newspaper for three weeks in a row;
- give a general statement of the nature of this case;
- be published with 60 days of the filing of the affidavit requesting service by publication.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

(Seal)

\_\_\_\_\_  
Clerk of District Court

by: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

**Petitioner appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY**

In re the Marriage of:  
\_\_\_\_\_  
Petitioner (*you*),

and

\_\_\_\_\_  
Respondent (*your spouse*).

Case No: \_\_\_\_\_

**Summons for Publication**

**NOTICE TO: Respondent (*name*) \_\_\_\_\_.**

You are named in a petition to dissolve your marriage and to get a final parenting plan for your children. Unless you respond in 21 days, the court may decide against you without you being heard and give Petitioner everything asked for in the petition. You must submit your written response within 21 calendar days. The 21 day period starts the day after the last date of publication of this notice. If the final day falls on a weekend or court holiday, you may file your response on the next business day.

You must file your written response with the Clerk of District Court at: \_\_\_\_\_ and serve a copy of your answer on the Petitioner.

The following real property is part of this case: (*list property by common street name*)

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Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(Seal)

By: \_\_\_\_\_  
Clerk of Court  
\_\_\_\_\_  
Deputy Clerk

***Optional (not for publication):***

[ ] Petitioner asks the newspaper to waive publication fees because the court approved a filing fee waiver due to Petitioner's inability to pay filing fees. Attached is a copy of the order.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

**Petitioner appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY**

In re the Marriage of:

\_\_\_\_\_,  
Petitioner (you),

and

\_\_\_\_\_,  
Respondent (your spouse).

**Case No:** \_\_\_\_\_  
*(leave blank, the clerk will complete)*

**Notice and Request for  
Acknowledgment of Service  
by Certified Mail  
of Summons and Petition for  
Dissolution of Marriage With Parenting  
Plan for Minor Children**

**NOTICE To:** *(your spouse's name)* \_\_\_\_\_, Respondent:

I am serving the following documents according to the rules of civil procedure.  
You can find the rules at the Montana Rules of Civil Procedure Rule 4(D)(3)(A):

- Summons and Temporary Economic Restraining Order (MP 400)
- Petition for Dissolution of Marriage With Children (MP-113)
- Petitioner's Proposed Parenting Plan (MP-300)
- Petitioner's Declaration of Income and Expenses **(FL 202.1)**
- Petitioner's Proposed Property Distribution (MP-500)
- \_\_\_\_\_
- \_\_\_\_\_



## You were sent papers in the mail, now what?

---

### Why is my name on these papers?

- ∞ You are named in a family law case.
- ∞ A petition to dissolve your marriage and to get a parenting plan was filed in district court.

### Why did I get these papers in the mail?

- ∞ Your spouse is trying to serve you without having to use a sheriff or other process server.

**IMPORTANT:** Keep a copy of these papers for your records.

### I don't want to have a sheriff serve me, what can I do?

- ∞ Fill out the acknowledgment part of this form;
- ∞ Put it in the enclosed stamped return envelope;
- ∞ Return it to your spouse within 21 days after the date it was mailed.

### What does it mean if I fill out and return the acknowledgment?

- ∞ Filling out and returning the acknowledgment means that you received these papers.
- ∞ It doesn't mean that you agree with what is in the petition or parenting plan.

### If I fill out and return the acknowledgement, do I need to do anything else?

- ∞ You must submit a written response to the court and your spouse within 21 days. If you don't submit a written response, the court may decide against you without you being heard.
- ∞ You must pay a fee to submit your written response, or ask the court to waive the fee if you are low income.

## What happens if I don't fill out and return the acknowledgment?

- ∞ If you don't fill out and return the acknowledgment within 21 days after it was mailed:
  - You will be served with these papers by the sheriff or other process server.
  - You may have to pay the costs of serving you.

## Where can I get help?

- ∞ You can find a response form and the closest Self Help Law Center at: [courts.mt.gov/selfhelp](http://courts.mt.gov/selfhelp)
- ∞ You can find more information at [www.MontanaLawHelp.org](http://www.MontanaLawHelp.org)

**CERTIFICATE OF MAILING**

On \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I sent by certified mail, postage prepaid, the following documents:

- Two copies of this Notice and Acknowledgement of Service by Certified Mail and a stamped return envelope (MP-403)
- Summons and Temporary Economic Restraining Order (MP-400)
- Petition for Dissolution of Marriage With Children (MP-113)
- Petitioner’s Proposed Parenting Plan (MP-300)
- Petitioner’s Declaration of Assets, Debts, Income and Expenses (FL-202.1)
- Petitioner’s Proposed Property Distribution (MP-500)
- \_\_\_\_\_
- \_\_\_\_\_

to Respondent at:

*(mailing address)*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Petitioner Signature  
Appearing without a lawyer

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

**Respondent appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY**

<p>In re the Marriage of:</p> <p>_____, Petitioner,</p> <p>and</p> <p>_____, Respondent.</p>	<p>Case No: _____</p> <p style="text-align: center;"><b>Acknowledgment of Service by Certified Mail of Summons and Petition for Dissolution of Marriage With Parenting Plan for Minor Children</b></p>
--	--

I state that:

1. I am the Respondent in this case.
2. I accept service of the following documents:
  - Summons and Temporary Economic Restraining Order
  - Petition for Dissolution of Marriage
  - Petitioner's Proposed Parenting Plan
  - Petitioner's Declaration of Assets, Debts, Income and Expenses,
  - Petitioner's Proposed Property Distribution
  - \_\_\_\_\_
  - \_\_\_\_\_
3. I received a copy of these documents on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.
4. I understand the date I received these documents is the date I was served.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Date: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Your Signature: \_\_\_\_\_

Your Printed Name: \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

**Petitioner appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY**

In re the Marriage of:  
  
\_\_\_\_\_,  
Petitioner (you),  
  
and  
  
\_\_\_\_\_,  
Respondent (your spouse).

**Case No:** \_\_\_\_\_  
*(leave blank, the clerk will complete)*

**Summons and Temporary  
Economic Restraining Order  
by Clerk of Court**

**NOTICE: You are named in this family-law lawsuit. The court may make a decision without your involvement unless you submit a written response to the court and to the Petitioner within 21 days. Read the information below.**

A petition was filed with the Clerk of District Court asking the court to dissolve your marriage and approve a final parenting plan for your children. You received a copy of the petition for dissolution with this summons.

You must submit a written response to the Clerk of District Court and send a copy to the Petitioner within 21 calendar days. Day 1 of the 21-day period is the day after you received this Summons. If the 21<sup>st</sup> day falls on a weekend or court holiday, you may submit your response on the next business day. You must either pay a fee to submit your response or ask the court in writing to waive the fee. You can find forms for responding to a petition and waiving court fees at: [www.courts.mt.gov](http://www.courts.mt.gov).

