

# Pro Se Assistance in Simple Divorce

## Instructions and Forms

Proposal Drafted by the  
Nebraska Supreme Court Committee  
on Pro Se Litigation

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## **FILING FOR DIVORCE IN NEBRASKA (NO CHILDREN NO DISPUTED PROPERTY)**

A divorce can be complicated. It is up to you to decide whether and how you use a lawyer in your divorce. The law allows you to conduct your divorce by yourself, also known as proceeding *pro se*. This packet of forms and instructions is intended for divorce cases where there are no children and all property has already been divided and the parties will each pay the debts that they have incurred

### **Facts About Filing for a Divorce in Nebraska**

- In Nebraska, you or your spouse must be a resident of Nebraska for at least one year before filing your Petition for Dissolution with the court. The one exception is when you have been married less than one year, but have lived in Nebraska for the entire time of the marriage.
- You start the legal process by filing a Petition for Dissolution of Marriage with the Clerk of the District Court in the county where you or your spouse reside.
- The cost of filing a Petition for Dissolution is \$92.00. Once you file you will be given a case number for your case. This number must be on all documents filed with the court.
- If you are filing for divorce without an attorney you must complete all the forms necessary. The clerk of the court cannot assist you in preparing any legal documents, or advise you of the process. Who is to answer questions?

### **Forms and Filing**

- This packet contains the following forms: Petition for Dissolution of Marriage, Vital Statistics Certificate of Dissolution of Marriage, Voluntary Appearance, Praecipe for Summons, Notice of Hearing, and Decree of Dissolution of Marriage.
- The first document you must give the court is the Petition for Dissolution of Marriage. This is only the beginning, and you will not be divorced until a judge signs a decree of dissolution of marriage. You must pay a filing fee at the time of filing your Petition. The filing fee for a divorce is currently \$92.00. If you are unable to pay the filing fee and you have a low income, you may obtain permission from the court to have the fees waived. See the packet entitled Proceeding without Payment of Fees.
- When you file your Petition for Dissolution of Marriage with the Clerk of the Court, you must also file the fully completed Vital Statistics Certificate of Dissolution of Marriage or Annulment. If there is information requested on this form for which you do not know the answer, put "unknown" in that box on the form.

- After the petition is filed, a case number will be assigned, , and usually the name of the judge who will be hearing your case.
- **After filing the Petition for Dissolution of Marriage, your spouse must receive formal notice, often called "service," that you are asking for a divorce, and proof of that must be filed with the court. . This can be done one of the following ways:**
  - Your spouse may accept service by signing a Voluntary Appearance, the original of which must then be filed with the court.
  - You may file a Praecipe for Summons with the court and have the Sheriff in the county where your spouse lives serve the Summons and copy of the Petition for Dissolution on your spouse (If you are filing *In Forma Pauperis*, you should also attach a copy of the Order to Proceed *In Forma Pauperis* with your Praecipe so that the county will be billed for this service).
    - If your spouse is living or working in the county where the divorce is filed, the sheriff will pick up the summons and Petition and serve it upon your spouse at the address given on the Praecipe.
    - If your spouse lives in another county, or in another state, you are expected to return to the clerk and pick up the summons and Petition and send it to the sheriff in the county where your spouse is to be served. Generally the clerk will provide you with the name and address of the sheriff's department in that county. You will need to call that sheriff's department to discuss with them the payment of the cost of the service, as most expect payment up front. Once the sheriff serves your spouse, or determines that your spouse cannot be served, the sheriff will return the documents to you with what is known as a return of service. This return of service will indicate whether or not your spouse has been served. You must then file that paperwork with the clerk so that the court has a record of whether or not your spouse was served.
  - If you cannot obtain a Voluntary Appearance from your spouse nor have your spouse served by the sheriff, you may obtain permission from the court to have your spouse served by publication, which you accomplish by a motion for Alternative Service. See packet entitled Substitute Service.
- Your spouse has 30 days to file a response with the court from the time they were served.
- You must wait at least 60 days from the time your spouse is served before you can have a hearing before the judge on your Petition for Dissolution of Marriage. If you have any question about the date your spouse was served, you should contact the clerk to find that date.
- You must contact the bailiff for the judge assigned to your case to schedule your hearing.

NOTE: A lot of counties do not have "full-time" bailiffs, so this sentence should state to contact the bailiff or clerk of district court.

