

INSTRUCTIONS FOR CONFIDENTIAL INFORMATION SHEET (APPENDIX H) AND PROPOSED JUDGMENT

The judgment form contains information provided on previous forms and will be signed by the clerk to finalize your divorce. Appendix H includes confidential information so that the confidential information will not be required in the publicly accessible part of the file. Parties must work together to complete these forms and **file them with the clerk at least one week prior to the hearing**. Fill in the names of the parties and include your case number on the top of the forms.

APPENDIX H - Form 4 (a)

1. Provide the plaintiff's name, phone number, social security number, and birth date.
2. Provide the defendant's name, phone number, social security number, and birth date.
3. Provide the names, social security numbers, and birth dates of any children of the parties.

PROPOSED JUDGMENT- Form 4 (b)

To complete this form, you MUST refer to the completed Form 4: Findings of Fact, Conclusions of Law and Order for Judgment.

- Go to the "Conclusions of Law" section on Page 5.
- Copy the information **EXACTLY** from each paragraph of the "Conclusions of Law" section into the corresponding paragraphs of Form 4(b): Judgment.

Paragraph 30

- Fill in the last four digits of the Plaintiff's Social Security Number and the last four digits of the Defendant's Social Security Number.

Final Paragraph & Signature Line

- Leave this paragraph blank and unsigned. If the Court uses this form, the Clerk of Court will fill in the information.

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF _____

CASE NUMBER _____

_____,
Plaintiff,

JUDGMENT

vs.

_____,
Defendant.

The above-entitled proceeding came before the Court on the _____ day of _____, 20____, and was heard by the Honorable _____, in the District Court, _____ County, North Dakota. The plaintiff did/did not appear personally. The defendant did/did not appear personally.

After hearing all of the evidence at said hearing and being fully advised in the premises, upon all the pleadings and proceedings herein, the Court makes the following:

IT IS HEREBY ORDERED AND ADJUDGED AND DECREED AS FOLLOWS:

1. Divorce and Court approval. The plaintiff is awarded an absolute Decree of Divorce from the defendant on the grounds of irreconcilable differences, all in accordance with the provisions of the North Dakota Century Code.
2. Spousal Support (*choose one*):
 - a. Defendant shall pay to plaintiff the amount of \$_____ per month as and for spousal support for a period of _____.
 - b. Plaintiff shall pay to defendant the amount of \$_____ per month as and for spousal support for a period of _____.
 - c. Neither plaintiff nor defendant will be awarded general term or rehabilitative spousal support and the court not have jurisdiction to make any awards of spousal support in the future.
3. Parental Rights and Responsibilities: The parties shall have the parental rights and responsibilities as set forth in North Dakota Century Code § 14-09-32.
4. Parenting Plan: Pursuant to North Dakota Century Code § 14-09-30, the Parenting Plan is attached as Exhibit B. Exhibit B is incorporated into this Judgment.

5. Post-judgment parenting responsibility and parenting time modifications are subject to NDCC § 14-09-06.6 and NDCC Chapter 14-14.1, the Uniform Child Custody Jurisdiction and Enforcement Act.
6. In Accordance with North Dakota Child Support Guidelines and North Dakota Century Code § 14-09-09.7 (*if you have a current child support order, choose 6a. If the Defendant will pay child support, choose 6b. If the Plaintiff will pay child support, choose 6c. If Plaintiff and Defendant will have equal residential responsibility, complete 6b AND 6c BEFORE completing 6d*):

a. A child support order already exists for the child(ren). The child support case number is _____. The existing child support amounts shall be incorporated into the judgment in this case. (*Attach the child support worksheet or a copy of the order*).

b. Defendant shall pay Plaintiff \$_____ per month as and for child support beginning _____, based on net monthly income of \$_____. Defendant's income was determined by (*explain*) _____

c. Plaintiff shall pay to Defendant \$_____ per month as and for child support beginning _____, based on net monthly income of \$_____. Plaintiff's income was determined by (*explain*) _____

d. Plaintiff and Defendant have equal residential responsibility. (*Complete 6b and 6c.*) The amounts in 6b and 6c will be offset for payment purposes.

