

The parties were married at common law. The parties assumed a marital relationship by mutual consent and agreement and confirmed their marriage by cohabitation and public repute.

3. Choose One:

The parties separated on (*date*): _____.

The parties are not yet separated.

4. Choose One:

The marriage is irretrievably broken in that there is serious marital discord which adversely affects the attitude of one of the parties towards the marriage, and there is no reasonable prospect of reconciliation.

The marriage is irretrievably broken in that the parties have lived separate and apart for a period of more than one hundred eighty (180) days preceding the commencement of these proceedings, and there is no reasonable prospect of reconciliation.

5. The conciliation provisions of the Montana Conciliation law, M.C.A. §§ 40-3-101, et. seq., and § 40-4-107 do not apply.

6. At least one of the parties has been domiciled within the state of Montana for at least ninety (90) days prior to the filing of this action.

7. No Children of the Marriage Choose One:

There were no children born of the marriage.

There were children of the marriage, but none are now minors.

8. The wife is is not pregnant with a child of this marriage.

9. The Parties have complied with the preliminary disclosure requirements of MCA §40-4-252.

The Parties have complied with the final disclosure requirements of MCA §40-4-253 & -254.

or in the event of a default:

The Petitioner has complied with the preliminary disclosure requirements of MCA §40-4-252.

Having requested entry of default, Petitioner has waived the final declaration of disclosure.

10. Choose One:

The parties do not own any real property.

The Wife Husband both parties are the owner(s) of record of real property located at _____

_____.

The legal description of the property is _____

_____.

- 11. Choose One:
 The parties do not own any vehicles.
 The parties own _____ vehicle(s).
- 12. The parties have accumulated household furnishings and other personal property during the course of their marriage. The personal property of the parties has has not already been divided.
- 13. Choose One:
 There are no debts of the marriage.
 The parties have accumulated debts during the course of their marriage.
- 14. Choose One:
 The wife would like to be restored to her former name of _____.
 The wife does not want to be restored to her former name.
- 15. Other Provisions: _____

_____.

FROM the above Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

- 1. The Court has jurisdiction over this cause.
- 2. The marriage of the parties is irretrievably broken.
- 3. The Parties
 having complied with the Preliminary Disclosure requirements of M.C.A. §40-4-252;
 having complied with the final disclosure requirements of M.C.A. §§40-4-253 and 40-4-254;
OR in the event of a default
The Petitioner
 having complied with the preliminary disclosure requirements of MCA §40-4-252;
 having requested entry of default and waived the final declaration of disclosure;
the Court finds good cause to enter this Decree.
- 4. Based on the duration of the marriage and on the parties' age, health, education, skills, and financial circumstances, the division of property and debts is equitable.

5. If requested, the wife should be restored to her former name.
6. Other Provisions: _____

FROM the above Findings of Fact and Conclusions of Law, the Court orders the following:

DECREE OF DISSOLUTION OF MARRIAGE

1. The marriage of the parties is hereby dissolved.
2. Choose One:
 The parties do not own any real property.
 The Wife Husband is hereby granted all right, title, and interest in the real property located at _____, with legal description of _____

The Wife Husband shall transfer his/her interest in this real property to the Wife Husband.

or

Describe the proposed distribution of the real property: _____

If needed, attach additional sheets as Exhibit _____.

3. Choose One:
 The parties do not own any vehicles.
or
 The parties' vehicle(s) shall be distributed as follows (*Please include the year, make, and model for each vehicle listed.*):
- a. The Wife is awarded all right, title and interest in following vehicle(s):
 Vehicle: _____ VIN#: _____
 Vehicle: _____ VIN#: _____
 Vehicle: _____ VIN#: _____
- b. The Husband is awarded all right, title, and interest in the following vehicle(s):
 Vehicle: _____ VIN#: _____

Vehicle: _____ VIN#: _____
 Vehicle: _____ VIN#: _____

- c. The parties shall transfer all right and title in said vehicle(s) to the appropriate party. If either party fails to transfer such right and title in the vehicle(s) within twenty (20) days from the date of this Decree, the registrar of Motor Vehicles of the State of Montana is hereby ordered to issue sole title to the party awarded said vehicle(s) upon receipt of a certified copy of this Decree.
 If needed, attach additional sheets as Exhibit _____.

4. Choose One:

Each party is hereby granted the exclusive right and title to the personal property currently in his or her possession.

or

Each party is hereby granted the exclusive right and title to the following personal property:

To Wife:

To Husband:

If needed, attach additional sheets as Exhibit _____.

5. Choose One:

There are no debts of the marriage.

The parties have accumulated debts during the course of their marriage. Each party shall be responsible for the debts currently in his or her name.

or

The parties have accumulated debts during the course of their marriage. The responsibility for the debts shall be distributed as follows:

To Wife:

Description of Debt	Creditor	Current Balance	Amount to Wife

Description of Debt	Creditor	Current Balance	Amount to Wife

Any and all other debts in Wife's name only; any and all other debts incurred solely by the Wife since the parties' separation.

To Husband:

Description of Debt	Creditor	Current Balance	Amount to Husband

Any and all other debts in the Husband's name only; any and all other debts incurred solely by the Husband since the parties' separation.

If needed, attach additional sheets as Exhibit _____.

9. Choose One:

The wife's name is restored to _____.

Wife shall be issued an Order for Name Change which is a sealed document in the court file.

The wife's name is not restored to her former name.

10. Each party is ordered to execute any and all documents which now or in the future may be necessary to carry into full force and effect the terms and conditions of this Decree.

DATED this ____ day of _____, 20____.

DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I, the undersigned, certify that I served a true and accurate copy of the **FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL DECREE OF DISSOLUTION** on the following person this ____ day of _____, 20____, by:

depositing the same in the U.S. Mail with postage pre-paid;

or

personally delivering this document to the following person.

(Insert Name
and Address)

Signature of Petitioner *Pro se*