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

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** |

# 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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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

# 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? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# 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:

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

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

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

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

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

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

#### My Year of Birth:\_\_\_\_ Age: \_\_\_\_\_ My occupation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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

# 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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

# 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.

# 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.

# 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: |
|  |  |  | ☐ Mother ☐Father ☐Both ☐Other |
|  |  |  | ☐ Mother ☐Father ☐Both ☐Other |
|  |  |  | ☐ Mother ☐Father ☐Both ☐Other |
|  |  |  | ☐ Mother ☐Father ☐Both ☐Other |
|  |  |  | ☐ Mother ☐Father ☐Both ☐Other |

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

# 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)*

# 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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# 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)*

# 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 |
|  |  |  | ☐ Has physical custody  ☐ Claims physical custody  ☐ Claims visitation rights |
|  |  |  | ☐ Has physical custody  ☐ Claims physical custody  ☐ Claims visitation rights |
|  |  |  | ☐ Has physical custody  ☐ Claims physical custody  ☐ 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-407*** *to everyone listed.)*

# 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.

# 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.**

# 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.)*

# Former Name. Choose one.

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

**OR**

☐ I want to keep my current name.

# 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.

# Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**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:

##### \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

##### \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

##### \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. 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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |