

INSTRUCTIONS FOR YOUR DIVORCE HEARING (WITH CHILD(REN))

Arrive at your hearing at least 15 minutes before your hearing is scheduled. Once you arrive for your hearing, you should ask the clerk of the district court how to let the judge know that you are there for your divorce hearing.

Be sure to bring two copies each of the following completed forms to your divorce hearing:

- Decree for Dissolution of Marriage
- Parenting Plan
- Financial Affidavit for Child Support
- This script

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. Before beginning your testimony, tell the judge you would like to have the court reporter mark the Financial Affidavit for Child Support as an exhibit. The judge will have you take the financial affidavit to the court reporter, who will then put a sticker with a number on the affidavit. When the court reporter has finished, take the affidavit to the judge and say, "Your Honor, I offer exhibit number _____ (the number given to the exhibit by the court reporter) into evidence."

You will be asked to take the stand, and the court will give you an oath to tell the truth. You are then ready to go forward with your case.

You must testify to the following:

1. *My name is _____, and I reside at _____,*
(your full name) (your street address: if confidential under Nebraska or Federal law, enter county and state only and provide an alternative address for mailing of notice)
in _____, and I am the plaintiff in this case.
(city, county, and state where you live)
2. *I have (or my spouse has) lived in Nebraska for at least 1 year before I filed the complaint in this case.*
3. *I (or my spouse) lived in _____ County, Nebraska, at the time I filed the complaint in this case.*
(county where Complaint filed)
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.*

6. *I attempted to make the marriage work.*
7. *I do not think anything else can be done to save my marriage.*
8. *I wish this Court to grant me a dissolution of my marriage.*
9. *My spouse and I have _____ children. The children's full names and*
(number of children)
year of birth are:

_____	_____
<small>(name of child)</small>	<small>(child's year of birth)</small>
_____	_____
<small>(name of child)</small>	<small>(child's year of birth)</small>
_____	_____
<small>(name of child)</small>	<small>(child's year of birth)</small>
_____	_____
<small>(name of child)</small>	<small>(child's year of birth)</small>

10. You must say one of the following (either A. or B.):

A. *My spouse and I have agreed that:* (select one of the following options)

- _____ *will have sole legal and sole physical*
("I" or "my spouse")
custody of the children.
- *My spouse and I will have joint legal custody of the child(ren),*
and _____ will have sole physical custody of the
("I" or "my spouse")
child(ren).
- *My spouse and I will have joint legal and joint physical*
custody of the child(ren).

OR

B. *My spouse has not contacted me and I am asking the court to award me sole legal custody and sole physical custody of the child(ren).*

11. You must say one of the following (either A., B., or C.):

A. *The defendant and I have developed a parenting plan that I have attached to the decree. I ask the court to approve it.*

OR

B. *The defendant and I have not developed a parenting plan. I request that the court create a parenting plan.*

OR

C. *The defendant has not cooperated in developing a parenting plan. I ask the court to approve the Parenting Plan, Absent Parent that I have attached to the decree.*

12. _____ *not pregnant.*
(“I am” or “my spouse is”)

13. *I am asking the court to use the Financial Affidavit for Child Support to calculate the amount of child support _____ must pay.*
(“I” or “my spouse”)

14. *(Optional)*

You may say one of the following:

1. *I am requesting an abatement of child support of _____ % for the month(s) of _____.*

OR

2. *The defendant and I have agreed that _____ will have an abatement of child support of _____ % for the month(s) of _____.*
(“I” or “my spouse”)

15. *Neither my spouse nor I own any real estate or an interest in any real estate.*

16. *Neither my spouse nor I own an interest in any retirement accounts or plans.*

17. *I am asking that the court award me all of the personal property in my possession and that the court award my spouse all of the personal property in my spouse’s possession.*

18. *I am asking that the court order the debts incurred by my spouse be paid by my spouse and that the court order me to pay the debts that I incurred.*

19. *My spouse is not a member of the Armed Forces of the United States or its allies.*

20. *There are no other actions pending for divorce or separation here or in any other court.*

21. *(Optional)*

I wish my former name of _____ be restored to me.
(print former or maiden name including first, middle, and last names)

22. *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.*
23. *I understand that if this court grants me a Decree of Dissolution of Marriage, the decree is not final for 30 days, and I cannot marry anyone anywhere in the world for 6 (six) months from the day after the decree is signed and filed with the clerk's office, unless my spouse dies.*
24. *I have nothing further your Honor.*