

Dissolution Checklist – Without Children

No hearing is required if any of the following applies (Minn. Stat. § 518.13, subd. 5(1):

- No minor children and both parties signed a stipulation
- No minor children and at least 50 days since Petitioner served the Summons and Petition on the Respondent, and the Respondent has not filed a response
- If the Summons and Petition was served by publication, you must wait 71 days after the first date of publication
- **This checklist is for public consumption upon request by either an attorney or self-represented litigant**
- **If requested, checklists must be sent in PDF form**

☒	Findings of Fact	Reference
	Parties' Information <ul style="list-style-type: none"> • Parties' Name (including former names) • Address • Birthdate • Age 	Minn. Stat. § 518.10, subd. 1(a)-(b)
	Confidential Information Form 11.1 <ul style="list-style-type: none"> • Parties' Social Security Numbers (SSNs) 	Minn. Stat. § 518.10, subd. 2 Minn. Gen. R. Prac. 313; § 11.02(a)
	Default Proceeding <ul style="list-style-type: none"> ▪ Without stipulation, an Affidavit of Default and of Non-Military Status of the defaulting party or a waiver by that party of any rights under the Servicemembers Civil Relief Act (SCRA) must be filed with the Court 	Minn. Stat. § 518.13, subd. 1; Minn. Gen. R. Prac. 306(a)
	Date of Marriage <ul style="list-style-type: none"> • Date and place of marriage 	Minn. Stat. § 518.10, subd. 1(c)
	Residency Requirement <ul style="list-style-type: none"> • At least one party lives in Minnesota for 180 days <ul style="list-style-type: none"> ▪ If only one party is a resident, the Court CANNOT award maintenance or property division → can only get them divorced • If not, must include language for venue change (earmark for the Court) 	Minn. Stat. § 518.10, subd. 1(d); <i>Impola v. Impola</i> , 464 N.W.2d 296, 297-98 (Minn. App. 1990)
	Pregnancy <ul style="list-style-type: none"> • If Wife is pregnant, must include expected date of birth and paternity options 	Minn. Stat. § 518.10, subd. 1(e)
	Armed Forces <ul style="list-style-type: none"> • If either party a member of the armed forces <ul style="list-style-type: none"> • If default dissolution, must include separate affidavit of non-military status OR waiver of rights under the SCRA 	Minn. Stat. § 518.10, subd. 1(d); Minn. R. Gen. P. 306.01(a)
	Other Proceedings <ul style="list-style-type: none"> • Whether there are other proceeding for dissolution, legal separation, or annulment pending in any state <ul style="list-style-type: none"> • If yes, must make findings under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) 	Minn. Stat. § 518.10, subd. 1(f); Minn. Stat. § 518D (UCCJEA)

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	<p>Current Order for Protection (OFP) or Harassment Restraining Order (HRO)</p> <ul style="list-style-type: none"> • Whether an OFP or HRO is in effect in any state • If yes, must state the district court or similar jurisdiction in which it was entered 	Minn. Stat. § 518.10, subd. 1(j)
	<p>Magic Language</p> <ul style="list-style-type: none"> • If a dissolution, “that there has been an irretrievable breakdown of the marriage” • If a separation, “that there is a need for a decree of legal separation” • If yes, include date of separation OR, if none, explain why 	Minn. Stat. § 518.10, subd. 1(g); Minn. Stat. § 518.10, subd. 1(h)
	<p>Health and Dental Insurance</p> <ul style="list-style-type: none"> • Whether parties are providing their own medical and dental insurance 	
	<p>Spousal Maintenance Whether there is a need for spousal maintenance</p> <ul style="list-style-type: none"> • If yes, state how maintenance shall be paid (Automatic Income Withholding [AIW] or directly) • If waived, both parties must affirmatively waive with findings; i.e., neither party needs maintenance OR both parties are capable or self-supporting <ul style="list-style-type: none"> ▪ If default, there can be no <i>Karon</i> waiver • Which Law – all divorces prior to January 1, 2019, are governed by current law UNLESS the parties’ specifically stipulate and the proposed order states that the new law applies 	Minn. Stat. § 518.10, subd. 1(i)
	<p>Marital Debts</p> <ul style="list-style-type: none"> • If yes, identify creditor, amount owed, and in whose name 	
	<p>Marital Assets</p> <ul style="list-style-type: none"> • HHG&F, vehicles, other personal property, bank accounts, retirement accounts, art, jewelry, businesses, broker or investment accounts, stock options, profit sharing 	Minn. Stat. § 518.58; Minn. Stat. § 518.582, subd. 4 (pensions)
	<p>Real estate</p> <ul style="list-style-type: none"> • If yes, must include Street address, Legal description, Fair market value, Encumbrance/ mortgages 	Minn. Stat. § 518.63
	<p>Name Change – Optional</p> <ul style="list-style-type: none"> • If yes, must state there is no intent to defraud or mislead • If yes, must state party not a felon OR if a felon that Notice to Prosecutor was given and no objections were received 	Minn. Stat. § 518.27

