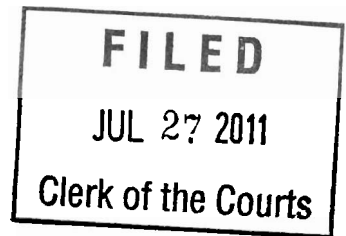


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE



**IN RE: PETITION OF ACCESS TO JUSTICE COMMISSION
FOR THE ADOPTION OF UNIVERSALLY ACCEPTABLE AND
LEGALLY SUFFICIENT FORMS AND INSTRUCTIONS**

No. M2011-00066-SC-OT-CV - Filed: July 27, 2011

ORDER

On January 11, 2011, the Access to Justice Commission petitioned this Court to adopt a set of legal forms and instructions for use in divorce cases that do not involve minor or dependent children and to approve these forms as universally acceptable as legally sufficient for use in all Tennessee courts. The Commission submitted the proposed forms and instructions as Exhibit A to its petition.

Thereafter, this Court published the petition and the proposed forms and instructions for public comment, with the public comment period ending on March 15, 2011. After the comment period ended, this Court directed the Commission to review the public comments and to submit a final recommendation. After completing this review, the Commission recommended modifications to the forms and instructions consistent with the public comments and requested that this Court adopt and approve the modified forms and instructions.

After carefully considering the written comments received during this process and the Commission's original and final recommendations, the Court is pleased to grant the Commission's petition. Accordingly, pursuant to Tennessee Supreme Court Rule 52, the Court hereby adopts and approves as universally acceptable and legally sufficient for use in all Tennessee courts effective September 1, 2011, the forms set out in the attached Appendix to this order.

The Clerk shall provide a copy of this order to LexisNexis and to Thomson Reuters. In addition, this order shall be posted on the Tennessee Supreme Court's website.

IT IS SO ORDERED.

PER CURIAM

APPENDIX A
Forms and Instructions for Divorces Without Children
Court-Approved Pursuant to Tenn. Sup. Ct. R. 52

How to Get an Agreed Divorce in Tennessee

If you have NO children who are under 18, disabled or in high school and you do not own buildings or land or a business with your spouse, or have retirement benefits.

What is an agreed divorce?

Agreed means that you and your spouse agree on all points of your divorce **AND** you must meet all the rules below. An agreed divorce is easier and faster. It costs less than a regular divorce because:

- There are fewer court papers to fill out.
- You don't **have to** have a lawyer. But it's best to talk to a lawyer before starting any divorce.

Can anyone get an agreed divorce with this packet?

No! It is **only** for couples if **ALL** of these are true:

- One or both of you lived in Tennessee for at least the past 6 months **OR** you lived in Tennessee when you decided to divorce;
- You and your spouse have no children together who are:
 - Under age 18 or
 - Disabled or
 - Still in high school

Children together means children you had together that were born before your marriage **AND** any children born during your marriage or adopted.

- The wife is not pregnant now;
- You both want to end your marriage;
- You don't own buildings or land or a business together or have retirement benefits; **AND**
- You can agree on alimony and how to divide your property, and will **both** sign a Divorce Agreement (Form 5).

If any of these are **not** true for you, you **can't** use this packet! Talk to a lawyer.

Do I need a lawyer?

You need a lawyer if:

- You find the court papers hard to understand;
- You or your spouse have an IRS qualified pension or retirement plan;

- You or your spouse own buildings or land (this is called **real property**);
- You or your spouse own a business;
- Your spouse won't sign the Divorce Agreement;
- Your spouse has a lawyer;
- You have questions about your divorce. The court can't give you legal advice; **OR**
- You don't know how to locate your spouse.

Important! Only want a lawyer for part of the case? Having a lawyer look at your Divorce Agreement may protect you.

Where can I find a lawyer?

- **Your county's Bar Association.** This is a group that lawyers join. They may have programs that can give you free advice. Or they can refer you to a lawyer.
- Look under "lawyer" in the yellow pages.
- Search for "lawyer" on the internet.
- Ask divorced friends which lawyer they used.
- Check the Administrative Office of the Court's website at: _____

Free Legal Help for Domestic Violence Victims

Does your spouse hurt or threaten you? There are special programs that can help you get free legal advice. They can also help if your spouse won't agree to a divorce. Call these **FREE** hotlines to find help near you.


- Tennessee Coalition for Domestic and Sexual Violence – 1-800-356-6767 / www.tcadsv.org
- Domestic Violence hotline – 1-800-799-7233

This packet has the court forms you will need to get an agreed divorce. It also explains:

- What an agreed divorce is.
- Who can get an agreed divorce.
- Steps to get an agreed divorce.
- How to get ready for your court hearing.
- Answers to common questions about divorce.
- What goes in a Divorce Agreement.