If you do not submit a response, the court may give Petitioner everything they asked for in the Petition.

**MP-400 Summons and TRO**

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**IMPORTANT: A Temporary Economic Restraining Order is in effect. This Order applies to both petitioner's and respondent's financial decisions until this lawsuit is over.**

1. You are limited in what you can do financially and with your property.
  - It doesn't matter if the property is yours alone or if you hold it with someone else.
  - It doesn't matter if the property is personal property (as an example, cash or furniture) or real property (as an example, a house)
2. You **may** use your property in the usual course of business and for the necessities of life and to pay reasonable attorney fees in this case.
3. You **must not**:
  - transfer, hide, sell, or in any way dispose of any property without your spouse's consent or a court order.
  - change, cancel, cash, borrow against, transfer, dispose of, change the beneficiary of any insurance or other coverage, including life, health, automobile, or disability coverage held for the benefit of a party or a child of a party for whom support may be ordered.
4. You **must**:
  - Notify the other person at least 5 business days before using your property for anything other than the necessities of life or to pay reasonable attorney fees.
  - account to the court for all spending other than the necessities of life or to pay reasonable attorney fees after you receive this restraining order.
5. This temporary restraining order is effective until the court amends or cancels it.
6. You can find this law at § 40-4-121(2), M.C.A.
7. **It is a criminal offense to violate this temporary restraining order.** Find this law at § 45-5-220 or § 45-5-626, M.C.A.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(Seal)

\_\_\_\_\_  
Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number  
**Petitioner appearing without a lawyer**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number  
**Co-Petitioner appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY**

<p>In re the Marriage of:</p> <p>_____, Petitioner (you),</p> <p>and</p> <p>_____, Respondent (your spouse).</p>	<p><b>Case No:</b> _____ <i>(leave blank, the clerk will write in)</i></p> <p><b>Notice and Acknowledgment to Deputy Attorney General with the Child Support Enforcement Division</b></p>
--	---

**NOTICE TO:** • **State of Montana, Deputy Attorney General with the Department of Public Health and Human Services, Child Support Enforcement Division**

A petition to dissolve this marriage and establish a parenting plan, including child support was filed in district court. A copy of the petition and proposed parenting plan is attached to this notice.

**MP-404 Notice to CSED DRAFT**

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Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Petitioner appearing without a lawyer (*sign here*)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Co-Petitioner appearing without a lawyer (*sign here*)

\_\_\_\_\_  
Print Name

**CERTIFICATE OF MAILING**

On \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, I sent by mail, postage prepaid, the following documents:

- Notice and Acknowledgment to Deputy Attorney General with the Department of Health and Human Services, Child Support Enforcement Division
- Petition for Dissolution of Marriage With Children
- Petitioner’s Proposed Parenting Plan
- \_\_\_\_\_
- \_\_\_\_\_

To: Department of Public Health and Human Services,  
Child Support Enforcement Division

\_\_\_\_\_  
(Street)  
\_\_\_\_\_  
(City) (State) (Zip)

\_\_\_\_\_  
Date (*the date you signed this*)

\_\_\_\_\_  
Petitioner appearing without a lawyer (*sign here*)

---

Print Name

---

Co-Petitioner appearing without a lawyer (*sign here*)

---

Print Name

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY

<p>In re the Marriage of:</p> <p>_____, Petitioner (you),</p> <p>and</p> <p>_____, Respondent (your spouse).</p>	<p>Case No: _____</p> <p><b>Acknowledgment of Notice in Family Law Case</b></p>
--	---

*(The rest of this form will be filled out by the Department of Human Resources)*

**ACKNOWLEDGMENT OF NOTICE IN FAMILY LAW CASE**

I acknowledge I received a copy of the Petitioner’s Notice to Child Support Enforcement Division and a copy of the Petition and Proposed Parenting Plan.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

**DECLINATION BY DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES**

The Department of Public Health and Human Services declines to enter this case as a party.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

**MP-404 Notice to CSED DRAFT**

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**CERTIFICATE OF SERVICE**

**BY DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES, CHILD  
SUPPORT ENFORCEMENT DIVISION**

On \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I sent by mail, postage prepaid, the Acknowledgment by Child Support Enforcement Division

To:            Petitioner \_\_\_\_\_  
                  \_\_\_\_\_  
                  (Street)  
                  \_\_\_\_\_  
                  (City)                    (State)            (Zip)

\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State    Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address (optional)

Petitioner    Respondent    Co Petitioner

**Appearing without a lawyer**

**MONTANA** \_\_\_\_\_ **JUDICIAL DISTRICT COURT,** \_\_\_\_\_ **COUNTY**

<p>In re the <input type="checkbox"/> Marriage <input type="checkbox"/> Parenting of:</p> <p>_____ ,</p> <p style="padding-left: 100px;"><input type="checkbox"/> Petitioner   <input type="checkbox"/> Co Petitioner,</p> <p>and</p> <p>_____ ,</p> <p style="padding-left: 100px;"><input type="checkbox"/> Respondent   <input type="checkbox"/> Co Petitioner.</p>	<p><b>Case No:</b> _____</p> <p><i>(leave blank, the clerk will complete)</i></p> <p style="text-align: center;"><b>Notice to a Person not Named in the Case.</b></p>
--	---

A parenting case has been filed concerning the following children:

\_\_\_\_\_  
\_\_\_\_\_

**Pursuant to 40-4-211 (5) MCA, Notice of a parenting proceeding must be given to the child's parent, guardian, caretaker, those persons with whom the child is physically residing, and all other contestants, who may appear, be heard, and file a responsive pleading. The court, upon a showing of good cause, may permit intervention of other interested parties.**

This notice is being provided to you because:

\_\_\_\_\_  
\_\_\_\_\_

You are not required by law to respond to this notice or participate in the case.

If you are interested in this case or believe you should be a named party, you may file a **Motion to Intervene** with the Court named above and state your reasons for participating in the case.

**NEED HELP?** There are resources available to assist you in filing court forms.

**The Court Help Program.** The Court Help Program provides assistance to people representing themselves in court. There are self help law centers located throughout the state to assist you on a walk in basis and travelling appointments to other courthouses. Self help staff are not lawyers and cannot provide legal advice. Staff are informed about the court process and can answer many questions as well as review your forms for completeness. Find the Court Help services near you: [www.courts.mt.gov/selfhelp](http://www.courts.mt.gov/selfhelp)

**Montana Legal Services Association.** Montana Legal Services Association coordinates volunteer attorney legal resources at a free or reduced cost. If you qualify financially for assistance, Montana Legal Services may connect you with a pro bono attorney, an attorney at a reduced fee, or local attorney resources in your area. Visit [www.montanalawhelp.org](http://www.montanalawhelp.org), [www.mtlsa.org](http://www.mtlsa.org), or call MLSA at 1-800-666-6899.

**State Bar of Montana.** If you are interested in hiring an attorney to advise you or represent you in this matter, the State Bar Lawyer and Information Referral Service is a database of attorneys. You can be connected with attorneys for any place in the state to help your family legal matter. Access the Lawyer Referral and Information Service by visiting [www.montanabar.org](http://www.montanabar.org) or calling 1(406)449-6577.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Sign Here: \_\_\_\_\_ Print Name: \_\_\_\_\_

Petitioner  Respondent  Co-Petitioner

For Court Use Only **Exhibit:** \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address (optional)

Petitioner  Respondent  Co Petitioner

**Appearing without a lawyer**

**MONTANA** \_\_\_\_\_ **JUDICIAL DISTRICT COURT,** \_\_\_\_\_ **COUNTY**

In re the Marriage of:

\_\_\_\_\_,  
 Petitioner  Co Petitioner,

and

\_\_\_\_\_,  
 Respondent  Co Petitioner.

Case No: \_\_\_\_\_

**Petitioner**  **Respondent**

**Agreed**  **Court Ordered**

**Proposed**  **Amended**

**Property Distribution**

**Warning: Montana law, §40-4-252, M.C.A. requires the full disclosure of all assets, debts, income, and expenses. I understand that I am required to tell my spouse about all of the assets, debts, income and expenses that I know about. My spouse is required to do the same for me.**

**This Proposed Property Distribution along with Form MP-510 Disclosure of Income and Expenses has been served on my spouse.**

**If I don't tell my spouse about something, the court may give me a penalty. The court gets to decide what the penalty will be. I am giving all of the information I know about the assets and debts listed on this form and writing "unknown" in the spaces for the information I don't know.**

**1. Real Property.** Real property is land and the building(s) on the land. Real property also includes part ownership, for example when all the members of a family share a ranch. Real property does not include trailer, mobile, or manufactured homes unless the Department of Justice has officially recognized said structure as an improvement to the land pursuant to MCA 15-1-116 and issued appropriate documentation of such as required by law. Any owned parcel upon which a trailer, mobile, or manufactured home sits is real property regardless of the status of said structure.

**Choose One.**

I do not own any real property and my spouse does not own any real property

**OR**

I am listing the real property that my spouse and I own, regardless of whether we own it separately or together. I request distribution as follows:

Description	Value	Name on Title	Distributed to
Address: _____ _____ Legal Description: _____ _____ _____ Is there a secured debt on the property? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount owed: _____ As of: ____ / ____ / ____ Lender: _____		<input type="checkbox"/> Wife <input type="checkbox"/> Husband	<input type="checkbox"/> Wife <input type="checkbox"/> Husband Other: _____ _____ _____

*(If you have additional real property, complete and staple **Form** \_\_\_\_ to this document.)*

**2. Vehicles.** Any trailer, mobile, or manufactured home, regardless of whether it was constructed before or after 1976, is considered a vehicle unless otherwise deemed an improvement to land by the Department of Justice pursuant to MCA 15-1-116.

**Choose one.**

Neither my spouse or I have any vehicles.

**OR**

My spouse and I have the following vehicles and request distribution as follows:

**MP-500 Proposed Property Distribution**

Description	Value	Name on Title	Distributed to
Year/Make/Model: _____ VIN#: _____ Is there an outstanding loan on the vehicle? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount owed: _____ As of: ____ / ____ / ____ Lender: _____			<input type="checkbox"/> Wife <input type="checkbox"/> Husband Other: _____ _____
Year/Make/Model: _____ VIN#: _____ Is there an outstanding loan on the vehicle? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, amount owed: _____ As of: ____ / ____ / ____ Lender: _____			<input type="checkbox"/> Wife <input type="checkbox"/> Husband Other: _____ _____

(If you have additional vehicles, complete and staple **Form** \_\_\_\_ to this document.)

**3. Bank Accounts, Certificates of Deposit, and Cash. Choose One.**

Neither my spouse nor I have any bank accounts, certificates of deposit, or cash.

**OR**

I am listing the bank accounts and cash that my spouse and I own, regardless of whether we own them separately or together. I request distribution of the bank accounts and cash as follows:

Description <i>Include name of bank and only the last four digits of the account number</i>	Balance as of ____/____/____	Percentage of Ownership	Distributed to:
		%____ Wife %____ Husband	%____ Wife %____ Husband Other: _____
		%____ Wife %____ Husband	%____ Wife %____ Husband Other: _____
		%____ Wife %____ Husband	%____ Wife %____ Husband Other: _____

**MP-500 Proposed Property Distribution**

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(If you have additional Bank Accounts, complete and staple **Form** \_\_\_\_ to this document.)

**4. Pensions/Retirement Accounts; Life Insurance; Stocks, Bonds, Secured Notes, Health Savings Accounts, and Mutual Funds. Choose One:**

- Neither my spouse or I have any pensions/retirement accounts, life insurance, stocks, bonds, secured notes, health savings accounts, or mutual funds.

**OR**

- My spouse and I have the following pensions/retirement accounts, life insurance, stocks, bonds, secured notes, health savings accounts, or mutual funds and request distribution as follows:

Description	Cash Value	Percentage of Ownership	Distributed to
		%__ Wife %__ Husband Other:_____	%__ Wife %__ Husband Other:_____

(If you have additional Accounts, complete and staple **Form** \_\_\_\_ to this document.)

**5. Personal Property (including appliances, pets, furniture, jewelry, art, guns, etc.). Choose One:**

I request the following distribution of our personal property:

Description	Value	Current Possession	Distributed to
		<input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Other:_____	<input type="checkbox"/> Wife <input type="checkbox"/> Husband Other:_____
		<input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Other:_____	<input type="checkbox"/> Wife <input type="checkbox"/> Husband Other:_____

(If you have additional personal property, complete and staple **Form** \_\_\_\_ to this document.)

		<input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Other:_____	<input type="checkbox"/> Wife <input type="checkbox"/> Husband Other:_____
		<input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Other:_____	<input type="checkbox"/> Wife <input type="checkbox"/> Husband Other:_____

**MP-500 Proposed Property Distribution**

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		<input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Other: _____	<input type="checkbox"/> Wife <input type="checkbox"/> Husband Other: _____
		<input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Other: _____	<input type="checkbox"/> Wife <input type="checkbox"/> Husband Other: _____

**6. Business Interests** (including equipment, tools, livestock, etc.). **Choose One.**

Neither my spouse or I have any business interests.

