
Name

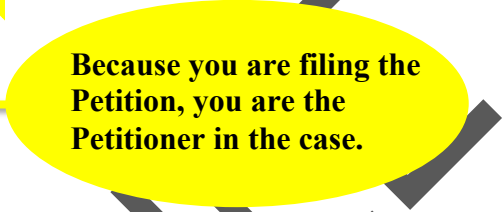
Mailing Address

City, State Zip Code

Phone Number

E-mail Address (optional)

Petitioner
Appearing without a lawyer



TIP: To find your District #, call the clerk of court or visit <https://courts.mt.gov/courts/dc>.



MONTANA JUDICIAL DISTRICT COURT, COUNTY

In re the Marriage of:

Case No: _____

If you are the party filing, enter your name as Petitioner.

(leave blank, the clerk will write in)

Petition for Dissolution of Marriage

with Parenting Plan for Minor Children

_____,
(First, Middle, Last) Petitioner (you),

and

Fill in the name of your spouse, called the Respondent.

_____,
Respondent *(your spouse).*

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.

Enter your information here.

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:

Name First: _____ Middle: _____ Last: _____

Spouse's e-mail address (optional): _____

Spouse's Mailing Address: _____

City: _____ State: _____ County: _____

Spouse's Physical Address: _____

City: _____ State: _____ County: _____

Spouse's Year of Birth: _____ Age: _____ Spouse's occupation: _____

How long has your spouse lived in this county? _____

How long has your spouse lived in Montana? _____

4. Your marriage. Choose one.

Select the option below that describes how you were married and provide necessary information.

We were married on (date) _____ 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

MP-113 Petition for Dissolution with Minor Children

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

5. Separation. Choose one.

We physically separated on (date) _____.

Choose the first option if you or your spouse have moved out.

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.

Tell the Court if you are pregnant. If you are, select the option that describes your situation. See the notice below.

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:
Child(ren)'s Initials			<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

Choose the option for whom each child lives with for most of the time.

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
Child(ren)'s Initials	Current address		Still lives here	List every person living at the current address.
Provide the same information as you did above for every place the children have lived in the past five years.				

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.

You can file in Montana if one of these descriptions match your situation. Select the option that matches for you.

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.

TIP: If you have court cases related to this one but don't know the case information, call the clerk of court.

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.

REVISIT: Tell the Court if anyone other than you and your spouse have custody or claim that they should have custody.

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-407** to everyone listed.)

TIP: If possible, have your Proposed Parenting Plan ready to file at the same time as the Petition for Dissolution (this form).

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.

Tell the Court whether you have served or will serve the other party with the required form, MP 510 Disclosure of Income and Expenses.

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.)

The second choice only applies where the couple made a formal agreement before they were married.

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.

Tell the Court if you want to go back to the name you used before getting married.

16. Maintenance. Choose One.

I am not requesting maintenance.

A request for Maintenance is different from Child Support. (See the explanation below.)

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:

Use this space to ask the Court for anything that was not addressed in the Petition.

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.

Use this space to ask the Court for anything that was not addressed in the Petition.

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 _____

Sign and date here. By signing, you are swearing that the information you provided is true.

Your Signature: _____

NOT TO FILE