Steps to Get an Agreed Divorce

Tip! Make extra copies of the blank forms in this packet. This is in case you make a mistake. Also, make copies of all papers you give the Court Clerk. Ask the Clerk to date-stamp your copy. Keep all your date-stamped divorce papers in a folder or envelope. Bring it with you when you go to court.

Step 1 You and your spouse MUST fill out these papers. The Court Clerk can't do it for you. When they are filled out, go to the Court Clerk's office and give them (file) these papers:	
<input type="checkbox"/> Request for Divorce, Form 1. Must be signed and notarized. <input type="checkbox"/> Spouses' Personal Information, Form 2A Fill it out and put it in a letter-size envelope. On the outside, write both spouses' names and your case number. The Court Clerk will give you your case number. <input type="checkbox"/> Check with your Court Clerk to see if you need to fill out a Civil Case Cover Sheet.	
Step 2 If you can't afford to pay the filing fee, also fill out and give the Court Clerk (file):	
If you need it	<input type="checkbox"/> Request to Postpone Filing Fees and Order, Form 3 The court may let you pay the filing fees at the end of your case. You and your spouse must decide how you will split the cost of the filing fees
Step 3 Complete the Health Insurance Notice for Divorcing Spouses (Form 4):	
	<input type="checkbox"/> Health Insurance Notice, Form 4 Fill it out, file with Clerk and mail a copy to your spouse by certified mail. Keep a copy for your records. Not on each other's health insurance? Then write that on the paper.
Step 4 Fill out these papers and give them to the Court Clerk (file):	
	<input type="checkbox"/> Divorce Agreement, Form 5. Must be signed and notarized by both you and your spouse. <input type="checkbox"/> Final Decree of Divorce, Form 6. Must be signed by both you and your spouse. <input type="checkbox"/> Court Order for Divorcing Spouses, Form 7 Must be signed by both you and your spouse. Both spouses must obey this order! <input type="checkbox"/> Divorce Certificate Ask the Clerk for this paper. Don't use a copy. Fill out as much of it as you can. Ask the Clerk about the deadline for this paper. <input type="checkbox"/> Notice of Hearing to Approve Irreconcilable Differences Divorce, Form 8
Step 5 Wait at least 60 days after filing your Request for Divorce (Form 1) then:	
	<input type="checkbox"/> Call the Clerk. Has it been more than 180 days since the last person signed the Divorce Agreement? Then you must fill out a new Divorce Agreement. <input type="checkbox"/> Ask the court clerk how to get a court date for the Final Divorce Hearing. Ask if you need any other papers to set the hearing date. <input type="checkbox"/> If needed, complete and file the Notice of Hearing to Approve Irreconcilable Differences Divorce with the court clerk, Form 8. Mail your spouse a copy.
Step 6 Go to the Courthouse on the date of your Final Divorce Hearing.	
	<input type="checkbox"/> It's best if both spouses go, but if you are the spouse who filed the divorce, you may go alone. What if only one spouse goes and the judge changes something? You will have to go back to court later. Bring copies of all the date-stamped divorce papers with you. Bring the Final Decree of Divorce, Form 6
Step 7 After the hearing, go to the Court Clerk's office. Ask how to get the signed copy of the Final Divorce Order. You may have to pay for copies. You will have to pay for certified copies.	
If your spouse did not go to the hearing, you must mail him/her a copy of this Order.	

Get ready for your Court Hearing

Before the hearing:

- Dress neatly. Wear clothes that look like a businessperson. Wear clothes that show respect for the court. This means:
 - ⊗ No shorts.
 - ⊗ No tank tops or low cut tops.
 - ⊗ No crop tops that show your belly.
 - ⊗ No T-shirts with words or pictures.
 - ⊗ Turn off your cell phone or pager.
- Take all of your court papers.
- Both spouses may go to the hearing. Or just the spouse who filed the divorce may go. You don't need witnesses.
- Get to court **early** on the day of your hearing. You may need to find parking and go through security.
- Go to the Clerk's Office to make sure your case is on the calendar.
- Sit down in the courtroom. Wait for your name to be called. (There may be other cases ahead of you.)

At the hearing:

- Step forward when your name is called.
- You will be asked to raise your right hand and take an oath to tell the truth.
- After you swear to tell the truth, say this:
"My name is _____
I am the wife (or husband) in this case. I am here to get a Final Divorce Order."
- Don't sit down until your case is over.
- When you speak to the judge, say, "Your Honor." Be polite.
- The judge will look at your court papers and may ask questions. Listen carefully. Never butt in. Don't talk until the judge asks you a question. Answer all questions fully and tell the truth. What if you don't understand a question? Then ask the judge to explain or repeat it.



The judge may ask you:

- Your name and your spouse's name.
- How long you have lived in Tennessee.
- If either spouse wants their old name back.
- If the wife is pregnant.
- If your Divorce Agreement divides the property fairly.
- If you want the court to grant the divorce.
- If you and your spouse have irreconcilable differences (cannot get along).



