
Name

Mailing Address

City State Zip Code

Phone Number

E-mail

☐ Co-Petitioner 1 **OR** ☐ Co-Petitioner 2

MONTANA _____ **JUDICIAL DISTRICT COURT** _____ **COUNTY**

In the Marriage of:

Co-Petitioner 1

and

Co-Petitioner 2

Case No: _____

(Leave blank, the clerk will write in)

**Joint Petition for
Dissolution of Marriage
with Children**

1. Jurisdiction.

- a. Either spouse meets the residency requirements in § 40-4-104, M.C.A. For 90 days before filing this case, at least one spouse lived in or was stationed in Montana.
- b. Our marriage is irretrievably broken and there is no reasonable prospect of reconciliation.

2. Co-Petitioner 1 Information:

Name First: _____ Middle: _____ Last: _____

E-mail Address: _____

Mailing Address: _____

City: _____ State: _____ County: _____

Physical Address: _____

City: _____ State: _____ County: _____

Year of Birth: _____ Age: _____ Occupation: _____

How long have you lived in this county? _____

How long have you lived in Montana? _____

3. Co-Petitioner 2 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 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)

☐ Neither spouse is pregnant.

OR

☐ One spouse is pregnant, and the other spouse is the other parent of the pregnancy.

OR

☐ One spouse is pregnant and the other spouse is not the other parent of the pregnancy.

Notice: A parenting plan must be filed after the child is born if one spouse is pregnant and the other spouse is the other parent, or the other parent is unknown.

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

Initials	Age	Birth Year	Minor primarily lives with:
			☐ Co-Petitioner 1 ☐ Co-Petitioner 2 ☐ Both ☐ Other
			☐ Co-Petitioner 1 ☐ Co-Petitioner 2 ☐ Both ☐ Other
			☐ Co-Petitioner 1 ☐ Co-Petitioner 2 ☐ Both ☐ Other
			☐ Co-Petitioner 1 ☐ Co-Petitioner 2 ☐ Both ☐ Other
			☐ Co-Petitioner 1 ☐ Co-Petitioner 2 ☐ Both ☐ Other
			☐ Co-Petitioner 1 ☐ Co-Petitioner 2 ☐ Both ☐ Other
			☐ Co-Petitioner 1 ☐ Co-Petitioner 2 ☐ Both ☐ Other

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

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 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:

Party's Name	Address	Child's Initials	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

NOTICE: Petitioner must give notice of this case to anyone on the above list.

12. Parenting Plan.

It is in the best interest of our child(ren) that this court adopt our proposed parenting plan. We have completed and filed a **Joint Proposed Parenting Plan MP 320** with the Court.

NOTICE: Form MP-320 MUST BE FILED ALONG WITH THIS PETITION

13. Property Distribution.

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-521 Proposed Property Distribution**.

We have completed and filed a Joint Proposed Property Distribution **Form MP-521** with the Court.

NOTICE: Form MP 521 MUST BE FILED ALONG WITH THIS PETITION

14. Preliminary Disclosure.

We have completed and exchanged **Form MP-520** Disclosure of Income and Expenses.

NOTICE: Form MP-520 IS ONLY PROVIDED TO YOUR SPOUSE. DO NOT FILE MP-520 WITH THE COURT.

15. Former Name. (Choose one)

- ☐ Co-Petitioner 1 requests the Court restore their previous name:

Current Name:

(First, Middle, Last)

Previous Name to be Restored:

(First, Middle, Last)

- ☐ Co-Petitioner 2 requests the Court restore their previous name:

Current Name:

(First, Middle, Last)

Previous Name to be Restored:

(First, Middle, Last)

OR

- ☐ Petitioners want to keep their current names.

16. Maintenance. (Choose one)

- ☐ Petitioners are not requesting maintenance.

OR

- ☐ Petitioners request the following maintenance agreement (include amount, duration, and payment schedule):

17. Hearing (*Choose one*)

☐ Petitioners would like the Court to waive a hearing and issue the final decree of dissolution.

OR

☐ Petitioners would like the Court to schedule a hearing and issue the final decree of dissolution.

18. Other:

19. We ask the court to take the following action:

- a. Enter a decree of dissolution of marriage dissolving our marriage.
- b. Adopt the Joint Proposed Parenting Plan (MP 320), including parenting time, child support, and medical support.
- c. Grant each party the marital property, including personal property, real property, other assets, liabilities, and/or debts as stated in the Joint Proposed Property Distribution (MP 521) filed separately.
- d. If we asked the Court to do so, restore former name(s).
- e. If we asked the Court to do so, enter an order for maintenance.
- f. Other:

- g. 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. By signing this Petition, we further acknowledge that we are subject to an Automatic Economic Restraining Order limiting what actions we can take until this marriage is fully dissolved. The complete terms of that restraining order are defined in Montana Code Annotated § 40-4-126.

Dated this _____ day of _____, 20__.

Sign Here: _____ Sign Here: _____

Print Name: _____ Print Name: _____
Co-Petitioner 1 Co-Petitioner 2