<input checked="" type="checkbox"/>	Required Conclusions of Law	Reference
	“The marriage of the parties is hereby dissolved” (must be present tense, not “shall be”)	
	<p>Real Estate</p> <ul style="list-style-type: none"> • Street address • Legal description • Lien on real estate (specific amount or how to calculate) • Terms 	

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	<p>Division of Property</p> <ul style="list-style-type: none"> • Non-marital property • Household goods and furnishings – as already divided OR divide and list items • Vehicles – include year, make, and model • Other assets (bank accounts, savings, IRAs, stocks, bonds, etc.) • Pensions, retirement accounts <ul style="list-style-type: none"> • If the other party gets a share, must file Qualified Domestic Relations Order (QDRO) OR include transfer language 	<p>Minn. Stat. § 518.581 (QDRO)</p>
	<p>Division of Debts</p> <ul style="list-style-type: none"> • Creditor • Amount owed • Who will pay • Clause holding other party harmless OR bankruptcy language • Attorney’s fees (if any) 	
	<p>Spousal Maintenance</p> <ul style="list-style-type: none"> • Award of maintenance <ul style="list-style-type: none"> ▪ Specified dollar amount per month ▪ Beginning and ending dates ▪ Whether permanent or temporary/rehabilitative with specific findings as to why ▪ Whether support is paid by AIW, check, or direct deposit • If waive, BOTH parties must affirmatively waive with findings (neither party needs maintenance OR both parties capable or self-support) • If nonmodifiable, <i>Karon</i> Waiver language & findings/consideration <ul style="list-style-type: none"> • “[T]he stipulation is fair and equitable, is supported by consideration described in the findings, and that full disclosure of each party’s financial circumstances has occurred” • If default, no <i>Karon</i> waiver • If default, must state that award is necessary OR that neither party needs maintenance • Which Law – all divorces prior to January 1, 2019, are governed by current law UNLESS the parties’ specifically stipulate and proposed order states that the new law applies 	
	<p>Health Insurance –Spousal</p> <ul style="list-style-type: none"> • Each paying their own • If awarded, identify who is paying <ul style="list-style-type: none"> ▪ Paying for: insurance only and/or unreimbursed/uninsured expenses • If continuation coverage, include Continuation Omnibus Budget Reconciliation Act (COBRA) language 	
	<p>Tax return</p> <ul style="list-style-type: none"> • Joint OR separate • Responsibility for prior year’s taxes 	
	<p>Service of Judgment and Decree – where the parties will receive service or J & D</p>	
	<p>ADR provision</p>	

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	(optional) Withdrawal of attorney of record 61 days after judgment	
	(optional) Change of party's name	
	Parties' Signature Blocks <ul style="list-style-type: none"> • Parties' signatures, authorized by notary OR with the following language: "I declare under penalty of perjury that everything I have stated in this document is true and correct" 	Minn. Stat. § 358.116
	If one party (and only one party) is not represented by an attorney <ul style="list-style-type: none"> • That party must state: "I know I have the right to be represented by a lawyer of my choice. I hereby expressly waive that right and I freely and voluntarily sign the foregoing stipulation" 	Minn. R. Gen. Prac. § 306.0; Minn. Stat. § 358.116 (default stipulation)
	Last line: "Let judgment be entered accordingly/immediately"	
	Signature blocks for Referee/Judge	
	Appendix A	