You may answer, like this:

- ☑ I have lived in Tennessee for at least 6 months.
- ☑ We are **not** expecting a child now.
- ☑ My spouse and I have no children together.
- ☑ My spouse and I have made a Divorce Agreement that is fair. We have divided all property and debt.

What if there are mistakes on the divorce papers? The judge may ask both spouses to make the changes and initial them. If both spouses aren't there, you have to come back another day.

- ☑ I want a divorce.
- ☑ My spouse and I can't get along any more. We have no hope of working our marriage out.

At the hearing:

Once approved, the judge will sign the Final Divorce Order. Your divorce is not final until the judge signs the Final Divorce Order and it is filed with the Clerk.

Important! After the court makes the Final Divorce Order, each spouse has 30 days to appeal. During this 30-day period, don't get married again or buy any property

After the hearing, ask the Court Clerk for certified copies of the Final Divorce Order and Divorce Agreement. You may need this later.

Common Questions About Agreed Divorce

To get an agreed divorce, do I have to prove that my spouse did something wrong?

No. You just have to say that you and your spouse can no longer get along. Say that you have no hope of working out your marriage problems. The court calls this "irreconcilable differences".

Do I have to live in Tennessee to file for divorce here?

One or both spouses must have lived in Tennessee for at least the last 6 months OR you lived in Tennessee when you separated.

Where do I file my divorce papers?

- In the county where you and your spouse live.
- OR in the county where your spouse lives now.
- OR in the county where you lived when you separated.

What if your spouse is in jail or doesn't live in Tennessee? Then file in the county where you live.

The court in each county is different. The divorce court in your county could be a Circuit, Chancery, or General Sessions Court. Ask the Court Clerk if their court hears divorces cases. **DON'T** file them in more than one court.

Important! Until the divorce is final, you and your spouse can't do some things. You and your spouse can't:

- Disobey the Court Order for Divorcing Spouses (Form 7) OR
- Spend, give away, destroy, waste or use up property from the marriage OR
- Harass each other OR
- Stop or change insurance policies OR
- Hide, destroy or spoil electronic evidence kept on a computer or memory storage device.

Will my divorce papers be public?

Yes. The papers you and your spouse file at court are public record. That means anyone can look at your file. Anyone can get copies of any papers in your file. **BUT** the papers called

Spouses' Personal Information, Form 2A, aren't public and will be secret.

Do I have to pay a fee to file my divorce papers?

Yes. Each county has its own fee **plus** state fees. Ask the Court Clerk's office how much you will have to pay. Bring cash with you. You must pay the Court Clerk when you file your Request for Divorce. Many Court Clerks don't take checks or credit cards.

What if I can't pay the court fee?

The court may let you pay the fee at the end of your case. This is when the judge decides which spouse has to pay the court costs.

Need to pay the fee later? Fill out a Request to Postpone Filing Fees and Order, Form 3.

What if I am a victim of domestic violence?

Did your spouse hurt or threaten you? To get an agreed divorce you must talk to your spouse. What if it is not safe to contact your spouse? Then an agreed divorce may not work for you. These **free** resources can help you. They can also help if your spouse doesn't want the divorce.

- Coalition for Domestic and Sexual Violence
1-800-356-6767 – www.tcadsv.org
- National Domestic Violence hotline
1-800-799-7233
- Legal Aid or Legal Services
To find a legal aid program near you go to www.tennlegalaid.com
- Tennessee Alliance for Legal Services
(615) 627-0956 / 50 Vantage Way, Suite 250,
Nashville, TN 37228

How soon can the divorce be final?

The soonest is 60 days after you file your Request for Divorce. It usually will take longer.

Important! After the court makes the Final Divorce Order, each spouse has 30 days to appeal. During this 30-day period, don't get married again or buy any property.

What is a Divorce Agreement?

The Divorce Agreement is one of the papers you must file to get an agreed divorce. It tells the court what you and your spouse agreed about alimony. It says how you will divide your money, property and debts.

Doesn't the court divide our property?

No. In an agreed divorce, the spouses decide these things together. But the court wants to see that you divide your property and debts fairly. You have to list how all the property is divided, even if you think the property belongs only to one of you. It doesn't have to be equal. The court may change things if the agreement is not fair or one spouse will not have enough to live on.

Do you and your spouse agree about how to divide the property fairly? Then most of the time the court will OK your agreement.

Important! The court may not OK your agreement if it is unfair.

Important! Creditors can try to collect from either spouse. It does not matter if the other spouse signed for the debt. It does not matter if the other spouse agreed to pay for a debt. If either spouse is thinking of filing bankruptcy, talk to a lawyer. It may cause problems for the other spouse. If you have a mortgage together, you cannot use these forms.

What if my spouse and I can't agree on everything in the Divorce Agreement?

