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

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 21st 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.

**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