



# MINNESOTA GUIDE & FILE

## NEXT STEPS: Joint Petition for Divorce with Children (Printing)

Write down the email and password you used for your Guide & File account; you will need this information later to go back to your Guide & File account or to go to the eFS System (Minnesota Judicial Branch's web-based system that allows you to eFile documents in Minnesota district courts).

Email: \_\_\_\_\_

Password: \_\_\_\_\_

Below are the next steps for starting a **Joint Petition for Divorce with Children** case after you have finished the Minnesota Guide & File interview.



### STEP 1: Review the Completed Forms

- Are your forms complete? Is the information accurate and true? If you find any errors, go back into the interview (<https://minnesota.tylerhost.net/SRL>) and make changes.
- Print all of the forms that you see listed on the **Summary Page** in the interview.

### STEP 2: Organize the Forms

When you are representing yourself in court it is important to be **organized**. By the end of a divorce case, there can be hundreds of pages. The beginning of the case is a good time to set up a way of organizing your forms.

You will have many documents and forms at the end of the interview. Some of these, like this *Next Steps* handout, is for your information only and do not need to be filed. Other forms are legal pleadings that need to be signed, served, and filed.

Minnesota Guide & File will create the following forms for you at the end of the interview:

- *Joint Petition* (DIV1702) and attachments as needed;
- *Instructions for Court Forms CON111 and CON112* (CON110);
- *Confidential Information Form* (CON111);
- *Cover Sheet for Non Public Documents* (CON112);
- *Certificate of Dissolution* (DIV103S); and
- *Instructions – Summary Real Estate Disposition Judgment* (DIV1601) (if either party owns real property).

If you or your spouse have applied for or receive assistance from the State of Minnesota for your family, Guide & File will also create these forms for you:

- *Notice to Public Authority* (DIV813);
- *Affidavit of Service to Public Authority* (DIV816).

If you did not upload any documents within the interview, there are other documents that you may need to include with the *Joint Petition*, depending on your situation and how you answered questions. These are noted throughout the *Joint Petition*.

- Copy of Support Order
- Child Support Guidelines Worksheet
- Copy of Court Order for Harassment Restraining Order and/or Order for Protection
- Copy of Paternity Order
- Copy of Recognition of Parentage
- Copy of Spouse’s Non-Parentage Statement
- Schedule C for Self-Employment (Petitioner and/or Respondent)

### STEP 3: Sign the Completed Forms

Both parties must sign the completed forms. Some forms, like the *Joint Petition, Agreement, and Judgment and Decree for Marriage Dissolution with Children* require you to sign under **penalty of perjury**. This means you are both saying that everything in the form is true. If you know something in the form is not true when you sign it, you could be found guilty of the crime of perjury (see Minn. Stat. § 609.48, <https://www.revisor.mn.gov/statutes/?id=609.48>).

### STEP 4: Make Copies

Make **two copies** of all of the forms listed in Step 2 that will be filed with the court. The copies are for your records. The originals will be filed with the court and must be printed single-sided.

### STEP 5: Serve the Notice to Public Authority (if needed)

If you or your spouse have applied for or are receiving assistance from the State of Minnesota for your family, you must let the county child support office know of this divorce. Fill in any missing information and sign the *Notice to Public Authority* (DIV813) that was created through Guide & File. Make a copy of the signed *Notice*.

- Hand-deliver or mail the copy of the *Notice* (DIV813) and *Confidential Information Form* (CON111) to the child support office in the county paying the assistance. You may deliver or mail the copy yourself, or ask someone else to do it for you. Whoever delivers or mails the *Notice* must fill out and sign the *Affidavit of Service to Public Authority* (DIV816). The *Affidavit of Service* will be filed with the court with your other forms.

### STEP 6: File the Divorce Papers

Once you are ready to file your divorce papers, you can either file the papers at the courthouse or electronically file (eFile). **Once you choose to eFile (either through Guide & File or the eFS System), you will need to continue to eFile through the eFS System for the rest of the case.** See Minn. Gen. R. Prac. 14.01(b)(5)(i) ([https://www.revisor.mn.gov/court\\_rules/rule.php?type= gp&id=14](https://www.revisor.mn.gov/court_rules/rule.php?type= gp&id=14)).