A mediator is someone who helps people agree. The mediator meets with you and your spouse to try to help you and your spouse find an agreement that is ok for both of you.

Note: Are you a victim of domestic violence? Then you don't have to meet the mediator with your spouse. You and your spouse can have separate meetings.

What if the mediator can't help us agree?

Then you can't use this packet. Talk to a lawyer about filing a regular divorce.

What if my spouse will not sign the Divorce Agreement?

Then you can't get an agreed divorce. **Don't** use this packet.

Will the court decide on alimony?

No. In an agreed divorce, the spouses decide on alimony. Alimony is money that one spouse pays the other for support. You must say how much it will be and how long it will be paid. This goes in your Divorce Agreement.

For example, some spouses decide that alimony will be paid until:

- The paying spouse remarries or files for bankruptcy, or
- The supported spouse remarries, or
- The supported spouse finishes school, or
- One of the spouses dies.

Alimony may make a difference in your taxes. Talk to a tax expert before you sign the Divorce Agreement.

What if we can't agree on alimony?

Then you can't get an agreed divorce. **Don't** use this packet. Is alimony important? Or is there a big difference in salaries? Then talk to a lawyer. You and your spouse may:

- Talk to a mediator, who may be able to help you agree, or
- Talk to a lawyer, or
- File a regular divorce.

How do we divide retirement funds?

Sometimes the funds stay with the spouse who earned them. Sometimes they are divided. Do you or your spouse have retirement funds? Then you need to talk to a lawyer and cannot use these forms.

Should I talk to a lawyer about the Divorce Agreement?

Yes! Talk to a lawyer about your property, debt, retirement funds, and alimony. Some lawyers will help with just the Divorce Agreement. You do the rest of the case on your own.

State of Tennessee	Court (Must Be Completed)	County (Must Be Completed)
Request for Divorce (Complaint)		File No. _____ (Must Be Completed)
		Division _____ (Large Counties Only)
Plaintiff (Name: First, Middle, Last) of spouse filing the divorce		Defendant (Name: First, Middle, Last of the other spouse)

This form is only for spouses who:

- Have no children together who are under 18, in high school or disabled.
- Agree how to divide their property and debt, and have no land or businesses or retirement benefits.
- One or both spouses lived in Tennessee for at least 6 months and/or they lived in Tennessee when they decided to divorce.

If you do not meet these rules, you cannot use these forms. Please talk to a lawyer.

BOTH spouses signed and notarized the Divorce Agreement

Answer each question.

- ① **Residency** (check all that apply):
- My spouse or I have lived in Tennessee for at least 6 months.
 - I was living in Tennessee when the reason for this divorce happened.
 - Our differences arose in Tennessee.
- ② **Venue** I am filing for divorce in this County because (check one):
- My spouse and I lived in this County when we separated.
Address: _____
 - My spouse lives in this County.
 - I live in this County and my spouse does not live in Tennessee or is in jail.
- ③ **Reason for Divorce** (you must both sign and notarize the Divorce Agreement to use this form):
My spouse and I can no longer get along, and we have irreconcilable differences.
- ④ **Children** - My spouse and I have no children together who are under 18, in high school or disabled. Children together means children you had together, born before your marriage, AND any and all children born during your marriage or adopted.
- The Wife** (check one): is is not pregnant. (If the Wife is pregnant, you cannot use this form.)

⑤ **Date of Separation**

My spouse and I decided to divorce on (Check One):

The date of filing this paper (Request for Divorce); or

The date we started living apart: (mm/dd/yy): _____

We were married on (mm/dd/yy): _____ in: _____
(city, county, state or foreign country)

⑥ **Orders of Protection and Injunctions:**

If you have an Order of Protection, it will stay in effect until the divorce judge changes it. Or it has already expired (check the box to describe your position):

No Order of Protection has been in effect during this case.

The Order of Protection is ended (expired).

The Order of Protection is active when I file this paper (Request for Divorce) and so will stay in effect until the divorce judge changes it.

(Attach a copy of Order of Protection)

Restraining Order (check one):

No Restraining Order other than the Statutory Injunction, which applies in every divorce case, has been in effect during this case.

Other (Describe): _____

Victims of Domestic Violence

You do not have to list a home address below. You may list a P.O. Box instead.

The local domestic violence agency can help you.

Call 1-800-356-6767 or go to www.tcadsv.org

⑦ **Wife's Information**

Name: _____
First Middle Maiden name Last name (now)

Address: _____
Street address City State Zip

Birthplace (city, state or foreign country): _____ Birth date (mm/dd/yy): _____

Race: White Hispanic Black Native American Other: _____

How many marriages before this one? _____	How long has she lived in Tennessee? _____ years _____ months	Active-duty U.S. Armed Services? <input type="checkbox"/> Yes <input type="checkbox"/> No
--	--	--

⑧ **Husband's Information**

Name: _____
 First Middle Maiden name Last name (now)

Address: _____
 Street address City State Zip

Birthplace (city, state or foreign country): _____ Birth date (mm/dd/yy): _____

Race: White Hispanic Black Native American Other: _____

How many marriages before this one? _____	How long has he lived in Tennessee? _____ years _____ months	Active-duty U.S. Armed Services? <input type="checkbox"/> Yes <input type="checkbox"/> No
--	---	--

⑨ **Financial Information**

Real Property (House, Land, or Mobile Homes that are permanently attached to the ground)

My spouse and I:

Do NOT own Real property. If either of you have REAL Property, please see a lawyer first.

Personal Property (such as Cars, Mobile Homes (not permanently attached to the ground), Bank Accounts)

Own property and have filed the **Divorce Agreement** that lists how our property is divided.

Do not own Personal Property (such as Cars, Mobile Homes, Bank Accounts)

(If either of you has a Pension or Retirement account or own a business, you cannot use these forms. Please see a lawyer first.)

Debts - My spouse and I (check one):

Do NOT have debts.

Have debts and have filed a **Divorce Agreement** that lists how our debts are divided.

One or both of us has filed for a Bankruptcy and it is still active.

⑩ **Alimony** (check one):

Neither spouse wants alimony.

One of the spouses wants alimony, as agreed to in our Divorce Agreement.

⑪ **Name Change** (check below to change a spouse's name back to the name used before this marriage)

Wife requests _____
 first middle last

Husband requests _____
 first middle last

⑫ **Court Costs** (check one):

Who will pay the court costs for this divorce?

- Spouses will each pay 50% of the costs.
- Husband will pay all costs.
- Wife will pay all costs.
- Other agreement: _____

⑬ **Divorce Agreement**

Our signed **Divorce Agreement** (Form 5) is attached, and we ask the Court to approve it.

I ask the Court to grant this divorce, make the other orders I have asked for above, and to make any other orders I am entitled to.

Read the text below then sign **ONLY** in front of a notary.

Signed at (city): _____ on (date): _____	
State of Tennessee, County of _____ (name of county where notarized)	
I know that Tennessee has laws against lying on purpose (perjury). I swear that:	
<ul style="list-style-type: none">• As far as I know, the information on this form is true.• My request for divorce is serious.• My spouse and I have not agreed to lie about the information in this divorce.	
SWORN to and SUBSCRIBED before me, on (date): _____	
Signed at (city): _____	
State of Tennessee, County of _____	
By (name of person filing for divorce): _____	
(Signature of person filing for divorce): _____	
▶ _____	My commission expires: _____
Signature of Notary Public, State of Tennessee	
(Notary's seal)	

State of Tennessee	Court (Must Be Completed)	County (Must Be Completed)
Spouses' Personal Information		File no. _____ (Must Be Completed)
		Division _____ (Large Counties Only)
Plaintiff (Name: First, Middle, Last) of spouse filing divorce		Defendant (Name: First, Middle, Last of the other spouse)

This form asks for the personal contact information and Social Security Number of both spouses.

To protect your personal information, follow these steps:

- 1) Fill out this form.
- 2) Put the form in a sealed envelope.
- 3) Write this information on the envelope: Names of both spouses, and Case Number of your case.
- 4) Give it to the clerk when you file your other court forms.

Wife's Information

Name: _____
First Middle Maiden name Last name (now)

Address: _____
Street address City State Zip

Telephone Number: _____ - _____

Social Security Number: _____ **Birth date (mm/dd/yy):** _____

Birth Place (State or Foreign County): _____

Husband's Information

Name: _____
First Middle Maiden name Last name (now)

Address: _____
Street address City State Zip

Telephone Number: _____ - _____

Social Security Number: _____ **Birth date (mm/dd/yy):** _____

Birth Place (State or Foreign County): _____

③ **Employment:** If you are working now, fill out below. If not working now, check here:

Employer's name: _____

Employer's address and tel. #:

_____ *street address* _____ *city* _____ *state* _____ *zip* _____ *tel #*

How much do you earn after taxes are deducted?

\$ _____ each (check one): week month Other: _____

④ **Other Income:** List any other income that you get now or expect to get.

Source of Income	How much do you get?	Source of Income	How much do you get?
<input type="checkbox"/> AFDC	\$ _____ / month	<input type="checkbox"/> Unemployment	\$ _____ / month
<input type="checkbox"/> Social Security	\$ _____ / month	<input type="checkbox"/> Worker's Comp.	\$ _____ / month
<input type="checkbox"/> Retirement	\$ _____ / month	<input type="checkbox"/> Other*	\$ _____ / month
<input type="checkbox"/> Disability	\$ _____ / month	<input type="checkbox"/> SSI	\$ _____ / month

* Explain source of Other income here.