Plaintiff/ Defendant (*choose one*) will pay the difference of \$_____.

If child support rights become assigned because the child(ren) receives public assistance, the offset is no longer allowed. Each parent will be responsible for paying the full amount of the parent's obligation as long as the assignment is in effect.

7. The support obligation for the child(ren) shall continue (*choose one*):
- a. As required by the existing child support order. The child support case number is _____.
 - b. Until the last day of the month in which the child reaches age eighteen, unless the child is still in high school and still living at that time with the parent receiving support. If support is to continue or resume after the month in which the child reaches age eighteen, the parent receiving support shall file the Affidavit of Custodial Parent with the court. If the affidavit is filed, child support will continue or resume until the last day of the month in which the child graduates or reaches age nineteen, whichever comes first.
8. Child support orders are subject to income withholding in accordance with NDCC § 14-09-09.24. The obligation will accrue interest if not paid timely in accordance with NDCC §§ 14-09-08.19, 14-09-25(6).
9. All child support payments shall be made to the North Dakota State Disbursement Unit (SDU), P.O. Box 7280, Bismarck, ND 58507-7280 in a form acceptable to the SDU for forwarding to the parent receiving support. Any child support payment made directly by the parent paying support to the parent receiving support, rather than through the SDU, will be treated as a gift unless Child Support agrees to give credit for the payment.
10. This order subjects the income of the parent paying support to immediate income withholding, regardless of whether their support payments are delinquent.
11. Child support orders are subject to periodic review under NDCC § 14-09-08.4. Either party may request a review of an order by applying to the child support agency as provided in NDCC § 14-09-08.9.
12. Each party subject to this order shall provide the state disbursement unit (SDU) with the following information within ten days of the order or within ten days of any change of information as NDCC § 14-09-08.1 (*continues on next page*):
- a. Social Security number;
 - b. Home address, mailing address, and any change of address;
 - c. Telephone number;
 - d. Driver license number;

- e. Employer's name, address, and telephone number; and
- f. Change of any other condition that could affect paying or receiving support.

13. Health Insurance shall be provided for any minor children as required by NDCC § 14-09-08.10. Plaintiff/ Defendant (*choose one*) shall provide satisfactory health insurance whenever that coverage is available at no or nominal cost. If not available at no or nominal cost, then Plaintiff/ Defendant (*choose one*) shall provide satisfactory health insurance coverage whenever that coverage is available at reasonable cost or becomes available at reasonable cost.

14. The Plaintiff/ Defendant (*choose one*) shall claim the child(ren) as dependent(s) for income tax purposes. Other specific arrangements outlined below. (*Specify children by initials only on this form*).

15. Debts and Liabilities:

a. (*choose one*)

There are NO outstanding debts and liabilities of this marriage.

Plaintiff's and Defendant's debts and liabilities shall be paid as stated on the attached Exhibit A. Exhibit A is incorporated into this Judgment.

b. Plaintiff and Defendant shall not to contract any debt, charge or liability whatsoever for which the other or their property or estate shall or may become liable or answerable in the future.

16. Vehicles or Watercraft (*choose one*):

Plaintiff and Defendant DO NOT own any vehicles or watercraft.

The vehicles or watercraft shall be awarded to Plaintiff and Defendant as stated on the attached Exhibit A. Exhibit A is incorporated into this Judgment. The party receiving each vehicle or watercraft shall pay for all loans and insurance associated with the vehicle or watercraft.

17. Plaintiff's and Defendant's jointly owned other property, including household goods, furniture, and furnishings are divided as stated on the attached Exhibit A. Exhibit A is incorporated into this Judgment.

18. JOINTLY Owned Real Estate (*choose one*):

- Plaintiff and Defendant **DO NOT JOINTLY** own any real estate.
- Plaintiff's and Defendant's **JOINTLY** owned real estate shall be awarded as stated on the attached Exhibit A. Exhibit A is incorporated into this Judgment.