- Once you have been given a final hearing date you must prepare a Notice of Hearing and file the original with the court and send a copy to your spouse (unless your spouse was served by publication, in which case you need not do anything).
- You must attend the hearing and testify under oath about the issues raised in the Petition for Dissolution of Marriage. You must also prepare a Decree of Dissolution of Marriage and bring it and copy to the hearing. A sample of the testimony to be given is included in this packet and entitled "Your Divorce Hearing."
- Once you attend the hearing and testify the court will determine if you will be granted a divorce and if the Decree of Dissolution of Marriage that you prepared is sufficient. If the judge signs the decree, the divorce will not be final for 30 days, and you may not marry any one anywhere in the world for six month from the filing of the signed decree with the clerk of the District Court.

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

_____ )	NO. _____ DOC.
_____ NO. _____ Case No. )	
Petitioner, )	
vs. )	<b>PETITION FOR</b>
_____ )	<b>DISSOLUTION OF MARRIAGE</b>
Respondent. )	(No Children)

I, \_\_\_\_\_, without assistance of an attorney, ask this Court  
(Print your name here)  
for a Dissolution of Marriage. In support of my Petition, I state that the following items

are true:

1. I live at \_\_\_\_\_, in \_\_\_\_\_, \_\_\_\_\_  
(Your address) (City of residence) (County of residence)  
County, Nebraska.

2. I have been a resident of the State of Nebraska for more than one year  
prior to the filing of this Petition with a bona fide intention of making this state my  
permanent home.

3. My spouse's address is \_\_\_\_\_ in \_\_\_\_\_.  
(Spouses address) (City and State where spouse resides)

(DOB?, SSN?)

4. We were lawfully married on \_\_\_\_\_, in \_\_\_\_\_.  
(date of marriage) (City and State of marriage)

5. Neither my spouse nor I is a party to any other pending actions for  
divorce, separation or dissolution of marriage in this state or in any other state.

6. Neither my spouse nor I is a member of the Armed Forces of the United  
States or its allies, nor has either of us been ordered for induction into the same.

7. A breakdown in the marital relationship exists to the extent that the  
marriage is irretrievably broken; efforts made at reconciliation have wholly failed; further

attempts at reconciliation would be fruitless and no reasonable likelihood remains that the marriage can be preserved.

8. No child or children were born to or adopted by my spouse and I and none are expected, or all of our children are 19 or older.

9. During the course of the marriage, my spouse and I have accumulated certain items of property, which should be equitably divided between us.

10. My spouse and I have incurred certain debts and obligations during the marriage, and the liability for payment of these debts and obligations should be equitably divided between us.

11. I wish my former name, \_\_\_\_\_, to be restored to me.  
(Print former or maiden name)

WHEREFORE, Petitioner prays that the court:

- A. Order the dissolution of the marriage;
- B. Divide equitably the parties' property and our debts and obligations; and,
- C. Restore my former name to \_\_\_\_\_.  
(Print former or maiden name)

\_\_\_\_\_,  
Petitioner

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
Phone Number

Please advise the Court of any changes in address or phone number for both parties.

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

\_\_\_\_\_,

Petitioner,

vs.

\_\_\_\_\_,

Respondent.

) DOC. \_\_\_\_\_ NO. \_\_\_\_\_ Case No.

)

)

)

)

**PRAECIPE**

)

)

)

)

)

**TO THE CLERK OF SAID COURT:**

Please issue summons and serve along with a copy of the Petition for Dissolution of Marriage upon:

\_\_\_\_\_  
(Name of Spouse)

\_\_\_\_\_  
(Address where spouse to be served)

\_\_\_\_\_  
(City and State where spouse to be served)

DESIGNATED MODE OF SERVICE:  
  
PERSONAL SERVICE BY SHERIFF

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

_____ ,	)	DOC. _____ NO. _____ Case No. _____
	)	
Petitioner,	)	
	)	
vs.	)	<b>VOLUNTARY APPEARANCE</b>
	)	
_____ ,	)	
	)	
Respondent.	)	

COMES NOW Respondent and states:

1. I enter my Voluntary Appearance in the above-entitled action;
2. I acknowledge receipt of a copy of the Petition for Dissolution of Marriage as filed herein by Petitioner;
3. I waive the issuance and service of summons and I submit to the jurisdiction of the court as fully and completely as if such summons had been issued and served upon me;
4. I reserve the statutory right to demur, answer or further plead;
5. I have read this Voluntary Appearance, understands the same and executes it as my voluntary act and deed; and
6. I am not a member of the Armed Forces of the United States nor have I been ordered for induction into the same.