Other: _____

⑤ **Assets:** List all assets that you own separately, with your spouse or with someone else:

	Fair Market Value	- Money still owed	=
1. Car, truck, or other vehicle			\$ _____
2. Other car, truck, or other vehicle			\$ _____
3. House, condominium, land			\$ _____
4. Other house, condominium, land			\$ _____
List all bank/financial accounts below:			
Bank name	Account #	Balance	
5.		\$ _____	
6.		\$ _____	
7. Cash		\$ _____	
Total:			\$ _____

Other: _____

⑥ Expenses:

	How much each month?		How much each month?
<input type="checkbox"/> Rent/House Payment	\$ _____	<input type="checkbox"/> Gas	\$ _____
<input type="checkbox"/> Phone	\$ _____	<input type="checkbox"/> Child Care	\$ _____
<input type="checkbox"/> Groceries	\$ _____	<input type="checkbox"/> Court-ordered Child Support	\$ _____
<input type="checkbox"/> School Supplies	\$ _____	<input type="checkbox"/> Transportation	\$ _____
<input type="checkbox"/> Electricity	\$ _____	<input type="checkbox"/> Medical/Dental	\$ _____
<input type="checkbox"/> Clothing	\$ _____	<input type="checkbox"/> Other	\$ _____
<input type="checkbox"/> Water	\$ _____	<input type="checkbox"/> Other	\$ _____

⑦ Debts:

Who do you owe?	How much do you owe?	Who do you owe?	How much do you owe?
1. _____	\$ _____	4. _____	\$ _____
2. _____	\$ _____	5. _____	\$ _____
3. _____	\$ _____	6. _____	\$ _____

⑧ I declare under penalty of perjury under the laws of the State of Tennessee that:

- The information I have provided is true, correct, and complete.
- I cannot afford to pay the filing fees at this time.

Sign here: _____ Date: _____

Judge's Order:

Based on the information above and the Plaintiff's answers (check one):

- This Request is **approved**, and the Plaintiff may file without paying the filing fees at this time.
- This Request is **denied** because (explain): _____

This order is made on (date): _____ by: _____
Judge's signature

State Of Tennessee	Court (Must Be Completed)	County (Must Be Completed)
Divorce Agreement (Marital Dissolution Agreement)		File No. _____ (Must Be Completed)
		Division _____ (Large Counties Only)
Plaintiff (Name: First, Middle, Last) of spouse filing the divorce)		Defendant (Name: First, Middle, Last of the other spouse)

This form explains how you and your spouse will divide your property and debts.
You must file this form with your **Request for Divorce**, Form 1.

We say that:

- We are the Wife and Husband listed above. We are filing a **Request for Divorce** in the county and court listed above. We can no longer get along as Husband and Wife. We understand our marriage rights and duties. We want to get an agreed divorce.
- We agree on everything in the **Request for Divorce**. The **Request for Divorce** does not have to be served, and there is no need to file an **Answer**.
- Each of us has read this whole **Divorce Agreement**. We agree it is fair. We understand that it will become part of our **Final Divorce Order**.
- No one made us sign this Agreement. We will sign any other papers needed to carry out this Agreement.

Children

My spouse and I have no children together who are under 18, in high school or disabled. **Children together** means children we had together, born before our marriage **AND** it means any and all children born during our marriage or adopted.

The Wife is not pregnant.

Real Property (house, land or mobile homes that are permanently attached to the ground)

Neither spouse owns real property.

Other Assets (business or retirement accounts)

Neither spouse owns a business or has a retirement account.

July 2011

(Form 5) Divorce Agreement
Approved by the Tennessee Supreme Court

Page 1

Husband: Initials _____ Date Signed: _____

Wife: Initials _____ Date Signed: _____

Husband's Personal Property

The Husband will own the following property:

a. Vehicles (cars, motorcycles, trucks, boats, etc.)

Vehicle 1	Year	Make	Model	VIN #
Vehicle 2	Year	Make	Model	VIN #
Vehicle 3	Year	Make	Model	VIN #
Vehicle 4	Year	Make	Model	VIN #

b. Other personal property (bank accounts, cash, furniture, jewelry, etc.) Not houses or land!

Describe: _____

c. All personal property currently in the possession of the husband is his.

Wife's Personal Property

The Wife will own the following property:

a. Vehicles (cars, motorcycles, trucks, boats etc.)

Vehicle 1	Year	Make	Model	VIN #
Vehicle 2	Year	Make	Model	VIN #
Vehicle 3	Year	Make	Model	VIN #
Vehicle 4	Year	Make	Model	VIN #

b. Other personal property (bank accounts, cash, furniture, jewelry, etc.) Not houses or land!

Describe: _____

c. All personal property currently in the possession of the wife is hers.

If you need more lines, copy this page. Make sure it is included when you file this paper.

