

Pro Se Divorce - With 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, (2) the division of your debt, (3) custody and parenting time of your children, and (4) child support, using the Nebraska Child Support Guidelines. 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. Complete:

- A Parenting Class; AND
 A *Parenting Plan* (if agreement cannot be reached, mediation is generally required); AND
 A *Child Support Calculation*.

Step 4. Complete and file a *Notice of Parenting Act Compliance* (page 3 of this sheet) and *Parenting Class Certificate of Completion* with the Clerk of the District Court.

Step 5. 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 and filed the Notice of Parenting Act Compliance.** The bailiff will require proof of service and completion of the Notice of Parenting Act Compliance, both of which must be filed with the Clerk of the District Court. 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 6. 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 7. Arrive **on time** at court on your scheduled hearing date with the following documents completed:

- Exhibit 1* (page 5 of this sheet); *Divorce Decree* for the judge to sign; and
 Completed *Child Support Worksheet*; *The Script* that you will read.
 Parenting Plan;

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-divorce>

For instructions on how to **complete the steps** on page 1 of this sheet, you can also visit the Nebraska Supreme Court website found at the following website:

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

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

Parenting Act Compliance Information Brochure - <https://tinyurl.com/parentingact>

- Notice of Parenting Act Compliance: Above websites or Page 3 of this resource guide.
- Exhibit 1: Above websites or Page 5 of this resource guide.
- All other forms: <https://tinyurl.com/ne-divorce-forms>
- 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>

For child support guidelines, and to calculate child support: <https://tinyurl.com/ne-divorce-childsupport> and a calculator can be accessed by clicking the “Free *Pro Se* Account” link on this site: <https://ne.childsupportcalculator.com/>

Parenting Act Information, Approved Parenting Class Providers, and Mediation Providers
<https://tinyurl.com/ne-divorce-list>

Additional Websites

- Lancaster County Clerk of the District Court: www.lancaster.ne.gov/cnty/discrt/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

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

_____)	Case No. CI _____
Plaintiff,)	
)	
vs.)	NOTICE OF PARENTING ACT
)	COMPLIANCE
_____)	
Defendant.)	

The Undersigned represents that there has been compliance with the Parenting Act and states:

1. Legal service has been completed on the opposing party by (check one)
 - a. _____ filing a Voluntary Appearance, or;
 - b. _____ Personal Service, or;
 - c. _____ Publication.

2. I have completed a parenting class, filed a certificate of completion with the Clerk of the District Court, and (check one)
 - a. _____ so has the opposing party, or;
 - b. _____ the opposing party refused to participate.

3. I have (check one)
 - a. _____ a completed Parenting Plan (by agreement or through mediation) and it is signed by the opposing party, or;
 - b. _____ attempted mediation that was conducted by _____, but the opposing party would not attend or there were other valid reasons that mediation was not completed. As a result, I completed a Parenting Plan even though it is not signed by the opposing party. Note: if the parties have not agreed to a Parenting Plan, mediation is required before proceeding.

4. I have a completed child support calculation.

5. The matter is ready to be set for trial and I will call the Bailiff for a hearing date.

6. A copy of this notice has been mailed to the opposing party.

Dated: _____

Signature

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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)? _____