

Form - Divorce

Final Hearing Checklist

1. ___ Have all the jurisdictional requirements as alleged in petition been met?
2. ___ Are there any changes in either party's address or other personal data?
3. ___ Is there a final stipulation between the parties on all the relevant issues?
 - a. ___ If so, has it been reduced to writing and copies given to all parties and attorneys?
 - b. ___ If so, has the stipulation between the parties been signed by both parties? By their attorneys (if any)? By the GAL (if any)?
 - c. ___ Is each party able to testify that they know the contents of the stipulation, they have consulted an attorney if they chose, they were not coerced in any way to agree to any part of it, they have signed it, and that they recognize their signature on the document?
4. ___ Have the parties made full disclosure of assets and liabilities to each other and the court (on court-ordered form if applicable)?
 - a. ___ If so, is each party able to testify to knowing the contents of a financial disclosure statement of the other party, they believe it to a full disclosure, and that their own disclosure is full and complete?
 - b. ___ Are the parties able to testify that they believe the stipulation addresses the division of property and debt, and they agree that it is a fair and reasonable division of property?
5. ___ Are parties able to testify that there has been an irretrievable breakdown of the marriage?
6. ___ Unless one spouse has agreed to pay support to the other, are the parties able to testify either that they each waive the right to alimony, spousal support or maintenance, and will not be able to come back to the court and request it later no matter how much the circumstances of either of them may change in the future?
7. ___ Are the parties able to testify that to their knowledge the wife is not pregnant?
8. ___ Will a party be changing a surname and/or resuming the use of a former surname?
9. ___ If the parties have children, are the parties able to testify that the marital settlement agreement addresses the following:
 - a. ___ Physical and legal custody and visitation?
 - i. ___ If so, is the schedule of time with each parent set forth with enough specificity that it may be enforced by law enforcement if need be?
 - ii. ___ That they think the custody and visitation arrangements are in the best interests of the children?
 - b. ___ That the child support agreement between them complies with the state's child support guidelines?
 - c. ___ That the issue of medical expenses for the children has been addressed?
 - d. ___ That the issue of the tax exemptions for the children has been addressed?
10. ___ Is each party able to testify that they are requesting the court to make their stipulation the final judgment of the court?

11. ___Has either party agreed to pay some or all of other party's attorney fees?
12. ___Does the court require the parties to participate in filling out the state vital statistics form with such information as social security numbers, dates of birth, level of education, race, or ethnicity?
13. ___Any other issue that may be applicable?