

# District Court of Tulsa County

## Family Court Instruction Packet: *Dissolution of Marriage, Legal Separation, or Paternity Determination without minor children.*

This Instruction Packet is for parties **without** minor children involved. Please refer to the back of this sheet for more detailed information.

### The person filing for divorce (Petitioner) must serve the other party (Respondent) a copy of the following:

1. Summons;
2. Petition for Dissolution of Marriage, Legal Separation, or Paternity;
3. This Instruction Packet.

### Ways to serve the Respondent:

- **Certified Mail** sent by the Family Relations Court Clerk – the green card returned by the Post Office must be signed and filed to show proof of service, **or**
- **Sheriff's Department** – the Sheriff's Department will file a return of service, **or**
- **Private Process Server** – the Private Process Server will file a return of service, **or**
- A **Waiver of Service** can be signed by the Respondent and filed. The Respondent **MUST** wait 24 hours after the Petition is filed before the waiver can be signed and filed.

### Both parties **MUST**:

- Exchange Temporary Order Financial Declaration form;
- Exchange insurance information;
- Show proof of bankruptcy. *See detailed information on back.*

### If both parties **AGREE** or do not contest:

- If the Respondent signs a **Waiver of Service**, the Petitioner may request an Agreed Dissolution/Legal Separation on or after the 11<sup>th</sup> day of filing the petition;
- If the Respondent is served and does **NOT** file a response within 20 days, the Petitioner may request a Default Dissolution/Legal Separation on or after the 21<sup>st</sup> day of filing the petition.

**The following documents are attached to this Instruction Packet:**

1. Temporary Order Financial Declaration form;
2. Local Rule DR 5.

**Information if both parties AGREE or do not Contest:**

1. The Petitioner MUST wait the appropriate time frame from the time the petition or waiver was filed;
2. The Petitioner can then go to the Family Relations counter on the second floor any day of the week at 12:00pm (noon) and ask for an Agreed or Default Divorce - the Family Relations Court Clerk will direct the Petitioner to Judge Mark Barcus in courtroom 605;
3. If parties do not have an attorney, they will meet with the Family Resource Coordinator before they see the Judge:
  - a. The Family Resource Coordinator will assist the Judge, using a check list to sort self-represented litigant paperwork;
  - b. If the paperwork is in order, the parties may see the Judge.
4. The following documentation is required (one original and two copies):
  - a. Dissolution of Marriage (signed by both parties if necessary);
  - b. Bankruptcy paperwork (only if either party filed bankruptcy in the last 6 years) that shows:
    - i. Bankruptcy has been DISCHARGED and;
    - ii. The case is CLOSED (these are two different documents).

**The Family Resource Coordinator:**

1. Located in room 607 of the Tulsa County Courthouse and can be reached by calling (918) 596-5325;
2. Available to help self-represented litigants through this process and provide information regarding community resources;
3. **CANNOT provide legal advice. For legal assistance, please contact an attorney.**

IN THE DISTRICT COURT IN AND FOR THE STATE OF OKLAHOMA, COUNTY OF TULSA

_____	)	
<b>Petitioner,</b>	)	
	)	<b>Case No.</b> _____
<b>and</b>	)	
	)	<b>Judge</b> _____
_____	)	
<b>Respondent.</b>	)	

**TEMPORARY ORDER FINANCIAL DECLARATION**

Name: \_\_\_\_\_  Petitioner  Respondent

Address: \_\_\_\_\_  
\_\_\_\_\_

Employer: \_\_\_\_\_

**INCOME:**

Salary and wages (please attach copies of pay check stubs for the last 3 months):  
 If paid weekly multiply by 4.3 to get monthly income; If paid every other week multiply by 2.15. \_\_\_\_\_

Pension or retirement: \_\_\_\_\_

Social Security: \_\_\_\_\_

Disability and unemployment: \_\_\_\_\_

Public assistance (monthly payments only): \_\_\_\_\_

Support from previous marriage: \_\_\_\_\_

Rental income: \_\_\_\_\_

Any other sources of regular income (dividends, oil royalties, interest, etc.): \_\_\_\_\_

**DEDUCTIONS FROM INCOME:**

Federal taxes (please attach a copy of the most recent federal tax return): \_\_\_\_\_

State taxes: \_\_\_\_\_

Social Security: \_\_\_\_\_

Other (please specify): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Total Net Income:** \$ \_\_\_\_\_

**EXPENSES:**

Monthly recurring expenses – list names of all people for whom these expenses are incurred:

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Rent or mortgage (list actual expense at time of hearing): \_\_\_\_\_

Food and household supplies: \_\_\_\_\_

Utilities (water, electricity, gas: average over last 12 months): \_\_\_\_\_

Telephone: \_\_\_\_\_

Laundry and cleaning: \_\_\_\_\_

Clothing: \_\_\_\_\_

Medical (only amounts NOT covered by insurance): \_\_\_\_\_

Dental (only amounts NOT covered by insurance): \_\_\_\_\_

Insurance (specify type and premiums paid monthly): \_\_\_\_\_

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Child care (state number of children): \_\_\_\_\_

Payment of alimony or child support (only include if currently paying): \_\_\_\_\_

Children's school expenses: \_\_\_\_\_

Entertainment: \_\_\_\_\_

Auto payment: \_\_\_\_\_

Auto expense (gas, oil): \_\_\_\_\_

Installment payments (charge cards, department stores, etc.): \_\_\_\_\_

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**Total Expenses:** \$ \_\_\_\_\_

**Total Net Income:** \$ \_\_\_\_\_

**– Total Expenses:** \$ \_\_\_\_\_

**Balance:** \$ \_\_\_\_\_

Known expenses coming due in the next 90 days (insurance, car tags, demand notes, taxes, etc.)

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**ATTACH COPIES OF PAY CHECK STUBS FOR THE LAST 3 MONTHS  
AND A COPY OF THE MOST RECENT FEDERAL TAX RETURN.**

## **RULE DR 5. Discovery**

1. Within twenty (20) days of the date of service of summons or no later than 48 hours before the temporary order hearing, whichever is earlier, both parties shall exchange copies of the following documents:
  - a. An accurate and provable statement of the parties' gross monthly income from all sources for ninety (90) days preceding the date of service including, but not limited to, pay check stubs.
  - b. Complete tax returns for three (3) years prior to date of service;
  - c. An accurate and provable statement of monthly employment-related child care expenses;
  - d. Evidence of medical insurance coverage and premium cost;
  - e. An accurate and provable list of marital debts, stating the purpose of the debt and the amount of monthly payments for all existing debts and obligations; and
  - f. An accurate and provable list of monthly living expenses.
2. All additional discovery shall be commenced within forty-five (45) days of the date of service of summons or notice of hearing, absent agreement of the parties or an order of the Court.