**OR**

My spouse and I have the following business interests and request distribution as follows:

Description	Cash Value	Percentage of Ownership	Distributed to
		%___ Wife %___ Husband Other: _____	%___ Wife %___ Husband Other: _____
		%___ Wife %___ Husband Other: _____	%___ Wife %___ Husband Other: _____

*(If you have additional business interests, complete and staple Form \_\_\_\_ to this document.)*

**7. Other Assets. Choose one.**

Neither my spouse or I have any other assets.

**OR**

My spouse and I have the following assets and request distribution as follows:

Description	Cash Value	Percentage of Ownership	Distributed to
		%___ Wife %___ Husband %___ _____	%___ Wife %___ Husband %___ Other
		%___ Wife %___ Husband %___ _____	%___ Wife %___ Husband <input type="checkbox"/> Other: _____

		%___ Wife %___ Husband %___ _____	<input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Other: _____
		%___ Wife %___ Husband %___ _____	<input type="checkbox"/> Wife <input type="checkbox"/> Husband <input type="checkbox"/> Other: _____

(If you have additional assets, complete and staple **Form** \_\_\_\_ to this document.)

**8. Disclosure of Debts. Choose One.**

Neither my spouse nor I have any debts.

**OR**

My spouse and I have the following debts and request distribution as follows:

Description	Creditor	Amount	Percentage of Responsibility	Distributed to
<b>Utility Bill(s):</b>				
			%___ Wife %___ Husband	%___ Wife %___ Husband
			%___ Wife %___ Husband	<input type="checkbox"/> %___ Wife <input type="checkbox"/> %___ Husband
<b>Credit Card(s):</b>				
			%___ Wife %___ Husband	<input type="checkbox"/> %___ Wife <input type="checkbox"/> %___ Husband
			%___ Wife %___ Husband	<input type="checkbox"/> %___ Wife <input type="checkbox"/> %___ Husband
			%___ Wife %___ Husband	<input type="checkbox"/> %___ Wife <input type="checkbox"/> %___ Husband
<b>Student Loan(s):</b>				
			%___ Wife %___ Husband	<input type="checkbox"/> %___ Wife <input type="checkbox"/> %___ Husband
			%___ Wife %___ Husband	<input type="checkbox"/> %___ Wife <input type="checkbox"/> %___ Husband

			%__ Wife %__ Husband	<input type="checkbox"/> %__ Wife <input type="checkbox"/> %__ Husband
			%__ Wife %__ Husband	<input type="checkbox"/> %__ Wife <input type="checkbox"/> %__ Husband

<b>Medical Expenses:</b>				
			%__ Wife %__ Husband	<input type="checkbox"/> %__ Wife <input type="checkbox"/> %__ Husband
			%__ Wife %__ Husband	<input type="checkbox"/> %__ Wife <input type="checkbox"/> %__ Husband
			%__ Wife %__ husband	<input type="checkbox"/> %__ Wife <input type="checkbox"/> %__ Husband
<b>Other Liabilities:</b>				
			%__ Wife %__ Husband	<input type="checkbox"/> %__ Wife <input type="checkbox"/> %__ Husband
			%__ Wife %__ Husband	<input type="checkbox"/> %__ Wife <input type="checkbox"/> %__ Husband
			%__ Wife %__ Husband	<input type="checkbox"/> %__ Wife <input type="checkbox"/> %__ Husband

*(If you have additional debts and liabilities, complete and staple **Form** \_\_\_\_ to this document.)*

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City \_\_\_\_\_ State \_\_\_\_\_

Sign Here: \_\_\_\_\_

Print Name: \_\_\_\_\_

- Petitioner     Respondent
- Co-Petitioner Husband     Co-Petitioner Wife

*(Only complete this section if you are filing jointly as Co Petitioners)*

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City \_\_\_\_\_ State \_\_\_\_\_

Other spouse sign here: \_\_\_\_\_

Print Name: \_\_\_\_\_

- Co-Petitioner Husband     Co-Petitioner Wife

*(Leave the following section blank. It is for the judge to use.)*

**Order by the Court**

- The Court found this property distribution to be equitable.
- The Judge’s signature on this document makes this property distribution that parties must follow.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
E-mail Address (optional)

Petitioner  Respondent  Co Petitioner

**Appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY**

In re the Marriage of:

\_\_\_\_\_,  
 Petitioner,

and

\_\_\_\_\_,  
 Respondent  Co Petitioner.

Case No: \_\_\_\_\_

**Petitioner**  **Respondent**  
 **Respondent**  **Amended**

**Disclosure of Income and Expenses**

**Warning: Montana law, §40-4-252, M.C.A. requires the full disclosure of all assets, debts, income, and expenses. I understand that I am required to tell my spouse about all of the assets, debts, income and expenses that I know about. My spouse is required to do the same for me.**

**This Disclosure of Income and Expenses along with Form MP-500 Proposed Property Distribution has been served on my spouse.**

**If I don't tell my spouse about something, the court may give me a penalty. The court gets to decide what the penalty will be. I am providing all of the information I know about the income and expenses listed on this form and writing "unknown" in the spaces for the information I don't know.**

NOTE: This Document is served on the **other party only** and **cannot be filed with the Court** unless the Court specifically orders you to file it. The following is being served as required by §§ 40-4-252 through 254, M.C.A.

**1. Disclosure of Income**

Source of Income		Amount per Month
Gross Wages, Salary, Commissions	Husband:	
	Wife:	
Income from Rents, Interest, Dividends	Husband:	
	Wife:	
Self Employment Earnings	Husband:	
	Wife:	
Unemployment or Worker's Compensation	Husband:	
	Wife:	

Social Security Benefits, including SSI, SSDI	Husband:	
	Wife:	
Public Assistance (including TANF and LIEAP)	Husband:	
	Wife:	
Food Stamps	Husband:	
	Wife:	
Pension, Retirement	Husband:	
	Wife:	
Child Support	Husband:	
	Wife:	

Dependent's Benefits	Husband:	
	Wife:	

**MP-510 Income and Expense Disclosure**

Other Income ( <i>describe</i> ):	Husband:	
	Wife:	
<b>Monthly Total</b>	<b>Husband:</b>	
	<b>Wife:</b>	

(If you have additional income, complete and staple **Form** \_\_\_\_ to this document.)

**2. Disclosure of Expenses**

Description of Expense		Amount per Month
Taxes and withholdings	Husband:	
	Wife:	
Retirement Contribution	Husband:	
	Wife:	
Health Insurance (self and children)	Husband:	
	Wife:	
Medical Expenses	Husband:	
	Wife:	
Rent or Housing (including property taxes and insurance relating to housing)	Husband:	
	Wife:	
Transportation	Husband:	
	Wife:	
Car Insurance	Husband:	
	Wife:	
Student Loans	Husband:	
	Wife:	
Utilities	Husband:	
	Wife:	

Telephone (cell phone and land line)	Husband:	
	Wife:	
Clothing	Husband:	
	Wife:	

Food and Household Supplies	Husband:	
	Wife:	
Child Care	Husband:	
	Wife:	
Union Dues	Husband:	
	Wife:	
Child Support Payments	Husband:	
	Wife:	
Other: (describe)	Husband:	
	Wife:	
<b>Monthly Total</b>	<b>Husband:</b>	
	<b>Wife:</b>	

(If you have additional expenses, complete and staple **Form** \_\_\_\_ to this document.)

