

## Preparing For Court

Courts have a lot of rules and procedures that have to be followed. If you do not follow the rules, you may not be able to give the Judge all of the information about your case. If you represent yourself, you must be prepared. When preparing for your Court hearing, keep in mind the following things:

### Before your Court date:

1. Read over all of your Court documents. Be familiar with all the documents that you and your spouse have submitted to the Court.
2. All parties in a court action must be given proper notice of all pending matters and hearings. Make sure you deliver a copy of each document or piece of information that is filed or delivered to the court to the other party. It is your responsibility to do this in most instances, not the Court's. Failure to provide notice of a hearing or to give the documents to the other party could delay your case.
3. Visit [www.in.gov/judiciary/rules](http://www.in.gov/judiciary/rules) for Indiana Court Rules

### On the day of your Court date:

1. Arrive early for your Court hearing, **DO NOT** be late. However, be prepared to wait in case earlier hearings take longer than expected.
2. Dress appropriately. It is important for you to dress in a manner that shows respect for the Court and for the legal proceeding that is taking place. Plan to dress as though you were going to an important job interview. NO HATS are allowed in the courtroom.
3. Be respectful. Call the Judge "Your Honor." Always stand when the Judge or other judicial officer enters or leaves the bench. Address all comments to the Judge.
4. Listen carefully and wait your turn to speak or respond. Do not interrupt others when they are talking. Everyone will get a chance to tell their side of the story. Be polite even if you do not agree. If you have an objection to testimony or documents presented to the Court, your objections must be made according to court rules and procedures.
5. An official record will be kept of the Courtroom proceedings. All of your comments will be recorded. Be sure to speak clearly, slowly, and at a volume that can be heard and understood.
6. **Do not bring children with you to Court.**
7. Be prepared to offer a brief summary of your side of the case. You need to tell the Judge exactly what you want.
8. Report to Room 109 on the first floor.
9. Check in with the court staff at the window.
10. Sit in hallway until your name is called.
11. NO PHONES!!

If you need any special arrangements with regard to disabilities or special needs, such as an interpreter, call ahead to the Court office. By making arrangements ahead of time for any speech and hearing disabilities, vision problems, handicap accessibility, or language barriers, you can help to ensure that you will receive the best service possible from the Courts.

## **NOTICE TO SELF REPRESENTED PARTIES FILING A DIVORCE CASE IN CLARK COUNTY**

This packet was created to provide valuable information, court forms and various resources for people who represent themselves in court. Self-representation should not be taken lightly. There are many instances in which hiring an attorney is a good idea.

Forms **DO NOT** explain the law and may not provide all of the information necessary for a court to reach a decision. You have permission to use the forms and information presented here for the purpose of filing a divorce. The forms should not be used to engage in the unauthorized practice of law.

**The Court assumes no responsibilities and accepts no liability for actions taken by your use of these documents, including reliance on their contents.**

**\*\*\*\*\* The Clerk's Office and Court employees are prohibited by law from giving legal advice. When filing "Pro Se" or as a "Self-Represented" party you are your own attorney. You are responsible for understanding the rules of law and completing the paperwork correctly. \*\*\*\*\***

TO FILE YOUR DIVORCE ACTION, YOU **MUST** DO THE FOLLOWING:

Complete the attached forms.

Then return the fully completed forms to the Clerk's Office for filing.

Bring the filing fee; See options below for service of your lawsuit on the opposing party:

**Service by Sheriff:** Bring \$205.00 (cash and card only), and the completed original documents.

**Service by Certified Mail:** Bring \$177.00 (cash and card only), plus the completed original documents.

The Clerk will distribute service of the papers as you have requested above. The Clerk will keep the original papers and return a copy to you.

**You are divorced when the Judge signs the Decree of Dissolution. You should not get remarried until you have a copy of the Decree of Dissolution signed by the Judge.**

## PRO-SE DIVORCE (with children)

You can find the forms required to file for pro-se divorce with children at the Clark County website: [www.clarkcountyclerk.us](http://www.clarkcountyclerk.us)

**There is a packet available in the Clark County Clerk's office.**

1. Filing fee paid/waived \_\_\_\_\_
2. Appearance, Summons, Petition for Dissolution of Marriage, and Notice of Seminar Requirement (all blanks filled out completely (including certificate of service – the certificate of service must be filled out and **please sign** where indicated).

3. **My case number is** \_\_\_\_\_

4. **Service perfected?** \_\_\_\_\_

**To check the status of your case please visit:** [www.mycase.in.gov](http://www.mycase.in.gov)

5. Contact the ADR Coordinator (**Debbie Cooper at 812-285-6303**) to have a mediator assigned to your case.

6. **My ADR mediator is:** \_\_\_\_\_

7. **My mediation is scheduled for:** \_\_\_\_\_

8. Mandatory parenting seminar/class taken and certificate of completion filed \_\_\_\_\_

**\*\*Should mediation be unsuccessful, please file a Motion and Order for Final hearing located in the Clerk's office.\*\***

IN THE CIRCUIT COURT FOR CLARK COUNTY  
STATE OF INDIANA

IN RE THE MARRIAGE OF:

\_\_\_\_\_  
PETITIONER

and

CASE NO. 10C0\_\_-\_\_\_\_\_-DC-\_\_\_\_\_

\_\_\_\_\_  
RESPONDENT

**APPEARANCE BY UNREPRESENTED PERSON IN DISSOLUTION OF  
MARRIAGE WITH CHILDREN**

1. My name is \_\_\_\_\_ and I am  
\_\_\_\_\_ Initiating (Petitioner)  
\_\_\_\_\_ Responding (Respondent)

**In this case I am not represented by a lawyer.**

2. Contact information for receiving documents and case information is required by  
Court Rules:

**Address:**

\_\_\_\_\_  
\_\_\_\_\_

**Email Address:** \_\_\_\_\_

Phone number: \_\_\_\_\_

3. **This is a case regarding: Dissolution of Marriage with Children (DC)**
4. There are related Cases:  
\_\_\_\_\_ YES  
\_\_\_\_\_ NO

Caption and case numbers of related case:

Caption: \_\_\_\_\_ Case No. \_\_\_\_\_

Caption: \_\_\_\_\_ Case No. \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
PETITIONER/RESPONDENT

### **CERTIFICATE OF SERVICE**

I hereby certify that I am serving this document by:

\_\_\_\_\_ Certified mail

\_\_\_\_\_ Service by Sheriff County \_\_\_\_\_

\_\_\_\_\_ Publication

\_\_\_\_\_ Acknowledgment

\_\_\_\_\_ Process Server

to the Petitioner/Respondent.

\_\_\_\_\_  
Signature - Petitioner/Respondent

IN THE CIRCUIT COURT FOR CLARK COUNTY  
STATE OF INDIANA

IN RE THE MARRIAGE OF:

\_\_\_\_\_  
PETITIONER

and

CASE NO. 10C0\_\_-\_\_\_\_\_-DC-\_\_\_\_\_

\_\_\_\_\_  
RESPONDENT

**VERIFIED PETITION FOR DISSOLUTION OF MARRIAGE**

The Petitioner, \_\_\_\_\_, now states:

1. The Petitioner and Respondent were married on \_\_\_\_\_,  
and separated on \_\_\_\_\_.
2. Petitioner/Respondent has been a continuous resident of \_\_\_\_\_  
County for the last 3 months.
3. Petitioner/Respondent has been a continuous resident of the State of Indiana  
for the last 6 months.
4. There is/are \_\_\_\_ child(ren) born of the marriage; namely:

Name

Date of birth

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Debts and property:

\_\_\_\_\_ There are no debts/personal property to divide.

\_\_\_\_\_ Petitioner wishes the Court to divide the following debts/personal property:

a.

b.

c.

d.

6. Petitioner/Respondent (is/is not) pregnant.

7. Is either party a member of the military? YES \_\_\_\_\_ NO \_\_\_\_\_

8. This marriage has suffered an irretrievable breakdown and should be dissolved.

9. Change of name:

\_\_\_\_\_ Petitioner/Respondent would like the following former name restored:

\_\_\_\_\_.

\_\_\_\_\_ No name change is requested.

I affirm under the penalties of perjury that the foregoing representations are true.

\_\_\_\_\_  
PETITIONER

**CERTIFICATE OF SERVICE**

I hereby certify that I am serving this document by:

\_\_\_\_\_ Certified mail

\_\_\_\_\_ Service by Sheriff **County** \_\_\_\_\_

\_\_\_\_\_ Publication

\_\_\_\_\_ Acknowledgment

\_\_\_\_\_ Process Server

to the Respondent.

