

Pro Se Divorce - Without Children
For Use in Lancaster County District Court Only

- The steps below must be completed, in order, before your court date.
 - These steps assume that you and your spouse agree on (1) the division of your property, and (2) the division of your debt. If you do not, these steps will not be sufficient and the Court strongly recommends that you consult an attorney. If you own real estate, or you or your spouse has a retirement plan with a current or former employer, the Court strongly recommends that you consult an attorney.
 - Do not call the Clerk of the Court or the Bailiff for help in completing this process. They are unable to provide legal advice.
 - All forms (*italicized* below), and the instructions you will need to complete them, are available from the resources listed on Page 2 of this sheet.
 - **These steps are general in nature; depending on the specifics of your particular case, you may have different or additional requirements.**
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Step 1. With the Clerk of the District Court, file the following forms:

- Complaint for Dissolution of Marriage*; *Confidential Party Information*; and
 Vital Statistics Certificate; *Social Security Information*.

Step 2. Obtain Service on your spouse by either

- Voluntary Appearance*, OR *Personal Service* (Praecipe for Summons), OR *Publication*.
Proof of Service must be filed with the Clerk of the District Court.

Step 3. Obtain a hearing date from the bailiff of the judge assigned your case (the name of your judge and bailiff is available at the Clerk's Office). **Do not contact the bailiff until you have completed service on your spouse.** The bailiff will require proof of service filed with the District Court before scheduling your hearing. Also note that the hearing can be set *no earlier* than 60 days after you have obtained service on your spouse.

Case #: _____

Bailiff: _____

Your Judge: _____

Bailiff's Phone Number: 441-_____

Step 4. When you have received a hearing date from the bailiff, file a *Notice of Hearing and Certificate of Service* with the Clerk. Provide a copy of the Notice to your spouse.

Step 5. Arrive **on time** at court on your scheduled hearing date with the following documents completed:

- Exhibit 1* (Page 3 of this sheet);
- Divorce Decree* for the judge to sign; and
- The *Script* that you will read.

Resources:

The district court does not represent that these instructions and forms will be appropriate in your case.

The clerk of the court or bailiff **cannot** provide any legal assistance. Any questions you may have regarding the use of the instructions and forms should be directed to a lawyer.

Please Note: LegalAid of Nebraska has a website that will guide you through questions that will create a set of automated, court-approved forms. The website can be found at:

<https://tinyurl.com/ne-divorces>

For instructions on how to complete the steps on page 1 of this sheet, see the following website:

<https://tinyurl.com/ne-divorce-nochildren>

To find the forms, you can use the automated process at the LegalAid site above, or the Supreme Court site above.

Exhibit 1: <http://www.lancaster.ne.gov/disrcrt/pdf/exhibit1.pdf> (or Page 3 of this sheet)

- Note: the script that you will read at your final hearing can be found by clicking on the “Instructions for your Divorce Hearing” link on this webpage which also has most forms:

<https://tinyurl.com/ne-divorce-forms>

Additional Websites

- Lancaster County Clerk of the District Court: www.lancaster.ne.gov/cnty/disrcrt/index.htm
- Nebraska Legislature - Statutes and Constitution: www.nebraskalegislature.gov/laws/laws.php
- 3rd District Court Rule 3-9, *Case Progression*: <https://tinyurl.com/ne-divorce-3progression>
- Nebraska Bar Association: www.nebar.com, and use the “For the Public” link

EXHIBIT NO. 1

(NOTE: If child support is involved, the appropriate worksheet(s) from the Nebraska Child Support Guidelines must be completed and attached hereto and attached to the proposed decree.)

Print legibly and include city and zip code for all addresses.

Case Number: _____

Name of Plaintiff (filing party): _____

Plaintiff's Current Address: _____

Plaintiff's Telephone No. _____

Plaintiff's Employer: _____

Plaintiff's Employer's Address: _____

Name of Defendant: _____

Defendant's Current Address: _____

Defendant's Telephone No.: _____

Defendant's Employer: _____

Defendant's Employer's Address: _____

Where Married: _____ Date of Marriage: _____

Name(s) of Child(ren) of Marriage Year of Birth:

1. _____

2. _____

3. _____

4. _____

Is the plaintiff or defendant pregnant at this time? _____

Length of plaintiff's residency in Nebraska at time of filing of complaint: _____

County of residency of plaintiff when complaint filed: _____

Length of defendant's residency in Nebraska at time of filing of complaint: _____

County of residency of defendant when complaint filed: _____

Is any other divorce or separate maintenance action pending in any court? _____

Is either party a member of the military service of the U.S.A. or any of its allies? _____

Is either party receiving services under Title IV-D of the Social Security Act, as amended (this includes monitoring payments by the County Attorney's Office)? _____