#### Notice of Filing Fee:

- A filing fee is due no matter how you decide to file. You can find the filing fees for your county online starting at <http://mncourts.gov/Help-Topics/Court-Fees.aspx>.
- If you cannot afford to pay the filing fee you can ask for a Fee Waiver. Fill out the *Affidavit for Proceeding In Forma Pauperis* (IFP102) and the *Proposed Order for Proceeding In Forma Pauperis* (IFP104) and file it when you file the other divorce forms. The forms are available online at <http://www.mncourts.gov/GetForms.aspx?c=19&p=69>. Be aware that the judicial officer may ask to either see proof that you receive public assistance (if that applies) or proof of your income when reviewing your forms.

**Note:** If you are eFiling your forms, be sure to use the “Prepare for eFile” button on the top of the form to create a flattened PDF form to upload.

**Checklist of forms** – The following is a list of forms that need to be filed with the court.

- Joint Petition* (DIV1702), along with any attachments
- Form 11.1* (CON111)
- Form 11.2* (CON112), along with any attachments
- Certificate of Dissolution* (DIV103S)

Forms, if needed:

- Notice to Public Authority* (DIV813)
- Affidavit of Service to Public Authority* (DIV816)
- Fee Waiver Forms - *Affidavit for Proceeding In Forma Pauperis* (IFP102)
- Fee Waiver Forms - *Proposed Order for Proceeding In Forma Pauperis* (IFP104)

Ways to file	How to file
At the Courthouse	<ul style="list-style-type: none"> <li>• You will need to file the original forms, listed above, with court administration in the county where you or your spouse lives.</li> <li>• This can be done either in person at the courthouse or by mail. Addresses for courthouses are online at <a href="http://www.mncourts.gov/Find-Courts.aspx">http://www.mncourts.gov/Find-Courts.aspx</a>.</li> </ul>
Electronic filing through eFS System	<ul style="list-style-type: none"> <li>• If you have an account, or want to create one, with the eFS System, you can file electronically (eFile). See <a href="http://www.mncourts.gov/eFile">http://www.mncourts.gov/eFile</a>. <b>NOTE:</b> Once you decide to eFile you must continue to eFile for the entire case.</li> <li>• You will need to upload each form that you saved to your computer from Guide &amp; File. If you did not upload copies of court orders or documents throughout the interview, you will need to upload those forms as well at this time.</li> <li>• Along with the civil filing fee and costs, there is also a fee of \$5 for using the eFS System every time you file. If you are using a Fee Waiver, that fee can be waived.</li> </ul>

## STEP 7: What is Next?

After you file your divorce forms, the court will send you a notice giving you the court file number for your case and, in some counties, the notice will also tell you the name of your judicial officer. You might get a court date, too. You can contact Court Administration in your county to find out what will happen next.

**Please note:** Your divorce will not be final for several weeks or months, depending on your case.

For more information about Divorces, please look at the “Divorce/Dissolution” Help Topic online starting at <http://www.mncourts.gov/Help-Topics/Divorce.aspx> .

## Notice to Real Property Owners:

If you and/or your spouse own any real property you must take steps to transfer the title to the party who was awarded the property in the divorce. Under Minnesota law, both spouses have an interest in real estate, even if only one spouse's name is on the deed or title of the property.

Proof of the divorce and proof of who was awarded interests in the real property is usually recorded in the real property records before selling or mortgaging the property after the divorce. To give this proof:

- File a complete copy of the divorce decree in the real estate records, OR
- File a short version of the divorce decree called a *Summary Real Estate Disposition Judgment* Form (SREDJ). The SREDJ only includes information needed to transfer the real property. Instructions to help you with the SREDJ process is available on the Minnesota Judicial Branch website at <http://mncourts.gov/GetForms.aspx?c=15&f=572>.

## Need Help?

Contact the Statewide Self-Help Center at 651-435-6535, or <http://mncourts.gov/Help-Topics/Self-Help-Centers/Self-Help-Centers-Contact.aspx>.

For help with the eFS System (see Step 6 above), contact the eFS Support Center at 651-227-2002 or 1-855-291-8246, or [eCourtMN@courts.state.mn.us](mailto:eCourtMN@courts.state.mn.us).