

Instructions for Judgment and Decree of Divorce (Stipulation and Agreement (Without Minor Children)) & Form

*** Use this form only if you and the Defendant have signed a Stipulation and Settlement Agreement (Without Minor Children) and you want the 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 this form in black ink only!**
- This is a 2 page form. 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.
NOTE: The caption is the top portion of each form. You will need to know the name of your county, judicial circuit (ask your Clerk of Court if you don’t know), name of Plaintiff, name of Defendant and case filing number (ask your Clerk of Court if you don’t know). The caption is the same on every form.
- You will complete only the first page of the Judgment and Decree of Divorce form- the Judge will finish page two.
- Submit the Judgment and Decree of Divorce to the court along with the signed & notarized Stipulation and Settlement Agreement (Without Minor Children) (UJS-324).
- If your or your spouse’s mailing or physical address has changed since this divorce was started, please provide that address to the Judge.
- If **no hearing** is required and the Judge signs the Judgment and Decree of Divorce, the Clerk of Courts will complete the Notice of Entry and send both parties a certified copy of the signed Judgment and Decree of Divorce along with a copy of the Notice of Entry. Make sure the Clerk has current addresses for both parties.
- If a **hearing** was required and the Judge signed the Judgment and Decree of Divorce, the Clerk of Courts will complete the Notice of Entry and provide a certified copy of the Judgment and Decree of Divorce along with a copy of the Notice of Entry to each party either by mail or hand-delivery.
- If you are responsible for delivering this Judgment & Decree of Divorce to the Clerk of Courts office, you **MUST** file it or you will **NOT** be divorced!!

STATE OF SOUTH DAKOTA)
)
:SS
COUNTY OF _____)

IN CIRCUIT COURT

JUDICIAL CIRCUIT

_____,
Plaintiff,

vs.

_____,
Defendant

DIV _____

**JUDGMENT AND
DECREE OF DIVORCE
(STIPULATION AND AGREEMENT
(WITHOUT MINOR 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 (Without Minor Children) on the _____ day of _____, 20_____, and that the parties thereafter entered into the Stipulation and Agreement (Without Minor Children) 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. The parties are both granted a Judgment and Decree of Divorce on the grounds of irreconcilable differences and the parties hereto are restored to the status of single persons.
2. That the Stipulation and Agreement (Without Minor Children) on file between the parties is hereby approved and by this reference made a part hereof merged and incorporated herein.
3. Plaintiff / Defendant (*circle one*), currently known as _____, born _____ shall be restored to their former name of _____; therefore, they shall be known hereafter as _____.

4. All of the other terms and conditions specifically set forth in the Stipulation and Agreement (Without Minor Children) are hereby approved and incorporated herein by reference as though fully set forth in extenso.

Dated this _____ day of _____, _____.

BY THE COURT:

ATTEST:

CIRCUIT COURT JUDGE

Clerk of Courts

By _____

Deputy Clerk

(SEAL)