Dated this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State

**Note: If signed by your spouse, this must be filed with the Clerk of the District Court to commence the 60-day waiting period**



## YOUR DIVORCE HEARING

Try to arrive at your hearing at least 15 minutes before it is scheduled. Once you arrive at the courtroom for your hearing you should notify court personnel that you are there for your divorce hearing.

The court may ask to review your Decree for Dissolution of Marriage before the hearing, so have that document prepared, along with one copy.

When the court calls your case, you will be asked if you are ready to proceed. You must tell the court that you are ready and would like to testify.

You will be asked to take the stand, and you will be administered an oath to tell the truth, and asked to proceed with your case.

You must testify to the following:

1. My name is \_\_\_\_\_, and I reside at \_\_\_\_\_,  
(Your current address)  
in \_\_\_\_\_, and I am the Petitioner in this case.  
(City and State where currently living)
2. I lived in Nebraska for at least one year prior to the filing of the  
Petition.
3. I lived in \_\_\_\_\_ County, Nebraska at the time I filed my Petition.
4. I married my spouse on \_\_\_\_\_, in \_\_\_\_\_,  
(Date of marriage) (City where marriage took place)  
\_\_\_\_\_.  
(State where marriage took place)
5. My marriage is completely broken, and cannot be repaired.

**Describe why you feel the marriage is broken. Here are some examples:  
Nebraska is a no fault state**

- He was abusing alcohol and drugs, and wouldn't get help.
- She was seeing someone else, and not coming home.
- He was physically abusive, and he wouldn't stop.
- She has been gone for years, and I don't know where she is.

6. I attempted to fix the marriage. I attempted to make the marriage work.

**Describe for the court the efforts you made. Here are some examples:**

Omit

**Describe what efforts you made to repair the marriage. Here are some examples:**

Omit

- I asked him to go to counseling, but he refused.
- I asked her to come home to work things out, but she refused.
- I tried talking to him, but he wouldn't talk to me, there was a breakdown in communications.
- We separated and got back together several times, but the same problems were there.
- 

7. *I don't think anything else can be done to save my marriage.*
7. *Nothing worked and now I feel that the marriage is completely broken and that any further efforts to save the marriage would not work.*
8. *I wish this court to grant me a dissolution of my marriage.*
9. *My spouse and I have no children, and none are expected.*
10. *I am asking the court to award me all of the property that is in my possession, and that it award my spouse all of the property in my spouse's possession.*
11. *I am asking the court to order that the debts incurred by my spouse be paid by my spouse, and that I will pay the dents debts that I incurred.*
12. *My spouse is not a member of the Armed Forces.*
13. *There are no other actions pending for divorce or separation here or in any other court.*
14. *I wish my former name of \_\_\_\_\_ be restored to me.*  
(Name you wish restored)
15. *I am not requesting alimony, and I understand that in not asking for alimony, I can never receive alimony from my spouse in the future.*
16. *I understand that if this court grants me a decree of dissolution of marriage, that the decree is not final for 30 days, and that I cannot marry anywhere in the world for six months, unless my spouse dies.*
17. *I have nothing further your Honor.*

## PROCEEDING WITHOUT PAYMENT OF FEES

In order to file a case with any Nebraska court, the person filing the case must pay a filing fee at the time the case is filed. The amount of the filing fee depends on the type of case. An example is a divorce, which has a filing fee of \$83.00. \$92.00.

In addition to the filing fee, there are other costs that are associated with any court proceeding. In a divorce the spouse must be served with a summons and a copy of the petition unless the spouse has signed a voluntary appearance. In a divorce you can serve the spouse by the sheriff, or by publication if you cannot locate your spouse. The cost of service by the sheriff depends on several factors, including the distance traveled by the sheriff, and the number of times service was attempted. Typical costs range from \$20.00 to \$30.00. Publication in a local paper can cost up to \$60.00 to \$80.00.

If you cannot afford these costs Nebraska law allows you to ask the court to have the county pay your costs. In order to have the county pay for the costs in the case an affidavit, or sworn statement, must be made to the court that indicates that you are unable to pay the costs. or give security.