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City \_\_\_\_\_ State \_\_\_\_\_

Sign Here: \_\_\_\_\_

Print Name: \_\_\_\_\_

- Petitioner     Respondent
- Co-Petitioner Husband     Co-Petitioner Wife



interim parenting plan to determine whether the interim plan shall remain in effect until further order of court.

I have filed the following documents along with this Motion:

- My Affidavit in support of this Motion.
- A proposed Order for the Court's signature.
- My Affidavit of Service, which indicates how I served copies of these documents on the opposing party.
- Other: \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(date) (month) (year)

\_\_\_\_\_  
*(Your signature)*

\_\_\_\_\_  
*(print your name)*



---

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I request that the Court:

*Check all that Apply:*

- Hold a hearing before the Court on this Response;
- Issue the Proposed Order I have attached (Complete and Attach Form **FL 103.2**);
- Other: \_\_\_\_\_.

I swear under oath that I served a copy of this motion upon Respondent on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by mailing a true and correct copy with postage prepaid and addressed as follows:

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Street*

\_\_\_\_\_  
*City State Zip Code*

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_

Petitioner's Name (Print)



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I swear under oath that I served a copy of this motion upon Respondent on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by mailing a true and correct copy with postage prepaid and addressed as follows:

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Street*

\_\_\_\_\_  
*City*            *State*            *Zip Code*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 Petitioner  Respondent

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
 \_\_\_\_\_ COUNTY

In re the Marriage of:  _____, Petitioner,  and  _____, Respondent.	Cause No.: _____  <b>Order Adopting <input type="checkbox"/> Petitioner's <input type="checkbox"/> Respondent's Proposed Parenting Plan as an Interim Parenting Plan.</b>
---	---

Having considered the  Petitioner  Respondent's Motion to adopt the  Petitioner  Respondent's Proposed Parenting Plan as the Interim Parenting Plan for the duration of this action and any Response and Reply filed, good cause has been found to support the following order:

Petitioner  Respondent's Parenting Plan be adopted as an Interim Parenting Plan,  
 Until a court holds a hearing on the interim plan.

A court hearing will be held: \_\_\_\_\_

**OR**

Respondent  Petitioner must contact the court to schedule a hearing 21 days after the date of this order.

For the duration of this action.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 District Court Judge



\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

Petitioner  Respondent  Co-Petitioners

**Appearing without a lawyer**

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY

In re the Marriage of:

\_\_\_\_\_,

Petitioner  Co-Petitioner,

and

\_\_\_\_\_,

Respondent .

Case No: \_\_\_\_\_

**Request for Hearing**

and Statement of Compliance with  
Financial Disclosure

I, the  Petitioner  Respondent  Co-Petitioner, ask the court to schedule a hearing to obtain a Final Decree of Dissolution.

**1. Status of the Case. Choose One:**

- Respondent did not appear or otherwise respond to the Petition. More than 21 days has passed since Respondent was served. Petitioner asks the clerk to enter default against Respondent.
- Respondent  Co-Petitioner is participating in the case and we agree on all issues.
- Respondent  Co-Petitioner is participating in the case and we do not agree on all issues.

**2. Child Support.**

There are no minor children of the marriage.

**OR**

Petitioner  Respondent  Both spouses have submitted to the Court:

**Choose One:**

Proposed Child Support Guidelines Calculation Worksheet(s)

**OR**

Child Support Enforcement Division Child Support Order.

**3. Final Financial Disclosure.**

a.  Petitioner  Respondent  Both spouses served a Preliminary Disclosure of Income and Expenses along with the summary of debts, assets, and liabilities within the Proposed Property Distribution. Therefore, the requirements of § 40-4-252, MCA have been met.

b. The Disclosure of Income and Expenses and contents of the Proposed Property Distribution meet the final disclosure requirements of § 40-4-254, MCA, because:

**Choose one:**

Petitioner requests a default and the final disclosure requirements are waived pursuant to §40-4-257, MCA.

**OR**

Both spouses agree to the summary of debts, assets, and liabilities within the Proposed Property Distribution.

**OR**

The summary of debts, assets, and liabilities within the Proposed Property Distribution previously filed and served and the Disclosure of Income and Expenses previously served are current and accurate.

**OR**

Circumstances have changed and

An Amended Disclosure of Income and Expenses was served on the other party on:\_\_\_\_\_.

An Amended Proposed Property Distribution was filed and served on the other party on:\_\_\_\_\_.

**4. Request for Hearing**

**Choose One:**

Default Hearing - Respondent did not appear or otherwise respond to the Petition.

**OR**

Uncontested Hearing -  Respondent  Co-Petitioner is participating in the case and we agree on all issues.

**OR**

Contested Hearing -  Respondent  Co-Petitioner is participating in the case and we do not agree on all issues.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Print Name: \_\_\_\_\_

Petitioner  Respondent  Co-Petitioner

---

*(Leave the following section blank. It is for the court to use.)*

**Default Entered:** \_\_\_\_/\_\_\_\_/\_\_\_\_

Default not entered.

---

COURT CLERK

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY

<p>In re the Marriage of:</p> <p>_____, <input type="checkbox"/> Petitioner <input type="checkbox"/> Co Petitioner,</p> <p>and</p> <p>_____, <input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner.</p>	<p>Case No: _____</p> <p><b>Court Order on Hearing for Dissolution with Minor Children</b></p>
--	--

The Court Orders that the final hearing in this matter (**Choose One**):

Is scheduled for the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_  
o'clock \_\_\_\_\_. In Court Room \_\_\_\_\_, located at \_\_\_\_\_,  
Montana. The Court estimates this hearing will last approximately \_\_\_\_\_.

**OR**

- Will not be scheduled because (**Choose all that apply**):
- Proposed Child Support Order or Guidelines Calculation has not been submitted to the Court for consideration.
  - The Court does not have sufficient reason to believe that **MP-510** Declaration of Assets and Financial Disclosures have been exchanged by the parties.
  - The Court does not have sufficient reason to believe that Service of

**MP 702** Court Order on Hearing for Dissolution with Minor Children  
Process was completed.

(Optional) The Court has noted within the  
record: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**It is ORDERED that (*Choose One*):**

Parties must comply with this order as  
follows: \_\_\_\_\_  
\_\_\_\_\_.