Debts Husband Will Pay

Husband will pay all debts he has made since the date of separation, and will pay for the following debts:

List all loans, credit card, cash advance debts	Name of Creditor (person or company you owe)	Amount still owed
1.		\$
2.		\$
3.		\$
4.		\$

Debts Wife Will Pay

Wife will pay all debts she has made since the date of separation, and will pay for the following debts:

List all loans, credit card, cash advance debts	Name of Creditor (person or company you owe)	Amount still owed
1.		\$
2.		\$
3.		\$
4.		\$

If you need more lines, copy this page. Make sure it is included when you file this paper.

**We Both Agree on How to Divide the Debts
(Hold Harmless Provision)**

Both spouses agree to divide their debts as listed above. The husband agrees to pay all the debts listed under "Husband's Debts." The wife agrees to pay all the debts listed under "Wife's Debts." The wife will not try to make the husband pay her debts. The husband will not try to make the wife pay his debts. Creditors will try to collect from both spouses. Both spouses understand this. A creditor may get one spouse to pay the other spouse's debt. If that happens, the spouse who is supposed to pay the debt will pay the other spouse back. They will pay back any payments and reasonable lawyer's fees the spouse made. They will pay back any costs of trying to stop a creditor from collecting the debt.

Husband: Initials _____ Date Signed: _____

Wife: Initials _____ Date Signed: _____

Entire Agreement

This document says everything the husband and wife agreed to. They both give up any legal claims they have against each other. Any other agreements between them that are not in this paper are no longer any good. They cannot make each other live up to any agreements that are not in this document.

Warning - Changes (Modification)

After the divorce is final, the spouses may later want to change or drop parts of this agreement. Changes must be put in writing and filed with the Court Clerk and approved by the judge. You may want to talk to an attorney.

Read below, but only sign in front of a notary. You may sign at a different time than your spouse, if you want.

Husband	Wife
<p>I know that Tennessee has laws against lying on purpose (perjury). I swear that:</p> <ul style="list-style-type: none"> • As far as I know, the information on this form is true. • I have revealed to my spouse all property all debts that I know about and have not kept any property or debts a secret from my spouse before I signed this agreement. • This is everything we have agreed to. <p>Any Agreements we have that are not listed above are no longer any good.</p> <p>SWORN to and SUBSCRIBED before me, on (date): _____</p> <p>Signed at (city): _____</p> <p>State of Tennessee, County of _____</p> <p>By (Husband): _____</p> <p>_____ Signature of Notary Public, State of Tennessee</p> <p>My commission expires: _____</p> <p>(Notary's seal)</p>	<p>I know that Tennessee has laws against lying on purpose (perjury). I swear that:</p> <ul style="list-style-type: none"> • As far as I know, the information on this form is true. • I have revealed to my spouse all property all debts that I know about and have not kept any property or debts a secret from my spouse before I signed this agreement. • This is everything we have agreed to. • Any Agreements we have that are not listed above are no longer any good. <p>SWORN to and SUBSCRIBED before me, on (date): _____</p> <p>Signed at (city): _____</p> <p>State of Tennessee, County of _____</p> <p>By (Husband): _____</p> <p>_____ Signature of Notary Public, State of Tennessee</p> <p>My commission expires: _____</p> <p>(Notary's seal)</p>

State of Tennessee	Court (Must Be Completed)	County (Must Be Completed)
<p align="center">Final Decree of Divorce (with Marital Dissolution Agreement)</p>		File No. _____ (Must Be Completed)
		Division _____ (Large Counties Only)
Plaintiff (Name: First, Middle, Last of spouse filing the divorce)		Defendant (Name: First, Middle, Last of the other spouse)

If you are ready to finalize your divorce, you must fill out this form. Only the spouse asking for the divorce must sign it, and that spouse **has to go** to the court hearing. **BUT**, it is a good idea for **both** spouses to go in case the court has questions. The Judge does not have to sign this Order if the Judge does not think your Divorce Agreement is fair.

Take this form with you to your court hearing. Also take all copies you have filed and take:

- **Divorce Agreement, Form 5, signed by both spouses and notarized if not filed with Request for Divorce**
- **Divorce Certificate** - you must get the official state form and have it filled out before court. The clerk may have a copy of this form, or you can find it on-line at: _____

Court Hearing and Findings:

On (date): _____, there was a court hearing at the court and county listed above before (judge's name): _____

Parties at the hearing:

Plaintiff (Spouse filing the divorce):

Street or P.O. Box City State Zip Phone #

Defendant (The other spouse):

Street or P.O. Box City State Zip Phone #

The Court finds that the parties have signed and filed a divorce agreement that makes adequate and sufficient provision for the equitable settlement of property rights between them and fairly apportions their debt (an equitable division).

That Agreement is now filed with and made part of this Order. The spouses swear they have no children together who are under 18, in high school or disabled. **Children together** means children they had together, born before the marriage, **AND** any and all children born during the marriage or adopted.