19. Plaintiff's SOLELY Owned Real Estate (*choose one*):

- Plaintiff **DOES NOT SOLELY** own real estate in their own name.
- Plaintiff **SOLELY** owned real estate shall be awarded as stated on the attached Exhibit A. Exhibit A is incorporated into this Judgment.

20. Defendant's SOLELY Owned Real Estate (*choose one*):

- Defendant **DOES NOT SOLELY** own real estate in their own name.
- Defendant **SOLELY** owned real estate shall be awarded as stated on the attached Exhibit A. Exhibit A is incorporated into this Judgment.

21. Plaintiff's Retirement Plan(s) (*choose one*):

- Neither Plaintiff nor Defendant has paid money into a pension, profit-sharing plan, IRA, or other retirement plan for Plaintiff. Plaintiff's past or present employers, union, or other group **HAVE NOT** paid money into a pension, profit-sharing plan, IRA, or other retirement plan for Plaintiff.
- Plaintiff's pension, profit-sharing plan, IRA, or other retirement shall be awarded as stated on the attached Exhibit A. Exhibit A is incorporated into this Judgment.

22. Defendant's Retirement Plan(s) (*choose one*):

- Neither Plaintiff nor Defendant has paid money into a pension, profit-sharing plan, IRA, or other retirement plan for Defendant. Defendant's past or present employers, union, or other group **HAVE NOT** paid money into a pension, profit-sharing plan, IRA, or other retirement plan for Defendant.
- Defendant's pension, profit-sharing plan, IRA, or other retirement shall be awarded as stated on the attached Exhibit A. Exhibit A is incorporated into this Judgment.

23. Other Assets (*choose one*):

There are NO financial or other assets of this marriage that are not otherwise mentioned.

Plaintiff and Defendant shall be awarded all rights, title, interest and equity in and to the financial or other asset not otherwise mentioned, as stated on the attached Exhibit A. Exhibit A is incorporated into this Judgment.

24. Income Tax Returns. Plaintiff and Defendant shall share historical accounting and tax information, documents and records with the other as may be necessary for each to prepare a complete and accurate income tax return for subsequent tax years.

Each party shall execute any IRS or similar forms as may be necessary for each to prepare a complete and accurate income tax return for subsequent tax years.

In accordance with the Affordable Care Act (ACA), the party providing, or who has provided health insurance coverage for a child being claimed as a dependent, shall supply the other party proof of coverage (IRS Form 1095-A, IRS Form 1095-B, or IRS Form 1095-C) on or before January 31, or as soon thereafter as proof of coverage is received, of every applicable calendar year.

25. Plaintiff Former Name (*choose one*):

Plaintiff DOES NOT want to restore their name.

Plaintiff, presently known as _____,
shall be restored to their former name of _____
in any Judgment issued herein and shall be known thereafter as _____.

26. Defendant's Former Name (*choose one*):

Defendant DOES NOT want to restore their name.

Defendant, presently known as _____,
shall be restored to their former name of _____
in any Judgment issued herein and shall be known thereafter as _____.

27. There shall be no restrictions on remarriage.

28. Execution of Required Documents. Each party shall, within ten (10) days from the date of Entry of Judgment, or upon presentation, whichever occurs first, execute all documents, transfer papers, or titles required to effect the terms and provisions of the Judgment and Decree. In the event that a party fails to sign transfer papers, as required, the Judgment shall operate to transfer title to property, as awarded.

29. Waiver of Counsel. The parties acknowledged that each has the right to be represented by a lawyer of his/her choice.

30. In accordance with North Dakota Century Code § 14-05-02.1:

Plaintiff's Social Security Number is XXX-XX-_____.

Defendant's Social Security Number is XXX-XX-_____.

WITNESS the hand and seal of this Court in the City of _____,
State of North Dakota, on _____, Clerk of District Court, County
of _____.

Clerk of the District Court