Once parties have complied, either party may file a new **MP-701** Request for a  
Hearing and Statement of Compliance.

**OR**

Parties appear at the hearing as scheduled.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY

In re the Marriage of:

\_\_\_\_\_,  
Petitioner (*you*),

and

\_\_\_\_\_,  
 Co-Petitioner  Respondent  
(*your spouse*).

Case No: \_\_\_\_\_

**Dissolution Decree  
With Minor Children**  
Findings of Fact and Conclusions of Law

**1. Procedural History.**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Petition for Dissolution was filed by  Petitioner  Co-Petitioners jointly.

**2. Nature of the Case. Choose One.**

We filed a joint Petition.

**OR**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, Respondent was served with the Petition and Summons.

**AND**

Respondent filed an answer or otherwise participated in this case.

**OR**

Respondent did not file an answer or otherwise participate in this case. On \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, default was entered.

**3. Parenting Plan. Choose One.**

Co-Petitioners filed a Proposed Parenting Plan along with the Petition and nothing has changed.

**OR**

Petitioner filed and served Respondent a Proposed Parenting Plan along with the Petition and nothing has changed.

**OR**

Circumstances have changed.  Petitioner  Respondent  Both parties filed an Amended Parenting Plan and sent a copy to the other party.

**OR**

Other: \_\_\_\_\_.

**4. Proposed Property Distribution. Choose One.**

Petitioner filed and served Respondent the Property Distribution along with the Petition and nothing has changed.

**OR**

Circumstances have changed.  Petitioner  Respondent  Each party has filed an Amended Property Distribution and sent a copy to the other party.

**OR**

Other: \_\_\_\_\_.

**5. Hearing. Choose One.**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the Court held a:

Default hearing.

**OR**

Uncontested hearing. The parties agreed to all issues in this case.

**OR**

Contested hearing. The parties disagree on the following:

Some issues in the petition for dissolution

Some issues with the parenting plan

Some issues with the property distribution

**6. Appearances.**

**a. Petitioner**

appeared in person  without a lawyer  with a lawyer \_\_\_\_\_

b.  Respondent

appeared in person  without a lawyer  with a lawyer \_\_\_\_\_

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The court considered the evidence at the hearing and all pleadings, and finds:

#### 7. Jurisdiction over the Parties

For 90 days before this case was filed, either the husband or wife was domiciled or was stationed in Montana.

#### 8. Venue

Venue is proper in this county.

#### 9. Marriage. *Choose one.*

The parties were married on (date) \_\_\_\_\_. The marriage license was filed in \_\_\_\_\_ County, State of \_\_\_\_\_.

**OR**

The parties were married at common law as of (date) \_\_\_\_\_. The parties assumed a marital relationship by mutual consent and agreement. The parties confirmed their marriage by living together and by public knowledge.

**OR**

The parties filed a declaration of marriage on (date) \_\_\_\_\_ in \_\_\_\_\_ County, State of \_\_\_\_\_.

#### 10. Irretrievable Breakdown. *Choose all that apply.*

The marriage of the parties is irretrievably broken.

The parties lived separate and apart for at least 180 days before this case was filed.

There is serious marital discord that adversely affects the attitude of one or both of the parties toward the marriage and there is no reasonable prospect of reconciliation.

The Montana Conciliation Law (beginning at §40-3-101, M.C.A.) does not apply in this case.

#### 11. Jurisdiction over the Children. *Choose the most accurate description.*

The child(ren) lived in Montana for at least 6 consecutive months immediately before this case was filed. If a child(ren) is less than six months old, the child(ren) lived in Montana since birth.

**OR**

Montana was the home state of the child(ren) within six months of this case being filed, and one parent continues to reside in Montana.

**OR**

The child(ren) and one parent have significant connection with Montana and substantial evidence about them is in Montana.

**OR**

The child(ren) are physically present in Montana and have been abandoned, the child(ren) are with a caretaker relative who was given custody, or an emergency exists requiring the child(ren)'s protection.

**OR**

No other state has jurisdiction over the child(ren) or the other state has declined jurisdiction over the children.

**12. Financial Disclosure of Assets and Liabilities.** The Court finds that the parties are in compliance with financial disclosure requirements §§ 40-4-252 through 254, M.C.A.

**13. Parenting Plan** *Choose One*

The court finds the following parenting plan to be in the best interests of the child.

- Petitioner's Proposed Parenting Plan       as modified
- Respondent's Proposed Parenting Plan       as modified
- The Agreed Proposed Parenting Plan       as modified
- The Court's Parenting Plan.

**14. Property Distribution.** *Choose One.*

The court finds the following property disbursement is an equitable apportionment between the parties of the marital property, assets, and liabilities

- Petitioner's Proposed Property Disbursement       as modified
- Respondent's Proposed Property Disbursement       as modified
- The Agreed Proposed Property Disbursement       as modified
- The Court's Property Disbursement

**15. Spousal Maintenance**

Spousal maintenance was not requested by either party.

**OR**

The court finds that spousal maintenance is necessary because the requesting party lacks sufficient property to provide for the spouse's reasonable needs; and is unable to be self-supporting through appropriate employment or is the custodian of a child whose condition or circumstances make it appropriate that the custodian not be required to seek employment outside the home.

**OR**

The court denies spousal maintenance because: \_\_\_\_\_  
\_\_\_\_\_

Additional Findings: \_\_\_\_\_  
\_\_\_\_\_

**16. Previous Names**

Petitioner  Respondent  Co-Petitioner requested to have their previous name restored.

**17. Additional Findings**

The court makes additional findings of fact as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Additional Findings of Fact and Conclusions of Law attached as Exhibit \_\_\_\_ are also incorporated into this decree.

**DECREE OF DISSOLUTION OF MARRIAGE**

From the above Findings of Fact and Conclusions of Law, the Court orders the following:

1. The Court dissolves the marriage between Petitioner and Respondent.
2. The court dissolves the Temporary Economic Restraining Order issued in this matter under M.C.A. § 40-4-121(3).

MP 703 Decree of Dissolution of Marriage with Minor Children

- 3. The Court has signed and adopts the Parenting Plan identified as Exhibit \_\_\_\_\_. The Court orders the parties to follow this Parenting Plan.
- 4. The Court has signed and adopts the Property Distribution identified as Exhibit \_\_\_\_\_. The Court orders the parties to follow this Property Distribution.
- 5. Each party is ordered to take any action necessary to carry out the terms and conditions of this decree including the signing or transfer of titles, deeds, or other documents. All necessary actions must be completed no later than: \_\_\_\_\_.
- 6. Wife's name will  remain  be restored to: \_\_\_\_\_
- 7. Husband's name will  remain  be restored to: \_\_\_\_\_
- 8. Spousal Maintenance: *Choose One*
  - No spousal maintenance is awarded in this case.

**OR**

Court orders  Petitioner  Respondent pay \$\_\_\_\_\_ per month until *(date of last payment)* \_\_\_\_\_ in spousal support. The payment must be made on the \_\_\_\_ of each month directly to  Petitioner  Respondent

9. Other Provisions:

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DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

Petitioner  Respondent  Co Petitioner

**Appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY**

<p>In re the Marriage of:</p> <p>_____, <input type="checkbox"/> Petitioner <input type="checkbox"/> Co Petitioner,</p> <p>and</p> <p>_____, <input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner.</p>	<p>Case No: _____</p> <p><b>Notice of Entry of Decree</b></p>
--	---

Notice is hereby given that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court entered a Final Decree of Dissolution in the above-entitled action. A true and correct conformed copy of the Final Decree of Dissolution is attached to this Notice and served upon you.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
 Petitioner  Respondent  Co Petitioner

\_\_\_\_\_  
Print Name

**Proof of Service**

I, \_\_\_\_\_, attest that a true and correct copy of the foregoing Notice of Entry of Decree was served the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by mailing said copy, postage paid, to:

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Street Address*

\_\_\_\_\_  
*City State Zip Code*

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature: \_\_\_\_\_  
 Petitioner  Respondent  Co Petitioner

Print Name: \_\_\_\_\_

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY

In re the Marriage of:

\_\_\_\_\_,  
Petitioner (*you*),

and

\_\_\_\_\_,  
 Co-Petitioner  Respondent  
(*your spouse*).

Case No: \_\_\_\_\_

**Final Dissolution Decree  
No Minor Children**  
Findings of Fact and Conclusions of Law

**1. Procedural History.**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Petition for Dissolution was filed by  Petitioner  Co-Petitioners jointly.

**2. Nature of the Case. Choose One.**

We filed a joint Petition.

**OR**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, Respondent was served with the Petition and Summons.

**AND**

Respondent filed an answer or otherwise participated in this case.

**OR**

Respondent did not file an answer or otherwise participate in this case. On \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, default was entered.

**3. Proposed Property Distribution. Choose One.**

Petitioner filed and served Respondent the Property Distribution along with the Petition and nothing has changed.

**OR**

Circumstances have changed.  Petitioner  Respondent  Each party has filed an Amended Property Distribution and sent a copy to the other party.

**OR**

Other: \_\_\_\_\_.

**4. Hearing. Choose One.**

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the Court held a:

Default hearing.

**OR**

Uncontested hearing. The parties agreed to all issues in this case.

**OR**

Contested hearing. The parties disagree on the following:

Some issues in the petition for dissolution

Some issues with the property distribution

**5. Appearances.****a. Petitioner**

appeared in person  without a lawyer  with a lawyer \_\_\_\_\_

**b. Respondent**

appeared in person  without a lawyer  with a lawyer \_\_\_\_\_

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The court considered the evidence at the hearing and all pleadings, and finds:

**6. Jurisdiction over the Parties**

For 90 days before this case was filed, either the husband or wife was domiciled or was stationed in Montana.

**7. Venue**

- Venue is proper in this county.

**8. Marriage. Choose one.**

- The parties were married on (date) \_\_\_\_\_. The marriage license was filed in \_\_\_\_\_ County, State of \_\_\_\_\_.

**OR**

- The parties were married at common law as of (date) \_\_\_\_\_. The parties assumed a marital relationship by mutual consent and agreement. The parties confirmed their marriage by living together and by public knowledge.

**OR**

- The parties filed a declaration of marriage on (date) \_\_\_\_\_ in \_\_\_\_\_ County, State of \_\_\_\_\_.

**9. Irretrievable Breakdown. Choose all that apply.**

- The marriage of the parties is irretrievably broken.
- The parties lived separate and apart for at least 180 days before this case was filed.
- There is serious marital discord that adversely affects the attitude of one or both of the parties toward the marriage and there is no reasonable prospect of reconciliation.
- The Montana Conciliation Law (beginning at §40-3-101, M.C.A.) does not apply in this case.

**10. Financial Disclosure of Assets and Liabilities.** The Court finds that the parties are in compliance with financial disclosure requirements §§ 40-4-252 through 254, M.C.A.**11. Property Distribution. Choose One.**

The court finds the following property disbursement is an equitable apportionment between the parties of the marital property, assets, and liabilities

- Petitioner's Proposed Property Disbursement     as modified
- Respondent's Proposed Property Disbursement     as modified
- The Agreed Proposed Property Disbursement     as modified
- The Court's Property Disbursement

**12. Spousal Maintenance**

Spousal maintenance was not requested by either party.

**OR**

The court finds that spousal maintenance is necessary because the requesting party lacks sufficient property to provide for the spouse's reasonable needs; and is unable to be self-supporting through appropriate employment or is the custodian of a child whose condition or circumstances make it appropriate that the custodian not be required to seek employment outside the home.

**OR**

The court denies spousal maintenance because: \_\_\_\_\_

\_\_\_\_\_

Additional Findings: \_\_\_\_\_

\_\_\_\_\_

**13. Previous Names**

Petitioner  Respondent  Co-Petitioner requested to have their previous name restored.

**14. Additional Findings**

The court makes additional findings of fact as follows: \_\_\_\_\_

\_\_\_\_\_

Additional Findings of Fact and Conclusions of Law attached as Exhibit \_\_\_\_ are also incorporated into this decree.

**DECREE OF DISSOLUTION OF MARRIAGE**

From the above Findings of Fact and Conclusions of Law, the Court orders the following:

1. The Court dissolves the marriage between Petitioner and Respondent.
2. The court dissolves the Temporary Economic Restraining Order issued in this matter under M.C.A. § 40-4-121(3).

- 3. The Court has signed and adopts the Property Distribution identified as Exhibit \_\_\_\_.  
The Court orders the parties to follow this Property Distribution.
- 4. Each party is ordered to take any action necessary to carry out the terms and conditions of this decree including the signing or transfer of titles, deeds, or other documents. All necessary actions must be completed no later than: \_\_\_\_\_.
- 5. Wife's name will  remain  be restored to: \_\_\_\_\_
- 6. Husband's name will  remain  be restored to: \_\_\_\_\_
- 7. Spousal Maintenance: *Choose One*  
 No spousal maintenance is awarded in this case.

**OR**

Court orders  Petitioner  Respondent pay \$\_\_\_\_\_ per month until *(date of last payment)* \_\_\_\_\_ in spousal support. The payment must be made on the \_\_\_\_ of each month directly to  Petitioner  Respondent

8. Other Provisions:

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DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY

In re the Marriage of:  _____, <input type="checkbox"/> Petitioner <input type="checkbox"/> Co Petitioner,  and  _____, <input type="checkbox"/> Respondent <input type="checkbox"/> Co Petitioner.	Case No: _____  <b>Court Order on Hearing for Dissolution Without Minor Children</b>
---	--

The Court Orders that the final hearing in this matter (**Choose One**):

Is scheduled for the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_  
o'clock \_\_\_\_\_. In Court Room \_\_\_\_\_, located at \_\_\_\_\_,  
Montana. The Court estimates this hearing will last approximately \_\_\_\_\_.

