

NOTICE TO SELF REPRESENTED PARTIES FILING A DIVORCE CASE IN CLARK COUNTY

This packet was created to provide valuable information, Court forms and various resources for people who represent themselves in Court. Self-representation should not be taken lightly. There are many instances in which hiring an attorney is a good idea.

Forms **DO NOT** explain the law and may not provide all of the information necessary for a court to reach a decision. You have permission to use the forms and information presented here for the purpose of filing a divorce. The forms should not be used to engage in the unauthorized practice of law.

The Court assumes no responsibilities and accepts no liability for actions taken by your use of these documents, including reliance on their contents.

***** The Clerk's Office and Court employees are prohibited by law from giving legal advice. When filing "Pro Se" or as a "Self-Represented" party you are your own attorney. You are responsible for understanding the rules of law and completing the paperwork correctly. *****

TO FILE YOUR DIVORCE ACTION, YOU **MUST** DO THE FOLLOWING:

Complete the attached forms.

Then return the fully completed forms to the Clerk's Office for filing.

Bring the filing fee; See options below for service of your lawsuit on the opposing party:

Service by Sheriff: Bring \$205.00 (cash or card only), and the completed original documents.

Service by Certified Mail: Bring \$177.00 (cash or card only), plus the completed original documents.

The Clerk will distribute service of the papers as you have requested above.

You are divorced when the Judge signs the Decree of Dissolution. You should not get remarried until you have a copy of the Decree of Dissolution signed by the Judge.

PRO-SE DIVORCE (no children)

A packet is available to purchase in the Clark County Clerk's Office (\$5.50)

- You will need to fill out the following:
 - Appearance
 - Petition for Dissolution of Marriage
 - Notice of Requirement of Verified Financial Disclosure Statement
 - Verified Financial Disclosure Statement (file within 45 days)
 - Summons
 - Notice of Final Hearing
- Make sure you sign and date the certificate of service.

Once you pay your filing fee, you will be given a case number.

My case number: _____

Type of service designated: _____

You are responsible to follow up to see if the Respondent has been served.

Please go to www.mycase.in.gov and check for service on your case.

Respondent served on: _____

- ONCE THE RESPONDENT IS SERVED, A FINAL HEARING DATE WILL BE SET AND SENT TO THE PETITIONER (VIA EMAIL) AND TO THE RESPONDENT (AT THE ADDRESS SERVED).

My Final Hearing date: _____

Please report to Room 109 the day of your hearing and check in with the Court staff.

IN THE COURTS FOR CLARK COUNTY
STATE OF INDIANA

IN RE THE MARRIAGE OF:

PETITIONER
and

CASE NO. _____

RESPONDENT

**APPEARANCE BY UNREPRESENTED PERSON IN DISSOLUTION OF
MARRIAGE**

1. My name is _____ and I am
_____ Initiating (Petitioner)
_____ Responding (Respondent)

In this case I am not represented by a lawyer.

2. Contact information for receiving documents and case information is required by
Court Rules:

Address:

Email Address: _____

Phone number: _____

3. **This is a case regarding: Dissolution of marriage without Children (DN)**

4. There is a separate case involving the same parties that involves a protection order,
a workplace violence restraining order, or a no-contact order.

_____ YES Caption: _____ Case No. _____

_____ NO

If yes, the protected party may provide an address for the purpose of accepting legal service of process which will be kept confidential from the opposing party if an order of protection, workplace violence restraining order, or a no-contact order has been issued.

5. There are other related Cases:

_____ YES Caption: _____ Case No. _____

_____ NO

6. Does either party need an interpreter?

_____ YES What language: _____

_____ NO

DATED: _____

PETITIONER/RESPONDENT

CERTIFICATE OF SERVICE

I hereby certify that I am serving this document by:

_____ Certified mail

_____ Service by Sheriff County _____

_____ Publication (May not be used unless there are no other means to serve the opposing party properly.)

_____ Acknowledgment

_____ Process Server

to the Petitioner/Respondent.

Signature – Petitioner/Respondent

IN THE COURTS FOR CLARK COUNTY
STATE OF INDIANA

IN RE THE MARRIAGE OF:

PETITIONER

and

CASE NO. _____

RESPONDENT

VERIFIED PETITION FOR DISSOLUTION OF MARRIAGE

The Petitioner, _____, now states:

1. The Petitioner and Respondent were married on _____,
and separated on _____.
2. Petitioner/Respondent has been a continuous resident of _____
County for the last 3 months.
3. Petitioner/Respondent has been a continuous resident of the State of Indiana
for the last 6 months.
4. There are no children born of the marriage.
5. Debts and property:

_____ There are no debts/personal property to divide.

_____ Petitioner wishes the Court to divide marital assets and debts.
6. Petitioner/Respondent (is/is not) pregnant.
7. Is either party a member of the military? YES _____ NO _____
8. This marriage has suffered an irretrievable breakdown and should be
dissolved.
9. Does either party contest this divorce proceeding? YES _____ NO _____
10. Change of name:

_____ Petitioner/Respondent would like the following former name restored:

_____.

_____ No name change is requested.

11. _____ Neither the Petitioner, nor the Respondent, is a lifetime sex or violent offender.

_____ The Petitioner is a lifetime sex or violent offender.

_____ The Respondent is a lifetime sex or violent offender.

I affirm under the penalties of perjury that the foregoing representations are true.

PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that I am serving this document to the Petitioner/Respondent by:

_____ Certified mail

_____ Service by Sheriff **County** _____

_____ Publication (May not be used unless there are no other means to serve the opposing party properly and an Affidavit of Diligent Inquiry must be filed for service to be permitted by publication.)

_____ Acknowledgment

_____ Process Server

Signature – Petitioner/Respondent

IN THE COURTS FOR CLARK COUNTY
STATE OF INDIANA

IN RE THE MARRIAGE OF:

_____,
PETITIONER

and CASE NO. _____

_____,
RESPONDENT

**NOTICE OF REQUIREMENT FOR BOTH PARTIES TO FILE A VERIFIED FINANCIAL
DISCLOSURE STATEMENT**

YOU ARE HEREBY NOTIFIED THAT YOU MUST SUBMIT YOUR **VERIFIED FINANCIAL DISCLOSURE STATEMENT** WITH THE OPPOSING PARTY WITHIN 45 DAYS OF THE FILING DATE OF THIS CASE.

- **Requirement** – In all contested dissolution, separation, and paternity actions each party shall prepare and exchange within forty-five (45) days of the filing of the action, a Verified Financial Disclosure Statement in such form consistent with that set forth in the Appendix to these Local Family Rules of Practice. For good cause, the time limit may be extended or shortened. At the time of the filing of the action, the moving party shall serve a Notice upon the opposing party of the requirement to exchange a Verified Financial Disclosure Statement. Such Notice shall be in such form consistent with that set forth in the Appendix to these Local Family Rules of Practice.
- **Exceptions** – The Verified Financial Disclosure Statement need not be exchanged if the parties agree in writing within thirty (30) days of the initial filing to waive exchange, or the proceedings is uncontested, or the proceeding is one in which service is by publication and there is no response.
- **Mandatory Discovery** – The exchange of the Verified Financial Disclosure Statement constitutes mandatory discovery, therefore, the Indiana Trial Rule of Procedures, Trial Rule 37 sanctions apply. Additionally, pursuant to Trial Rule 26E (2) and (3) the Statement shall be supplemented if additional material becomes available.
- **Statement Considered Confidential** – When a Verified Financial Disclosure Statement is filed with the court, it shall be sealed and designated “**Confidential**”.

IN THE COURTS FOR CLARK COUNTY
STATE OF INDIANA

IN RE THE MARRIAGE OF:

PETITIONER

and

CASE NO. _____

RESPONDENT

SUMMONS

TO RESPONDENT: _____

ADDRESS: _____

You are hereby notified that you have been sued by your spouse for dissolution of your marriage. The case is pending in the Court named above.

1. It is suggested that you consult with an attorney of your choice regarding this matter.
2. In the event you do not respond within sixty (60) days of the date hereof, your marriage may be dissolved by Decree of the Court after Final Hearing. In the event that you fail to appear at the Final Hearing, a decision may be made in your absence. It may contain a judgment against you and provisions regarding distribution of assets, and payment of debts.
3. While a responsive pleading is not required, you may file a response or counter Petition for Dissolution of Marriage prior to the Final Hearing date.

The following manner of service is hereby designated: _____ Certified Mail
_____ Sheriff _____ County
_____ Acknowledgment
_____ Publication (May not be used unless
there are no other means to serve the opposing
party properly.)

Dated _____

CLERK, Clark County Courts

Preparing For Court

Courts have a lot of rules and procedures that have to be followed. If you do not follow the rules, you may not be able to give the Judge all of the information about your case. If you represent yourself, you must be prepared. When preparing for your Court hearing, keep in mind the following things:

Before your Court date:

1. Read over all of your Court documents. Be familiar with all the documents that you and your spouse have submitted to the Court.
2. All parties in a court action must be given proper notice of all pending matters and hearings. Make sure you deliver a copy of each document or piece of information that is filed or delivered to the court to the other party. It is your responsibility to do this in most instances, not the Court's. Failure to provide notice of a hearing or to give the documents to the other party could delay your case.
3. Visit www.in.gov/judiciary/rules for Indiana Court Rules

On the day of your Court date:

1. Arrive early for your Court hearing, **DO NOT** be late. However, be prepared to wait in case earlier hearings take longer than expected.
2. Dress appropriately. It is important for you to dress in a manner that shows respect for the Court and for the legal proceeding that is taking place. Plan to dress as though you were going to an important job interview. **NO HATS.**
3. Be respectful. Call the Judge "Your Honor." Always stand when the Judge or other judicial officer enters or leaves the bench. Address all comments to the Judge.
4. Listen carefully and wait your turn to speak or respond. Do not interrupt others when they are talking. Everyone will get a chance to tell their side of the story. Be polite even if you do not agree. If you have an objection to testimony or documents presented to the Court, your objections must be made according to court rules and procedures.
5. An official record will be kept of the Courtroom proceedings. All of your comments will be recorded. Be sure to speak clearly, slowly, and at a volume that can be heard and understood.
6. **Do not bring children with you to Court** unless you are specifically asked to do so by the Judge or an attorney to provide information to the Judge at the hearing.
7. Be prepared to offer a brief summary of your side of the case. You need to tell the Judge exactly what you want.
8. Report to Room 109 on the first floor.
9. Check in with the Court staff at the window.
10. Sit in hallway until your name is called.
11. **NO PHONES!!**

If you need any special arrangements with regard to disabilities or special needs, such as an interpreter, call ahead to the Court office. By making arrangements ahead of time for any speech and hearing disabilities, vision problems, handicap accessibility, or language barriers, you can help to ensure that you will receive the best service possible from the Courts.