Based on the parties' **Divorce Agreement**, their **Request for Divorce**, and the entire record for this case, the Court finds good cause to make this **Final Divorce Order**.

The Court makes the following Orders:

① The parties are now divorced based on irreconcilable differences.
Important! Either spouse has 30 days to appeal this Order. During the next 30 days, you should not get married again or buy any property.

② **Protective Orders** (check one):

- Neither party has a current Protective Order.
- The Court ends the current Protective Order.
- The Court continues the current Protective Order until (mm/dd/yy): _____

③ **Name Change** (check one):

- This Order does not change either party's name.
- This Order changes the Wife's name to:

First Middle Last

- This Order changes the Husband's name to:

First Middle Last

Important! You may need a certified copy of this Order to change your name on your driver's license or other records.

④ **Court Costs** will be paid as follows (check one):

- The husband and wife will each pay 50% of the court costs.
- Husband will pay all costs.
- Wife will pay all costs.
- Other agreement: _____

⑤ **Alimony**

- Neither spouse wants alimony
- The (check one): Husband Wife agrees to pay (amount): \$ _____ until (date or condition that ends alimony):
- This amount will be paid (check one): Weekly Monthly Annually

⑥ **Attorney fees**

- The Wife will pay for her lawyer's fees. The Husband will pay for his lawyer's fees.
- Other (explain): _____

⑦ **Other Orders**

This Order is made on (date): _____ by: _____
Judge's signature

Presented by: _____
Person Getting the Order

Wife's Signature Date: _____

Husband's Signature Date: _____

Notice: This Order does not protect you against creditors. They may try to collect from you, even if your spouse is responsible for the debt. It may be best to cancel, close, or freeze any accounts you have together.

If your spouse did not go to this hearing, you must mail him/her a copy of this signed Final Divorce Order. Then fill out the part below.

Certificate of Service:

I hereby certify that a true and exact copy of this Order was mailed by U.S. Mail to the other party spouse at the address listed above, on (date): _____

Spouse who mails it signs here: _____ Date: _____

Attached:

Divorce Agreement

Divorce Certificate (if not already submitted)

Other: _____

State of Tennessee	Court (Must be completed)	County (Must be completed)
Restraining Order for Divorcing Spouses (Statutory Injunction)		File No. _____ (Must Be Completed) Division _____ (Must Be Completed)
Plaintiff (Name: First, Middle, Last) of spouse filing this paper)		Defendant (Name: First, Middle, Last of the other spouse)

Both spouses must obey all Orders below.

Behavior

You must not:

- Bother (harass), threaten, assault or abuse your spouse.
- Talk about your spouse in a bad way to or in front of your children, your spouse's children, or your spouse's employer.
- Hide, destroy, or spoil any evidence stored on a computer hard drive or memory storage device.

Property & Money

- **DO NOT** do anything to any marital property that makes it worth less money. This means you can't sell, spend, transfer, assign, borrow against, hide, or do anything with it. This is true unless the court orders it or your spouse agrees.
- You may use your income for expenses that:
 - Maintain your marital standard of living,
 - Pay the usual operating expenses of your business.
- You must keep records of all expenses and give your spouse copies of those records, if s/he asks for them.

Children

You must not move the children:

- Out of Tennessee, or
More than 100 miles from the marital home, unless the court orders it or your spouse agrees.

Important! Do you have a good reason to be afraid that your spouse may hurt you or your children? Then you may go with your children to a safe place. Later, the non-relocating spouse may ask the court for an emergency hearing and new Orders. The court can hold the hearing by phone, if needed.

Insurance

You must not (unless the court orders it or your spouse agrees):

- Change, cancel, or assign any insurance policy that covers either spouse or the children.
- Change, cancel, or assign any insurance policy that names either spouse or the children as beneficiary.
- Stop paying for any insurance policy premium that covers either spouse or the children.

You must follow this Order unless the court changes or ends it. OR your case is finalized or dismissed. OR you and your spouse make an agreement. Either spouse may ask the court to change or cancel this Order.

Wife's Signature

Husband's Signature

July 2011

(Form 7) Court Order for Divorcing Spouses
Approved by the Tennessee Supreme Court

State of Tennessee	Court (Must Be Completed)	County (Must Be Completed)
Notice of Hearing to Approve Irreconcilable Differences Divorce		File No. _____ (Must Be Completed)
		Division _____ (Large Counties Only)
Plaintiff (Name: First, Middle, Last) of spouse filing the divorce)		Defendant (Name: First, Middle, Last of the other spouse)

This case is set for hearing at the court above on _____, 20____ at _____ a.m.
 p.m.

located at: _____, Room # _____
(street) (city, state, zip)

Presented by:

 Person asking for the Order

Certificate of Service

I certify that the foregoing has been delivered in person or sent by U.S. Mail to the other party at the following address: _____

I did so on the _____ day of _____ 20_____.

Person asking for the Order:

Address:

Phone number:
