

Instructions for Stipulation and Settlement Agreement and Affidavit of Plaintiff and Defendant as to Jurisdiction and Grounds for Divorce

* * * These forms must be reviewed and signed by both
the Plaintiff and the Defendant in the divorce action * * *

The Stipulation and Settlement Agreement is the contract between the husband and wife relating to all matters in their divorce. There are two sets of forms - one with children and one without children. You will need to select the proper Agreement depending upon whether or not you have children with the spouse whom you are divorcing. The Affidavit is required for the court to grant the divorce without either of you appearing in court.

- Complete the top portion of the Stipulation and Settlement Agreement and the Affidavit as to Jurisdiction and Grounds for Divorce (the Caption) just as it appears in the Summons and Complaint.
- Insert in the document the parenting plan for your children. Be specific as to dates, times and places to avoid misunderstandings. Matters relating to the children are subject to the court's jurisdiction until the children are 18 years of age or 19 years of age if the children are full-time students in a secondary school.
- Divide all property. A property settlement is final.
- Allocate all debt. If debt is joint, the creditor can seek payment from either party even if you or your spouse agree to pay the debt. A debt division is final.
- If you or your spouse are dividing retirement plans, it is highly recommended that you consult with an attorney as there are specific legal documents that need to be completed to divide retirement plans.
- You must initial every page of the Stipulation verifying that you have read and agree to what is contained on the page.
- If there are children, you must attach a copy of the Report of the Child Support Referee, along with the Certificate of Parenting Education, if required in your circuit.
- The Stipulation and Affidavit must be signed by both parties in the presence of a Notary Public.