Instructions for Judgment and Decree of Divorce (Stipulation and Agreement with Children) Form

(*** Use this form only if you and the Defendant have signed a Stipulation and Settlement Agreement with Children and you want to court to incorporate that agreement in your Judgment and Decree of Divorce.)

The Judgment and Decree of Divorce is signed by the Judge. You must wait at least sixty (60) days after serving the Defendant before submitting your Judgment and Decree of Divorce to the judge.

- Complete the top portion of the Judgment and Decree of Divorce (the "caption") the same as on the other documents you have filed in this divorce.

- In the second paragraph, insert the date and place that you were married. Also insert the date on which the Defendant was served with the Summons and Complaint.

- Indicate whether the Plaintiff or Defendant has requested in the Complaint that her former name be restored.

- **YOU DO NOT SIGN – THE JUDGMENT AND DECREE OF DIVORCE IS SIGNED BY THE JUDGE.**

- Submit the Judgment and Decree of Divorce to the court. If the judge signs the decree, the Clerk of Courts will send you a copy of the signed Judgment and Decree of Divorce. You will need to send a copy of the Judgment and Decree of Divorce to the Defendant.

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF _____)

IN CIRCUIT COURT

_____ JUDICIAL CIRCUIT

_____, Plaintiff, vs. _____, Defendant	DIV _____ **JUDGMENT AND DECREE OF DIVORCE (STIPULATION AND AGREEMENT WITH CHILDREN)**

The above-entitled matter came before this Court on the _____ day of _____, 20___. It satisfactorily appearing to the Court from the records and files herein that the Defendant was duly served with the Summons and Complaint on the _____ day of _____, 20___, and that the parties thereafter entered into the Stipulation and Agreement on file herein. Parties were married on _____(date) at _____(city and state). After due consideration of the same and on the matters of record herein the Court finds and concludes that it has jurisdiction over the parties and the subject matter herein, and that the parties having expressly waived entering of Findings of Fact and Conclusions of Law. Now therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Plaintiff is granted a Decree of Divorce on the grounds of _____, and the parties hereto are restored to the status of single persons.

2. That the Stipulation and Agreement on file between the parties is hereby approved and by this reference made a part hereof merged and incorporated herein.

3. _____ (Non-Custodial parent) shall pay child support for the minor child(ren) in the amount of $_____ per month commencing _____ 1, 20____.

4. ☐ Plaintiff's ☐ Defendant's name shall be changed to: _____.

Dated this _____ day of _____, _____.

BY THE COURT:

_____
CIRCUIT COURT JUDGE

ATTEST:

Clerk of Courts
By_____
Deputy Clerk of Courts