

FORM 68-E

JUDGMENT DISSOLVING MARRIAGE-WITH CHILDREN

INSTRUCTIONS

This document is provided as a form. It contains various provisions that must be set forth in the judgment. The paragraphs are sequentially numbered even though many are alternatives to be used based upon the facts in each case.

THE BOLD PORTIONS AT THE TOP OF THIS FORM, AS WELL AS ALL INAPPLICABLE OPTIONS THROUGHOUT THE DOCUMENT, MUST BE DELETED BEFORE SUBMITTING THE JUDGMENT TO THE COURT.

CIRCUIT COURT OF _____ COUNTY, MISSOURI

_____)	
SSN: XXX-XX-_____)	
)
Petitioner,)	
)
vs.)	
)
_____)	
SSN: XXX-XX-_____)	
)
Respondent.)	Case No. _____

JUDGMENT DISSOLVING MARRIAGE

On hearing date Petitioner appeared in person and by counsel,
 _____ . Respondent appeared not in person, nor by
 counsel, although duly served. **OR** not in person, nor by counsel, having filed an
 Entry of Appearance. **OR** in person and by counsel,
 _____ . **OR** in person, *pro se*.

The Court took up for hearing the Petition for Dissolution of Marriage, witnesses were sworn, evidence adduced and (petitioner **OR** the parties) rested. On the evidence adduced the Court finds as follows:

OR

(IF JUDGMENT IS BY AFFIDAVIT)

On this date the Court reviews the file, the matter having been submitted to the Court by Affidavit for Judgment. Upon considering the pleadings, documents submitted, and affidavit(s) the Court finds as follows:

1. Petitioner has been a resident of the State of Missouri for more than ninety (90) days next preceding the filing of this action, currently living at

_____.

2. Respondent has been a resident of the State of Missouri for more than ninety (90) days next preceding the filing of this action, currently living at

_____.

3. The parties lived as husband in wife in the State of Missouri prior to separation.

4. More than thirty (30) days have elapsed since the filing of this action.

5. The parties' social security numbers are as set forth in the caption.

6. Petitioner and Respondent were married on _____, in _____ County, _____, and said marriage is registered there.

7. Petitioner and Respondent separated on or about _____.

8. The Court has jurisdiction over the parties and the subject matter.

9. There is no reasonable likelihood that the marriage of the parties can be preserved and, therefore, the marriage is irretrievably broken.

10. The following children were born of the parties or adopted by the parties during the marriage, to-wit:

_____, age _____, SSN: XXX-XX-_____

_____, age _____, SSN: XXX-XX-_____. The children, _____, remain unemancipated.

11. There are no other lawsuits pending concerning the custody of the unemancipated children and the Court has jurisdiction under the Uniform Child Custody Jurisdiction Act.

12. The female spouse is not pregnant at this time.

13. _____ (has or have) filed a Parenting Plan which the Court has reviewed and finds that it is in the best interests of the unemancipated child____ with custody to be awarded as follows:

14. The parties should be awarded joint legal and joint physical custody.

OR

15. The parties should be awarded joint legal custody with **Petitioner Respondent** having sole physical custody.

OR

16. **Petitioner Respondent** should be awarded sole legal and sole physical custody.

17. The custody award is appropriate after considering the factors set forth in §452.375.2 RSMo.

18. Petitioner is employed full-time earning \$_____ per month.

19. Respondent is employed full-time earning \$_____ per month.

20. **Petitioner Respondent** has work-related child-care costs in the amount of \$_____ per month.

21. Neither parent has health insurance available for the unemancipated children and it is not economically possible for either parent to provide medical insurance coverage at this time.

OR

22. **Petitioner Respondent** has medical insurance available for the unemancipated children through place of employment at a cost of \$_____ per month. The Court has reviewed all of the factors set forth in Section 454.603.2 RSMo and finds that the medical insurance available for the unemancipated child through place of employment is best insurance available at this time.

23. The Court has reviewed the Form 14 submitted by **Petitioner Respondent** and finds that the presumed amount of child support is just and appropriate under the circumstances of this case.

OR

24. The Court has reviewed the Form 14 submitted by **Petitioner Respondent** and finds that the presumed amount of child support is unjust and inappropriate under the circumstances of this case.

25. **(if applicable)** The following property is the non-marital property of Petitioner: (if real estate, include the legal description).

26. **(if applicable)** The following property is the non-marital property of Respondent (if real estate, include the legal description)

27. The parties own real estate and have marital personal property and debts to be divided.

OR

28. The parties own no real estate and have marital personal property and debts to be divided.

29. The parties have items of marital property and/or marital debts which need to be divided and have entered into (an oral agreement on the record **OR** a written agreement introduced into evidence) as to the division of property and debts.

30. The Property Settlement/Separation Agreement is found to be fair and not unconscionable.

31. Neither party is entitled to maintenance from the other.

OR

32. **Petitioner Respondent** is entitled to maintenance which is **OR** is not modifiable.

33. **(if applicable) Petitioner Respondent** requested that her name be changed.

34. **(if applicable)** The Guardian ad Litem adequately protected the rights of the unemancipated children.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

35. The marriage of _____ and _____ is dissolved.

36. The parties are awarded joint legal custody of the unemancipated children, and **Petitioner Respondent** shall have the sole physical custody, care and control of the unemancipated child, subject to **Petitioner's Respondent's** right to supervised visitation as set forth in the attached Parenting Plan, which is marked "Judgment Exhibit ____" and incorporated herein by reference.

OR

37. The parties are awarded joint legal and joint physical custody of the unemancipated children as set forth in the attached Parenting Plan, which is marked "Judgment Exhibit ____" and incorporated herein by reference.

OR

38. **Petitioner Respondent** is awarded sole legal and sole physical custody, care, and control of the unemancipated children, subject to **Petitioner's Respondent's** right to supervised visitation as set forth in the attached Parenting Plan, which is marked "Judgment Exhibit ____" and incorporated herein by reference.

39. The mailing address for the unemancipated children for educational purposes shall be: _____.

40. Absent exigent circumstances as determined by a court with jurisdiction, you, as a party to this action, are ordered to notify, in writing by certified mail, return receipt requested, and at least sixty days prior to the proposed relocation, each party to

this action of any proposed relocation of the principal residence of the child, including the following information: (1) The intended new residence, including the specific address and mailing address, if known, and if not known, the city; (2) The home telephone number of the new residence, if known; (3) The date of the intended move or proposed relocation; (4) A brief statement of the specific reasons for the proposed relocation of the child; and (5) A proposal for a revised schedule of custody or visitation with the child. Your obligation to provide this information to each party continues as long as you or any other party by virtue of this order is entitled to custody of a child covered by this order. Your failure to obey the order of this court regarding the proposed relocation may result in further litigation to enforce such order, including contempt of court. In addition, your failure to notify a party of a relocation of the child may be considered in a proceeding to modify custody or visitation with the child. Reasonable costs and attorney fees may be assessed against you if you fail to give the required notice.

41. **Petitioner Respondent** shall pay to the Family Support Center, P.O. Box 109001, Jefferson City, MO 65110-9001 **if an automatic wage withholding** OR P.O. Box 109002, Jefferson City, MO 65110-9002 **if no automatic wage withholding**, as Trustee for **Petitioner Respondent** , as and for child support for the _____ unemancipated children, the sum of _____ (\$_____) per month with the first such payment for the month of _____ and payable on _____, and a like amount on the ____ of each month thereafter. At such time as _____ is entitled to support for only ____ unemancipated children,

on the date child support is payable, _____ shall pay the sum of _____ (\$_____) per month, and at such time as _____ is entitled to support for only one child, on the date the child support is payable, _____ shall pay the sum of _____ Dollars (\$_____) per month. This child support obligation shall continue in effect until the payor is no longer obligated to pay same or until subsequent order of the Court.

42. Pursuant to §452.350.4 RSMo an automatic wage withholding shall be initiated against the wages of **Petitioner Respondent** at place of employment upon the Obligee completing and filing with the Circuit Clerk Form OMB 0970-0154.

OR

43. No automatic wage withholding shall be initiated under §452.350.4 RSMo because _____.

44. The medical insurance available for the unemancipated children through **Petitioner's Respondent's** place of employment is found to be the best coverage available at this time. **Petitioner Respondent** shall cause said unemancipated children to continue to be covered by medical, health and hospitalization insurance in the form now provided by the employer. In the event said employment is lost, **Petitioner Respondent** shall obtain a private policy of similar coverage. This order is in the nature of child support and is modifiable.

OR

45. Neither parent is ordered to provide medical insurance coverage for the unemancipated children at this time. This order is in the nature of child support and is modifiable.

46. Pursuant to ' 454.603.5 RSMo **Petitioner Respondent** shall be liable for ____% of the medical or dental expenses for the unemancipated children that are not covered by health benefit plan coverage because the Court finds that said plan does not cover all such expenses; each parent has the financial resources to contribute to said uncovered medical and dental expenses; and each parent has substantially complied with the terms of the health benefit coverage. Medical and dental expenses are defined to be those expenses deductible for federal income tax purposes, including but not limited to: insurance deductibles, doctor's visits, dental visits, orthodontia, eye exams and glasses, and prescription drugs. The parent incurring out-of-pocket medical expenses shall advise the other parent, in writing, in a timely manner of all medical expenses incurred and, within thirty (30) days of the receipt of any bill or insurance notice that all claims have been processed and paid (whichever is later), shall forward same to the other parent for payment of his or her share. Each parent shall pay his or her share of the unpaid medical expenses within sixty (60) days of the receipt of the final bill.

47. The custodial parent shall receive the federal and state income tax exemptions for _____.

OR

48. The non-custodial parent shall receive the federal and state income tax

exemptions for _____ and the custodial parent is hereby ordered to annually sign the prescribed declaration, IRS Form 8332, to enable the non-custodial parent to claim the unemancipated children for income tax exemptions. The execution of IRS Form 8332 is contingent upon the custodial parent's receipt of the court ordered child support payments as set out in the most recent decree. The declaration shall be signed by January 30th of the year following the year for which taxes are due. If the custodial parent does not execute the annual declaration in a timely manner, the other parent may seek appropriate court relief. This order is modifiable.

49. Neither of the parties shall pay maintenance and this order is not modifiable.

OR

50. **Petitioner Respondent** shall pay to the Family Support Center, P.O. Box 109001, Jefferson City, MO 65110-9001 **if an automatic wage withholding** **OR** P.O. Box 109002, Jefferson City, MO 65110-9002 **if no automatic wage withholding**, as Trustee for **Petitioner Respondent** , as and for maintenance, the sum of _____ (\$_____) per month with the first such payment payable for the month of _____ and payable on _____, and a like amount on the ____ of each month thereafter. This maintenance order is **OR** is not modifiable.

51. Pursuant to §452.350.4 RSMo an automatic wage withholding shall be initiated against the wages of **Petitioner Respondent** at place of employment upon the Obligee completing and filing with the Circuit Clerk Form OMB 0970-0154.

OR

52. No automatic wage withholding shall be initiated under §452.350.4 RSMo because _____.

53. Petitioner is awarded the following real property: _____ . A copy of the legal description is attached hereto, marked "Judgment Exhibit ____", and incorporated herein by reference. Petitioner shall assume the mortgage on said real estate and hold Respondent harmless therefrom.

54. Respondent is awarded the following real property: _____ . A copy of the legal description is attached hereto, marked "Judgment Exhibit ____", and incorporated herein by reference. Respondent shall assume the mortgage on said real estate and hold Petitioner harmless therefrom.

55. Petitioner is awarded the personal property set over to Petitioner in the attached Property Settlement and Separation Agreement, which is marked, "Judgment Exhibit ____", and incorporated herein by reference.

56. Respondent is awarded the personal property set over to Respondent in the attached Property Settlement and Separation Agreement.

57. Petitioner shall pay the marital debts set over to Petitioner in the attached Property Settlement and Separation Agreement and hold Respondent harmless therefrom.

58. Respondent shall pay the marital debts set over to Respondent in the attached Property Settlement and Separation Agreement and hold Petitioner harmless therefrom.

OR

59. Petitioner is awarded the following items of personal property:

60. Respondent is awarded the following items of personal property:

61. Petitioner shall pay the following marital debts and hold Respondent harmless therefrom:

62. Respondent shall pay the following marital debts and hold Petitioner harmless therefrom:

63. Each party is awarded all of pension benefits or retirement benefits in his or her name.

OR

64. **Petitioner Respondent** is awarded _____ of **Petitioner's Respondent's** pension and retirement benefits at _____ . The Court retains jurisdiction to enter a Qualified Domestic Relations Order satisfactory to the Trustee of said plan.

65. **Petitioner Respondent** is awarded the pension and retirement benefits in his/her name.

66. Neither party is awarded maintenance and this order is not modifiable.

67. Neither party is awarded attorney fees.

OR

68. **Petitioner Respondent** shall pay to **Petitioner Respondent** the sum of \$_____ as and for attorney fees in this case.

69. **Petitioner's Respondent's** name is hereby changed from _____ to _____ .

70. **(if applicable)** The Guardian ad Litem is granted judgment against **Petitioner Respondent** in the amount of \$_____ for services rendered in this case.

71. All other relief requested is denied.

72. The Clerk shall forward a certified copy to counsel of record and unrepresented parties.

73. Costs are assessed against **Petitioner Respondent** .

JUDGMENT ENTERED AND SO ORDERED: _____

Judge