

| | | |
|---|--------------------------------------|--------------------|
| STATE OF MICHIGAN JUDICIAL CIRCUIT COUNTY | JUDGMENT OF DIVORCE WITH CHILDREN | CASE NO. and JUDGE |
|---|--------------------------------------|--------------------|

Court address

Court telephone no.

Plaintiff's name, address, and telephone no.

Defendant's name, address, and telephone no.

v

1. This judgment is entered ☐ after trial. ☐ after default. ☐ on consent of the parties.

2. The plaintiff filed a complaint for divorce against the defendant.

3. **THE COURT FINDS** that there has been a breakdown of the marriage relationship to the extent that the objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved.

IT IS ORDERED:

4. The marriage between the plaintiff, _____, and the defendant, _____, is dissolved and the parties are now divorced.

5. Custody of the minor child(ren), _____, is as follows:

☐ a. Legal custody is awarded to ☐ plaintiff. ☐ defendant. ☐ both parties, jointly.

☐ b. Physical custody is awarded to ☐ plaintiff. ☐ defendant. ☐ both parties, jointly.

☐ c. This court is not going to make a determination as to custody of the minor child(ren) because Michigan is not the child(ren)'s home state. (Paragraphs 6-13 below do not apply.)

☐ 6. A parent with physical custody must notify the friend of the court in writing whenever the address of a minor child changes.

☐ 7. The domicile of the minor child(ren) may not be moved from the State of Michigan without prior approval of the court.

8. ☐ Pursuant to MCL 722.31 neither party shall move more than 100 miles away from where they lived at the beginning of this case, and the child(ren) have a legal residence with each parent.

☐ MCL 722.31 does not apply because the parties lived more than 100 miles away from each other when this case began.

☐ MCL 722.31 does not apply because one of the parties is granted sole legal custody of the parties' minor child(ren).

☐ The parties agree that either party may move more than 100 miles from where the parties lived when this case was filed, as long as they still live in the State of Michigan.

9. Except as provided in item 10, neither parent shall exercise parenting time in a foreign country/nation that is not a party to the Hague Convention on the Civil Aspects of International Child Abduction.

☐ 10. Based on written agreement of the parties, _____ may exercise parenting
Name
time in _____, which is not a party to the Hague Convention on the Civil
Name of foreign country/nation
Aspects of International Child Abduction.

☐ 11. The parents shall cooperate with respect to a child so as, in a maximum degree, to advance a child's health, emotional, and physical well-being and to give and afford a child the affection of both parents and a sense of security. Neither parent will, directly or indirectly, influence a child so as to prejudice a child against the other parent. Each parent will endeavor to guide a child so as to promote the affectionate relationship between a child and the other parent. The parties will cooperate with each other in carrying out the provisions of this order for a child's best interests. Whenever it seems necessary to adjust, vary, or increase the time allotted to either party, or otherwise take action regarding a child, each of the parties shall act in the best interests of the child. Neither party shall do anything which may estrange the other from the child, injure the child's opinion of the other party, or which will hamper the free and natural development of the child for the other party.

☐ 12. **Parenting time** is established as follows:

13. **Child support:**

☐ a. Child support, child care, health care and other medical insurance and support costs are provided for in the Uniform Child Support Order, entered contemporaneously with this judgment of divorce and incorporated by reference.

☐ b. A Uniform Support Order is not required because:

☐ i. support cannot presently be ordered in this action. This court recognizes that in _____,
Case number

the _____ in _____ has issued the
Name of court State

controlling support order that already requires _____ to pay
Name of payor

support for the child(ren) in this case and currently retains exclusive jurisdiction.

☐ ii. the court lacks sufficient personal jurisdiction over the nonresident defendant to enter a support order.

14. Spousal support:**A. Options if both parties are signing this Judgment of Divorce based on a settlement agreement:**

- ☐ i. No spousal support is awarded at this time, but the issue of spousal support is reserved. This means either party can ask the court to award spousal support in the future. **OR**
- ☐ ii. Both parties have agreed that neither party will pay spousal support to the other. Each party understands that they are forever giving up their right to ask the court to change this order or to ask for spousal support in the future. **OR**
- ☐ iii. Spousal support is awarded according to the attached Uniform Spousal Support Order **and (choose only one)**
- ☐ the parties have the right to ask the court to change the Uniform Spousal Support Order in the future. **OR**
- ☐ based on their signatures below, both parties intend and agree that this Uniform Spousal Support Order is final and permanent. Each party understands that they are forever giving up their right to ask the court to change the amount of spousal support, the duration of spousal support, or any other part of the Uniform Spousal Support Order.

