

PRO SE DIVORCE CHECKLIST

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

1. Plaintiff's Name: _____
Address: _____
Phone: _____
Social Security Number: _____
2. Defendant's Name: _____
Address: _____
Phone: _____
Social Security Number: _____
3. Is the Plaintiff a resident of _____ County, South Dakota? Yes ____ No ____
4. Is the Defendant a resident of _____ County, South Dakota? 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.**

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 current 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?
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:

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a. Summons signed by Plaintiff _____

b. Complaint signed by Plaintiff _____

c. Admission of Service signed by the other party _____

OR

Sheriff's Return of Service _____

d. Stipulation/Agreement signed by both parties _____

OR

Motion for Default Judgment AND Affidavit of Default (must be notarized) _____

e. Affidavit of Jurisdiction and Grounds (See SDCL § 25-4-17.3) _____

* (If you wish to use Irreconcilable Difference as grounds, both parties must sign an Affidavit which must be notarized.)

f. Affidavit of Defendant's Non-Military Status _____

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

DATE: _____

PLAINTIFF'S SIGNATURE

***** If there are children involved, the Visitation Officer must review the proposed Judgment and Decree before the Court will grant your Judgment and Decree of Divorce (If there is no Visitation Officer in your circuit or no children are involved, write "not applicable.")**

If there are children involved, 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)