

DISSOLUTION ACTION

PROPERTY AND DEBT DIVISION – INSTRUCTIONS

FINDINGS OF FACT AND CONCLUSIONS OF LAW (WPF DR 04.0300):

List all of the property.

- If you and your spouse bought something during the marriage, it generally is community property and goes under paragraph **2.8 Community Property**.
- If the property was brought into the marriage and the other party's name is not on the title, such as a house, or land, or a car then list the property under separate property for the party who brought the property into the marriage paragraph **2.9 Separate Property** ("*The Petitioner has the following real or personal separate property:*" or "*The Respondent has the following real or personal separate property:*").

Note: This is not the document where you decide who gets to keep the property; it is just a list of the property.

List all debts, whether incurred by you or your spouse.

- If you and your spouse incurred a debt during the marriage, generally it is categorized as a community debt and listed under the community debt section, paragraph **2.10 Community Liabilities**.

Note: This is not the document where you decide who has to pay the debt; it is just the list of the debts.

- If you or your spouse incurred a debt before the marriage and the debt still exists, or if you or your spouse incurred a debt following your separation, then that debt is generally categorized as a separate debt and listed under the separate debt section for the party who incurred it, paragraph **2.11 Separate Liabilities**.

DECREE OF DISSOLUTION (WPF DR 04.0400):

This is the form used to say which party gets which property or which has to pay which debts; use the information from the *Findings of Fact and Conclusions of Law*, paragraphs **2.8 Community Property**, **2.9 Separate Property**, **2.10 Community Liabilities**, and **2.11 Separate Liabilities**.

ALL of the property and debts listed in the *Findings of Fact and Conclusions of Law* must be distributed or awarded to the petitioner or respondent. If the property or debt was separate property or separate debt, as noted in the *Findings of Fact and Conclusions of Laws*, then list the property or debt as appropriate in the *Decree of Dissolution* under the following paragraphs: **3.2 Property to be Awarded the Petitioner**, **3.3 Property to be Awarded to the Respondent**, **3.4 Liabilities to be Paid by the Petitioner**, and **3.5 Liabilities to be Paid by the Respondent**.

To avoid delays, have your spouse sign the FINDINGS OF FACT AND CONCLUSIONS OF LAW and the DECREE OF DISSOLUTION if at all possible!

IF YOU FAIL:

- (1) TO FULLY COMPLETE THE LIST OF PROPERTY/DEBTS IN THE FINDINGS OF FACT AND CONCLUSIONS OF LAW, or
- (2) TO DISTRIBUTE ALL THE PROPERTY/DEBTS IN THE DECREE OF DISSOLUTION

THE JUDGE MAY NOT SIGN YOUR FINAL PAPERS AND MAY NOT DISSOLVE YOUR MARRIAGE UNTIL THE PROPERTY AND DEBT LIST AND DISTRIBUTION IS CORRECTLY DONE.

YOU MAY HAVE TO RESCHEDULE YOUR HEARING DATE UNTIL THIS DONE.

IMPORTANT: This information is intended for informational purposes only and under no circumstances should it be considered legal advice or relied upon without first confirming its content with your attorney.