Enclosed in this packet is a form entitled "Affidavit and Application to Proceed *In Forma Pauperis*" and an order for the court to sign that allows you to proceed without the payment of costs.

To qualify to have all costs paid by the county, you must show to the court that you are truly incapable of paying the costs, and you have no other reasonable means to pay for such costs.

If you wish to ask the court to waive costs, you must prepare the Affidavit and Application to Proceed *In Forma Pauperis*, as well as the *In Forma Pauperis* Order, and have it with you when you go to court to file your Petition for Dissolution of Marriage.

When you go to the clerk of the court to file your case, inform the clerk that you wish to obtain a waiver of fees. The clerk should direct you to a judge who will review your Affidavit and Application to Proceed *In Forma Pauperis*. If the judge is satisfied that your request is reasonable, the order will be signed. You can now take the order back to the clerk and file your Petition for Dissolution of Marriage.

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

\_\_\_\_\_, ) DOC. \_\_\_\_\_ CASE NO. \_\_\_\_\_

Petitioner, )

vs. )

\_\_\_\_\_, )

Respondent. )

**AFFIDAVIT AND APPLICATION TO  
PROCEED IN FORMA PAUPERIS**

(Request to Proceed w/o Payment of Fees)

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

The undersigned, being first duly sworn on oath, deposes and says that:

2. I am the Petitioner in an action for Dissolution of Marriage, and I am of lawful age.

3. I bring this action in good faith; and I am entitled to redress;

5. I am unable to pay the cost of litigation, including the cost of publication, and am unable to provide security;

6. I have a net income of only \$ \_\_\_\_\_ per month, derived from \_\_\_\_\_, and I support a household of \_\_\_ people.  
(i.e. employment, public benefits, Social Security, etc.)

7. My living expenses wholly absorb my income; and I have no assets that can be liquidated.

**WHEREFORE**, pursuant to Neb. Rev. Stat. § 25-2301 to 25-2310 (Reissue 1995), I requests that the Court authorize me to proceed *in forma pauperis* and direct

\_\_\_\_\_  
(Name of county where filing) County, Nebraska, to pay my costs, including fees and other expenses related to this action and waive provision of security.

State assets with money amounts.

\_\_\_\_\_  
Signature

SUBSCRIBED AND SWORN TO before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

\_\_\_\_\_  
Notary Public

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

\_\_\_\_\_, )  
\_\_\_\_\_)  
Petitioner, )  
vs. )  
\_\_\_\_\_)  
Respondent. )

DOC. \_\_\_\_\_ CASE NO.

**IN FORMA PAUPERIS ORDER**

THIS MATTER came before the Court upon Petitioner's Affidavit and Application for an Order permitting Petitioner to commence the above-captioned action without prepayment of fees, costs and expenses, or provision of security, and for an Order directing \_\_\_\_\_ County, Nebraska, to pay Petitioner's costs, fees and other expenses related to this action.  
(Name of county where case filed)

The Court, being fully advised in the premises, finds and orders as follows:

1. Petitioner brings this action for dissolution of marriage in good faith.
2. Petitioner cannot commence the above-captioned action if required to prepay fees, costs and expenses, or provide security.
3. Petitioner is without adequate income or resources to pay such costs, fees and expenses, or to provide security.
4. Pursuant to Neb. Rev. Stat. § 25-2301 to 25-2310 (Reissue 1995 and R.S Supp., 2000), such costs, fees and expenses may be paid by the County in which the action is filed.
5. The Clerk of the District Court of \_\_\_\_\_ County, Nebraska,  
(Name of county where case filed) shall permit Petitioner's action without prepayment of fees, costs and expenses, or

provision of security.

6. The responsible officer of the Court shall issue and serve all writs, process and proceedings without cost to Petitioner.

7. \_\_\_\_\_ County, Nebraska, shall initially pay costs, including  
(Name of county where case filed)  
the cost of publication, and other expenses related to this action. such fees.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

BY THE COURT:

\_\_\_\_\_  
District Court Judge

## SUBSTITUTE SERVICE

In a Divorce proceeding, it is necessary to have your spouse served with a summons and a copy of the Petition for Dissolution of Marriage. In the event that the sheriff cannot personally serve your spouse, the law allows you to serve your spouse by substitute service using one of two alternate methods. This can be done two different ways, both of which require permission of the court. You can serve your spouse by having the sheriff leave the summons at the last known residence of your spouse along with sending a copy by first class mail, **or** by publishing a notice of the divorce in a newspaper of general circulation, commonly called service by publication.

Before requesting that the court allow alternative service on your spouse, you must make every reasonable effort to determine where your spouse is residing or working, and that any previous effort to have your spouse served at his or her home or job as has failed. If these things are true, then you must be the matter of alternative service to the attention of the court, as described in the next paragraph.

To bring the issue of alternative service before the court you must file a motion and affidavit for alternative service. The affidavit attached to the motion must be signed before a **notary public**. You must take the motion, along with two copies of the prepared order and ask to see the judge, or leave the paperwork with the judge's bailiff (See attached motion for Alternative Service and the Order for Alternative Service). If you leave the motion and order with the bailiff, you must return and pick up your copy of the order from the bailiff.

**RESIDENCE SERVICE:** If the judge has signed the order granting residence service, you must prepare a praecipe (see attached Praecipe) and attach to the praecipe two copies of your Petition for Dissolution of Marriage, and file this with the clerk of the court. The clerk will prepare a summons and attach one to each of the two copies of the Petition for Dissolution of Marriage.

**THE FIRST COPY:** If your spouse's last known residence is in the same county as where the case is filed, the sheriff will pick up one copy of the summons and Petition for Dissolution of Marriage, and will serve your spouse by leaving it at the last known residence. You must determine the sheriff's charges prior to filing your praecipe with the clerk and attach a check or money order to the praecipe, unless you are proceeding in forma pauperis. Once the service has been completed, the sheriff will file with the clerk's office proof that service was completed, which is known as the sheriff's "return."

If your spouse does not reside in the same county, you must pick up both copies of the summons and Petition for Dissolution of Marriage from the clerk's office, and mail one to the sheriff in the county where your spouse resides, along with a check or money order for the sheriff's charges. Once your spouse is served, the sheriff will return the paperwork to you that indicates that service was completed. **As soon as you receive this paperwork back from the sheriff you must take it to the clerk of the court and**



**ask that it be filed. Your failure file the sheriff 's return will prevent you from getting your divorce.**

**THE SECOND COPY:** You must send the second copy to your spouse at the last known address by first-class mail. After you have mailed it, you must file proof of mailing with the clerk (See form Proof of Mailing), and must send your spouse a copy of the Proof of Mailing.

When this type of service is used, your spouse is not considered served until the sheriff has left the summons at your spouse's last known address **and** you have sent the second copy to your spouse as outlined above **and** the Proof of Mailing has been filed with the clerk. When all of these steps are completed, the 60-day waiting period before you can actually go to court and get your divorce begins.

**SERVICE BY PUBLICATION:** If you have no idea where your spouse is located and you know that the last known residence is not where your spouse lives, the court will most likely order alternative service by publication. If you have been given an order for service by publication, a notice of the divorce proceedings (see attached) must be published once a week for four consecutive weeks in a newspaper printed in the county where the divorce is filed. You must contact the newspaper to determine the cost for publication and provide that amount, along with the notice. Your 60-day waiting period does not begin to run until the last date of publication.

If you are a low-income person, and cannot afford the costs of service by the sheriff or of the cost of publication, you may file a request with the court that you be allowed to proceed without the payment of costs, also known as *In Forma Pauperis* (see enclosed packet on Proceeding Without Payment of Costs). If you are granted the right to proceed without costs, the county is required to pay for your costs, including publication. If you have obtained an order from the court allowing you to proceed without the payment of costs you should talk to the clerk about obtaining payment for these costs.

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

_____ ,	)	DOC. _____ CASE NO. _____
	)	
Petitioner,	)	
	)	
vs.	)	<b>MOTION FOR SUBSTITUTE SERVICE</b>
	)	
_____ ,	)	
	)	
Respondent.	)	

COMES NOW Petitioner \_\_\_\_\_ and moves this court  
(Your name)  
for an order allowing substitute service on the Respondent for the reason that service cannot be made with reasonable diligence by personal service. Petitioner submits the attached Affidavit in support of this Motion and incorporates it herein as if fully set forth.

WHEREFORE, Petitioner moves this court for an order for alternative service and further relief as the court may deem suitable and just.

Petitioner,

\_\_\_\_\_  
(Your Signature)

\_\_\_\_\_  
(Your Address)

\_\_\_\_\_  
(City and State)

\_\_\_\_\_  
(Your Phone Number)

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

\_\_\_\_\_, ) DOC. \_\_\_\_\_ CASE NO. \_\_\_\_\_  
 )  
 Petitioner, )  
 )  
 vs. ) **AFFIDAVIT IN SUPPORT OF**  
 ) **MOTION FOR SUBSTITUTE SERVICE**  
 )  
 \_\_\_\_\_, )  
 )  
 Respondent. )

State of Nebraska )  
 ) ss:  
 County of \_\_\_\_\_ )

I, \_\_\_\_\_, being duly sworn under oath, deposes and says:  
 (Your Name)

1. I am the Petitioner in a Petition for Dissolution of Marriage that has been filed in this court.

2. I am unable to serve my spouse with a summons and Petition for Dissolution of Marriage because my spouse cannot be located at his or her last known residence for receiving a summons in this case.

3. I believe that my spouse is avoiding service in this case, and that my spouse's last known address of \_\_\_\_\_ in \_\_\_\_\_ is a good address for service.  
 ( Your spouse's address) (Spouse's city and state)

3. I have no idea where my spouse can be located. I have tried to contact my spouse's family and or friends, but have been unable to locate my spouse. Is this always true?

4. I know of no other way to locate my spouse, but wish to proceed on my  
Petition for Dissolution of Marriage.

\_\_\_\_\_  
(Your signature)

\_\_\_\_\_  
(Your printed name)

\_\_\_\_\_  
(Your address)

\_\_\_\_\_  
(City and State)

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Notary Public

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

_____,	)	DOC. _____ CASE NO. _____
	)	
Petitioner,	)	
	)	
vs.	)	<b>ORDER FOR SUBSTITUTE SERVICE</b>
	)	
_____,	)	
	)	
Respondent.	)	

This matter having come before the court on Petitioner's Motion for Substitute Service, the court finds that Petitioner is entitled to the relief sought by Petitioner's motion.

IT IS THEREFORE ORDERED that the notice of the pendency of this action shall be given by:

Leaving the summons along with a copy of the Petition for Dissolution of Marriage at Respondent's last known address and by mailing a copy of the same to Respondent's last known address by first-class mail

or

Publishing notice in a newspaper of general circulation in this county for the time period required by statute.

Date: \_\_\_\_\_

\_\_\_\_\_  
District Court Judge

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

\_\_\_\_\_, ) CASE NO. \_\_\_\_\_

Petitioner,

vs.

**PROOF OF MAILING**

\_\_\_\_\_, )

Respondent. )

I, \_\_\_\_\_, Petitioner in the above-entitled cause of action  
(Your name)  
state that I have mailed a copy of the summons and the Petition for Dissolution of  
Marriage to my spouse \_\_\_\_\_, at the following address  
(Your spouse's name)  
\_\_\_\_\_ in \_\_\_\_\_ on the  
(Your spouse's address) (Your spouse's City and State)  
\_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Petitioner,

\_\_\_\_\_  
(Your Signature)

\_\_\_\_\_  
(Your Address)

\_\_\_\_\_  
(City and State)

\_\_\_\_\_  
(Your Phone Number)

**CERTIFICATE OF SERVICE**

I, Petitioner in the above cause of action, certify that I sent a true copy of the  
foregoing Proof of Mailing to my spouse at the address listed above on the \_\_\_ day of  
\_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
(Your Signatuer)

**NOTICE OF DIVORCE PROCEEDING**

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA

TO: \_\_\_\_\_, whose whereabouts are unknown upon whom personal  
(Your spouse's name)  
service of summons cannot be had, and is the Respondent in said proceedings:

You are notified that on the \_\_\_\_\_, 200\_\_, Petitioner  
(Date you filed your petition)

\_\_\_\_\_ filed a Petition against you in the District Court of \_\_\_\_\_  
(Your Name ) (County where case filed)

County, Nebraska at Docket \_\_\_\_\_ Page \_\_\_\_\_, the object of which is to obtain a  
(divorce case file number given by clerk)

dissolution of marriage on the grounds that the marriage is irretrievably broken and for an equitable division of the property, among other things.

You are required to answer said Petition on or before \_\_\_\_\_,  
(to be filled in by publisher)  
200\_\_, or said Petition against you will be taken as true.

\_\_\_\_\_  
(Your printed name)

\_\_\_\_\_  
(Your address)

\_\_\_\_\_  
(City and State)