

## PRO SE DIVORCE CHECKLIST

**This Checklist must be completed and signed by the Plaintiff and submitted along with the proposed Final Judgment and Decree of Divorce to the Court:**

1. Plaintiff's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_
2. Defendant's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_
3. Is the Plaintiff a resident of the county where you have filed this action?  
Yes \_\_\_\_\_ No \_\_\_\_\_
4. Is the Defendant a resident of the county where you have filed this action?  
Yes \_\_\_\_\_ No \_\_\_\_\_
5. Have you filed a Summons and Complaint? Yes \_\_\_\_\_ No \_\_\_\_\_
6. Have the Summons and Complaint been served on the other party?  
Yes \_\_\_\_\_ No \_\_\_\_\_

**\* You must either file a Sheriff's Return of Service showing proof of service upon the opposing party OR an Admission of Service signed by the opposing party and notarized.**

7. Are there any minor children involved? Yes \_\_\_\_\_ No \_\_\_\_\_
8. Is the wife pregnant? Yes \_\_\_\_\_ No \_\_\_\_\_
9. If your answer to either No. 7 or 8 is "Yes", is there a prior or existing child support order in place? Yes \_\_\_\_\_ No \_\_\_\_\_. **If "Yes", please provide a copy of the order attached to this form.**

**\*\*\*\*\* If a child is involved, you must complete a Child Support Order Filing Data form (Form 089) which can be obtained from the Office of the Clerk of Court.**

Is child support set in the statutory amount? (See SDCL §25-7-6.2) Yes \_\_\_ No \_\_\_

Does your Stipulation or proposed Judgment and Decree address custody?  
Yes \_\_\_\_\_ No \_\_\_\_\_

Does your Stipulation or proposed Judgment and Decree address visitation?  
Yes \_\_\_\_\_ No \_\_\_\_\_

10. Has it been 60 days since the other party was served the Summons and Complaint?  
Yes \_\_\_\_\_ No \_\_\_\_\_
11. Did the other party file a response to the Summons and Complaint?  
Yes \_\_\_\_\_ No \_\_\_\_\_
12. If children are involved, have both parties completed the SMILE program? (**Required in Minnehaha County only**)  
Yes \_\_\_\_\_ No \_\_\_\_\_
13. You must have filed the following documents before submitting a proposed Final Judgment and Decree of Divorce to the Court for consideration:

- |    |   |       |
|----|---|-------|
|    | v   |       |
| a. | Civil Case Filing Statement   | _____ |
| b. | Summons signed by Plaintiff   | _____ |
| c. | Complaint signed by Plaintiff                                       | _____ |
| d. | Admission of Service signed by the other party <u>and notarized</u> | _____ |

**OR**

- |    |  |       |
|----|--|-------|
|    | Sheriff's Return of Service                  | _____ |
| e. | Stipulation/Agreement signed by both parties | _____ |

**OR**

- |    |   |       |
|----|---|-------|
|    | Motion for Default Judgment <b>AND</b> Affidavit of Default (must be notarized)   | _____ |
| e. | Affidavit of Jurisdiction and Grounds (See SDCL § 25-4-17.3)<br>* (if you wish to use Irreconcilable Difference as grounds, both parties must sign an Affidavit which must be notarized.) | _____ |

I have reviewed the documents filed in this matter and verify that the information is complete and correct.

DATE: \_\_\_\_\_

\_\_\_\_\_

PLAINTIFF'S SIGNATURE

**\*\*\* If filed in Minnehaha County and children are involved, the Visitation Officer must review the proposed Judgment and Decree before the Court will grant your Judgment and Decree of Divorce.**

Has the Visitation Officer reviewed the proposed Judgment and Decree of Divorce?  
Yes \_\_\_\_\_ No \_\_\_\_\_ (To be completed by the Visitation Officer who will indicate status and approval)