B. Options if the parties have not reached a settlement agreement:

- ☐ i. No spousal support is awarded at this time, but the issue of spousal support is reserved. This means either party can ask the court to award spousal support in the future. **OR**
- ☐ ii. After a hearing, no spousal support is awarded, and spousal support is forever barred. This means neither party can ask the court to award spousal support in the future. **OR**
- ☐ iii. Spousal support is awarded according to the attached Uniform Spousal Support Order. The parties have the right to ask the court to change the Uniform Spousal Support Order in the future.

15. Personal property:

- ☐ Each party is awarded the personal property now in his/her possession and is fully responsible to pay any debt related to that property. The other party has no claim to that property.
- ☐ The parties' personal property is divided according to the attached Personal Property and Debt Addendum.

16. Debt:

- ☐ There are no debts to be divided.
- ☐ Each party is responsible for paying the debts in his/her name.
- ☐ Debts are divided according to the attached Personal Property and Debt Addendum.

17. Vehicles:

- ☐ The parties do not own any vehicles.
- ☐ Each party will keep the vehicle(s) now in his/her name and possession, and is fully responsible to pay any debt related to the vehicle(s). The other party has no claim to any vehicle in the other's name and possession.
- ☐ The parties own vehicle(s) that are to be divided according to the attached Vehicle Addendum.

18. Real Property:

- ☐ The parties do not own any real property.
- ☐ The parties own real property that is awarded according to the attached Real Property Addendum.

19. Pension Rights:

- ☐ There are no pensions, annuities, individual retirement accounts or other types of retirement plans or accounts, whether vested or unvested, accumulated or contingent, to be divided.
- ☐ Each party is awarded his/her own pensions, annuities, individual retirement accounts or other types of retirement plans or accounts, whether vested or unvested, accumulated or contingent, as his/her own sole and separate property.
- ☐ Pensions, annuities, individual retirement accounts or other types of retirement plans or accounts, whether vested or unvested, accumulated or contingent, are divided according to the attached Pension/Retirement Account Addendum.

20. Life Insurance: Except as otherwise preserved in this judgment, any interests of either party in any insurance policy or insurance contract on the life of the other party, as beneficiary or otherwise, are extinguished. Each party holds the policy(ies) free and clear of the claim of the other.

21. **Tax Returns:** Federal and state income tax deductions, credits, and exemptions for the minor child(ren) are awarded according to the attached Income Tax Addendum. If the parent claiming the deductions, credits, and exemptions in a given tax year is not the parent with whom the child(ren) lived for the greater number of nights during the year, the other parent shall file IRS form 8332 to release his/her claim to the dependent tax benefits for that tax year.
22. **Health Insurance Availability through COBRA:** Either party may obtain coverage for himself/herself under the other party's present medical or health insurance policy carried through his/her employment pursuant to the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). Each party shall, immediately upon entry of this judgment of divorce, notify his/her respective plan administrator of this provision, to enable the plan administrator to give proper notice to the other party pursuant to COBRA.
23. **Documents:** Within a reasonable time after this judgment is entered, each party shall properly prepare and deliver to the other party all the documents required to divide the property and debt as ordered in this judgment. A certified copy of this judgment may be recorded to effect such a transfer, if necessary.
24. **Hidden Assets:** If either party has hidden any of his/her assets from the other party, the issue of property division in the divorce may be reopened on the motion of either party. If this motion were to be granted, this court would then resolve the distribution of any previously undisclosed assets.
- ☐ 25. **Costs and Fees:** Any previously suspended costs and fees of this case shall be
☐ paid by the plaintiff. ☐ paid by the defendant. ☐ waived permanently.
- ☐ 26. The ☐ plaintiff's ☐ defendant's name shall be changed to _____.
27. **Attachments:** The following addendums are attached and incorporated into this judgment of divorce.
☐ Personal Property and Debt Addendum ☐ Vehicle Addendum ☐ Real Property Addendum
☐ Pension/Retirement Account Addendum ☐ Income Tax Addendum ☐ Parenting Time Addendum
☐ General Addendum
- ☐ 28. Other provisions:
29. **Settlement of Claims Between the Parties:** This judgment resolves the last pending claim and closes this case.
30. **When Judgment Becomes Final:** This judgment is effective and final upon its date of entry.
31. **Jurisdiction Retained:** This court retains jurisdiction of this matter to enforce all the terms of this judgment of divorce.

_____
Judge signature and date

Approved:

Plaintiff signature_____
Date_____
Defendant signature_____
Date