**OR**

- Will not be scheduled because (**Choose all that apply**):
- The Court does not have sufficient reason to believe that **MP-510**  
Declaration of Assets and Financial Disclosures have been  
exchanged by the parties.
  - The Court does not have sufficient reason to believe that Service of  
Process was completed.
  - (Optional)The Court has noted within the

**MP 714** Court Order on Hearing for Dissolution without Minor Children  
record: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

It is **ORDERED** that (**Choose One**):

Parties must comply with this order as

follows: \_\_\_\_\_  
\_\_\_\_\_.

Once parties have complied, either party may file a new **MP-701** Request for a Hearing and Statement of Compliance.

**OR**

Parties appear at the hearing as scheduled.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

Petitioner  Respondent  Co-Petitioners

**Appearing without a lawyer**

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY

In re the Parenting of:

\_\_\_\_\_,  
Minor Child(ren)

\_\_\_\_\_,  
 Petitioner  Co-Petitioner,

and

\_\_\_\_\_,  
 Co-Petitioner  Respondent .

Case No: \_\_\_\_\_

**Request for Hearing**

I, the  Petitioner  Respondent  Co-Petitioner, ask the court to schedule a hearing to obtain a Final Parenting Plan.

**1. Status of the Case. Choose One:**

Respondent did not appear or otherwise respond to the Petition. More than 21 days has passed since Respondent was served. Petitioner asks the clerk to enter default against Respondent.

Respondent  Co-Petitioner is participating in the case and we agree on all issues.

Respondent  Co-Petitioner is participating in the case and we do not agree on all issues.

**2. Child Support.**

Petitioner  Respondent  Both parents have submitted to the Court:

**Choose One:**

Proposed Child Support Guidelines Calculation Worksheet(s)

**OR**

Child Support Enforcement Division Child Support Order.

**3. Request for Hearing**

**Choose One:**

Default Hearing - Respondent did not appear or otherwise respond to the Petition.

**OR**

Uncontested Hearing -  Respondent  Co-Petitioner is participating in the case and we agree on all issues.

**OR**

Contested Hearing -  Respondent  Co-Petitioner is participating in the case and we do not agree on all issues.

**I declare under penalty of perjury and under the laws of the state of Montana that the information in this document is true and correct. I understand that it is a crime to give false information in this document.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Print Name: \_\_\_\_\_

Petitioner  Respondent  Co-Petitioner

---

*(Leave the following section blank. It is for the court to use.)*

**Default Entered:** \_\_\_\_/\_\_\_\_/\_\_\_\_

Default not entered.

---

COURT CLERK

MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT  
\_\_\_\_\_ COUNTY

<p>In re the Parenting of:</p> <p>_____, Minor Child(ren)</p> <p>_____, <input type="checkbox"/>Petitioner <input type="checkbox"/>Co Petitioner,</p> <p>and</p> <p>_____, <input type="checkbox"/>Respondent <input type="checkbox"/>Co Petitioner.</p>	<p>Case No: _____</p> <p><b>Court Order on Hearing for Parenting Plan</b></p>
--	---

The Court Orders that the final hearing in this matter (**Choose One**):

Is scheduled for the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. In Court Room \_\_\_\_\_, located at \_\_\_\_\_, \_\_\_\_\_, Montana. The Court estimates this hearing will last approximately \_\_\_\_\_.

**OR**

- Will not be scheduled because (**Choose all that apply**):
- Proposed Child Support Order or Guidelines Calculation has not been submitted to the Court for consideration.
  - The Court does not have sufficient reason to believe that Service of Process was completed.

(Optional) The Court has noted within the

record: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

It is ORDERED that (*Choose One*):

Parties must comply with this order as

follows: \_\_\_\_\_

\_\_\_\_\_.

Once parties have complied, either party may file a new **MP-721** Request for a Hearing and Statement of Compliance.

**OR**

Parties appear at the hearing as scheduled.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE



---

District Court Judge

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State Zip Code

\_\_\_\_\_  
Phone Number

Petitioner  Co-Petitioner

**Appearing without a lawyer**

**MONTANA \_\_\_\_\_ JUDICIAL DISTRICT COURT, \_\_\_\_\_ COUNTY**

<input type="checkbox"/> In re the Parenting of: _____ OR <input type="checkbox"/> In re the Marriage of: _____ <input type="checkbox"/> Petitioner, and _____ <input type="checkbox"/> Co Petitioner <input type="checkbox"/> Respondent.	<b>Case No:</b> _____  <b>Notice of Intent to Move</b>
--	--

**This notice is about parenting our child(ren). The court may make a decision without your involvement unless you submit a written response to the court and to the other parent within 21 days. Read the information below.**

1. The  Petitioner  Co-Petitioner  Respondent intends to change their place of residence.
2. The move will take place on or about \_\_\_\_\_ (date).

3. The  Petitioner  Co-Petitioner  Respondent's new place of residence will be:

Physical Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

4. Significant Affect

Choose One:

- The change in residence will not significantly affect the child's contact with the other parent. I do not need to complete a Proposed Amended Parenting Plan. I only need to send this Notice of Intent to move to the other parent.

*OR*

- The change in residence will significantly affect the child's contact with the other parent. I am completing and attaching a Proposed Amended Parenting Plan and attaching it as Exhibit A.

5. Service of Notice

Choose One:

- I will serve the Notice of Intent to Move with my Proposed Amended Parenting Plan attached as Exhibit A by having a sheriff or a process server personally deliver it. I know that the sheriff or process server will provide me with proof of service that I must file with the court.

*OR*

- I have served or will serve the Notice of Intent to Move with my Proposed Amended Parenting Plan attached as Exhibit A by mailing a copy to the other parent by certified return receipt mail. I have completed the Certificate of Service at the end of this document.

I am required by law to give you this notice: The relocation of the child may be permitted and the proposed revised residential schedule may be ordered by the court without further proceedings unless within 21 days you file a response and alternate residential schedule with the court and serve your response on the

person proposing the move and all other persons entitled by the court order to residential time or visitation with the child. You can find this law at Section 40-4-217 MCA.

Dated this is \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_

Signature

**CERTIFICATE OF SERVICE**

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I served a true and correct copy of the foregoing Notice of Intent to Move and any exhibits upon the co-parent by certified mail, postage prepaid addressed as follows:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

City

State

Zip Code

\_\_\_\_\_

Signature