\_\_\_\_\_  
Signature - Petitioner

IN THE CIRCUIT COURT FOR CLARK COUNTY

STATE OF INDIANA

IN RE THE MARRIAGE OF:

\_\_\_\_\_  
PETITIONER

and

CASE NO. 10C0\_\_\_\_\_

\_\_\_\_\_  
RESPONDENT

**SUMMONS**

**TO RESPONDENT:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

\_\_\_\_\_  
You are hereby notified that you have been sued by your spouse for dissolution of your marriage. The case is pending in the Court named above.

1. It is suggested that you consult with an attorney of your choice regarding this matter.
2. In the event you do not respond within sixty (60) days of the date hereof, your marriage may be dissolved by Decree of the Court after Final Hearing. In the event a Decree is entered without your attendance, it may contain a judgment against you and provisions regarding the custody of your child(ren), support for your child(ren), parenting time (visitation) with your child(ren), distribution of assets, and payment of debts.
3. If you wish to countersue, you must do so by the appropriate written petition filed not more than sixty (60) days from the date of the original filing.

The following manner of service is hereby designated: \_\_\_\_\_ certified mail  
\_\_\_\_\_ Sheriff \_\_\_\_\_ County

Dated \_\_\_\_\_  
\_\_\_\_\_ Acknowledgment

\_\_\_\_\_  
CLERK, Clark County Courts

**MANDATORY MEDIATION IN PRO-SE DIVORCE CASES**  
**WITH MINOR CHILDREN**

In all pro-se domestic relations cases with children, the parties shall be referred to mediation under the Courts' Alternative Dispute Resolution Fund (ADR).

A pro-se litigant shall not be qualified for mediation under the ADR plan if the litigant is currently charged with or has been convicted of a crime under Indiana Code 35-42 (offenses against the person) or if there is currently a Protective Order in place.

Please contact Debbie Cooper, ADR Coordinator, at 812-285-6303 or email her at [DCooper@co.clark.in.us](mailto:DCooper@co.clark.in.us) ; If you email her, put your case number in the subject line and leave a call back number in the body of the email.

## PARENTING SEMINAR OR PROGRAM

**THIS IS MANDATORY:** In any dissolution, separation or paternity proceeding involving children under the age of eighteen (18) years of age, BOTH parties to the proceedings must attend and complete an approved parenting seminar or program, (unless a party has attended a program within 2 years).

Please schedule your class immediately so it can be completed within the 60 day waiting period. Parties can choose once class or seminar from the following:

### Helping Hands Counseling Center

TransParenting Seminar  
525 East 7<sup>th</sup> Street  
Jeffersonville, IN 47130  
Registration is required and the cost is \$50.00  
(812) 288-4449

### Our Place Drug and Alcohol Education Services, Inc.

Families in Transition, Divorce Parenting Classes  
[www.ourplaceinc.org](http://www.ourplaceinc.org)  
400 East Spring Street  
New Albany, IN 47150  
Registration is required and the cost is \$40.00  
(812) 945-3400 ext. 109

The New Beginnings Program  
[wwaggoner@ourplaceinc.org](mailto:wwaggoner@ourplaceinc.org)  
400 East Spring Street  
New Albany, IN 47150  
Registration is required and the cost is \$65.00  
(812) 945-3400 ext. 109

### ONLINE COURSES

Indiana Co-Parenting Class  
[www.courseforparents.com](http://www.courseforparents.com)  
Cost: \$25.00

Online Parenting Programs  
[www.OnlineParentingPrograms.com](http://www.OnlineParentingPrograms.com)  
Cost: Starting at \$29.99

**\*Please remember to file your Certificate of Completion with the Court.**

**\*\*Be sure to include your case number on the certificate when filing.**

IN THE CIRCUIT COURT FOR CLARK COUNTY  
STATE OF INDIANA

IN RE THE MARRIAGE OF:

\_\_\_\_\_  
PETITIONER

and

CASE NO:

\_\_\_\_\_  
RESPONDENT

**NOTICE OF REQUIREMENT TO ATTEND PARENTING PROGRAM/SEMINAR**

You are hereby notified, pursuant to a standing Order of the Court as follows:

A standing order of the Clark County Courts, requires both parties in any cause of action for Dissolution of Marriage, in which there is a minor child under 18 years of age, attend a parenting seminar/program.

Attached is a list of the accepted programs.

**Class should be completed prior to Mediation or Final Hearing.**

Your failure to attend the seminar/program could result in your being held in contempt of court.

\_\_\_\_\_  
Clerk, Clark Circuit Courts

Distribution:

Petitioner:

Respondent: