



MINNESOTA GUIDE & FILE

Next Steps: Joint Petition for Divorce without Children

Printing at end of interview

Save 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).

Below are the next steps for filing a **Joint Petition for Divorce without Children** when choosing to print your forms at the end of the interview.

STEP 1: Review the Completed Forms

- Guide & File will many different forms (listed below) that you will need to review to be sure everything is correct. Take the time now to organize all of your forms since there will be many pages. Some documents, like these *Next Steps*, are for your information only and do not get filed with the court. Other forms are legal pleadings that you will need to review, sign, and file.
- Carefully read through your answers on all the forms. Are your forms complete? Is the information true and correct? If you find any errors, go back into the interview (<https://minnesota.tylertech.cloud/SRL>) and make changes.
- Print all of the forms and the *Next Steps* that you see listed on the **Summary Page** in the interview.

Minnesota Guide & File created the following forms at the end of the interview to review, sign, and file:

- *Joint Petition* (DIV302) and attachments as needed;
- *Confidential Information Form* (CON111); and
- *Certificate of Dissolution* (DIV103S).

Some forms are for your information only, including these *Next Steps*:

- *Instructions for Court Forms CON111 and CON112* (CON110);
- *Cover Sheet for Non-Public Documents* (CON112); 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, you may need to file other documents along with your *Joint Petition*, depending on your situation and how you answered questions. These are noted

throughout the *Joint Petition*, and include but are not limited to:

- Affidavit of Service of Name Change Notice with Felony
- 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 (attach to Form 11.2)

STEP 2: Sign and Date the forms

- Once your forms are complete, print or download the forms and the *Next Steps* listed on the **Summary Page** in the interview.
- Sign and date the forms. Some forms, like the *Joint Petition, Agreement, and Judgment and Decree for Marriage Dissolution without Children (DIV302)* require you both 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>).
- Note – if you plan to electronically file your form, you can type your signature on the downloaded form. Type a “/s/” before your name to create a typographical signature. Otherwise, you can scan your hand-signed forms to upload.

STEP 3: 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, 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*. Note – they may have to sign off on the *Joint Petition* as well.

- 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 4: File Your Forms with Court Administration

Once your forms are signed, you are ready to file it with the court. It is a good idea to make a copy of your signed forms for your own records before filing. Copy fees may apply for extra copies from court administration. The forms you need to file are listed above in Step 1.

A filing fee is due when you file your paperwork. Fees are listed, by county, online at <https://www.mncourts.gov/Help-Topics/Court-Fees.aspx>. If you cannot afford the filing fee, both you and your spouse will need to fill out Fee Waiver forms to ask to waive the filing fee. You can complete the forms through Guide & File (Request a Fee Waiver) or download the forms from the MN Judicial Branch website at www.mncourts.gov/forms under “Fee Waiver” category (<https://www.mncourts.gov/GetForms.aspx?c=19&p=69>).

You can file your forms two ways:

At the Courthouse:

- File the originals of the forms listed above with court administration.
- This can be done either in person at the courthouse or by mail. Addresses for courthouses are online at <https://www.mncourts.gov/Find-Courts.aspx>.

Electronic Filing through eFS System:

- The eFS System allows you to eFile your forms. This is a separate website from Guide & File. However, your eFS System login information is the same as your Guide & File login and password. Information for eFiling is on the MN Judicial Branch website at <https://www.mncourts.gov/eFile> under the “eFile and eServe Training” tab.
- Once you choose to eFile, you will need to continue to use 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/gp/id/14/).
- You will need to upload a signed copy of your forms that you saved to your computer.

STEP 5: What is Next?

- If you filed Fee Waiver forms to waive the filing fee, a judicial officer will review them and decide to grant or deny your request. If denied, court administration will let you know that a filing fee is required to move forward with your divorce.
- Once the case is opened, 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. If you eFiled your forms, be sure you have signed up as a service contact to receive any notices from the court.
- Please note: Depending on your case and the schedule of the court, your divorce may not be finalized for several weeks or months.
- For more information about divorces, please look at the “Divorce/Dissolution” Help Topic online starting at <https://www.mncourts.gov/Help-Topics/Divorce.aspx>.

Notice to Real Property Owners:

If you and/or your spouse own any real property (real estate) 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, with the county recorder’s office, 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 with the SREDJ process is available at <https://mncourts.gov/GetForms.aspx?c=15&f=572>.

Need Help?

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

For help with the eFS System (if eFiling your forms in Step 4), contact the eFS Support Center at 612-902-9585 or 1-844-918-1724 (if calling long distance from a landline phone), or <https://www.mncourts.gov/eFS-Support>