

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
FAMILY COURT DIVISION
AT KANSAS CITY INDEPENDENCE**

IN RE THE MARRIAGE OF:

_____,)
Petitioner)
and) Case No. _____
_____))
Respondent.)

**AFFIDAVIT OF PETITIONER RESPONDENT REQUESTING
DISSOLUTION OF MARRIAGE PURSUANT TO RULE 68.3.1**

Petitioner Respondent upon his her oath submits the following affidavit pursuant to Circuit Court Rule 68.3.1, to form a basis for the court's entering judgment in this case upon affidavit and without the necessity of a formal hearing.

1. The petition in this case was filed on _____. (insert date)
2. Respondent was served with summons in this case on _____. (insert date)
 filed a verified entry of appearance on _____. (insert date)
 filed a responsive pleading on _____. (insert date)
3. Petitioner Respondent is and has been a resident of the State of Missouri for more than ninety days immediately preceding the filing of the petition in this case.
4. Both parties are over eighteen years of age.
5. At the time of filing, Petitioner resided at _____
(street address, city, state, zip code), in _____ County, Missouri.
6. At the time of filing, Respondent resided at _____
(street address, city, state, zip code), in _____ County, _____.
7. Petitioner's social security number is _____.
8. Respondent's social security number is _____.

(Check appropriate boxes. Strike inapplicable language if necessary from sections you have checked. Add additional pages if necessary)

9. Petitioner is represented by _____ (name)
(complete office address) _____
 is not represented by an attorney.
10. Respondent is represented by _____ (name)
(complete office address) _____
 is not represented by an attorney.
11. Petitioner is employed at _____ (full name of
employer) located at _____
(street address, city, state, zip code)
 is unemployed.
12. Respondent is employed at _____ (full name of
employer) located at _____
(street address, city, state, zip code)
 is unemployed.
13. Petitioner's Respondent's Statement of Income and Expenses (Form 1402B) and
Statement of Marital and Nonmarital Assets and Debts (Form 1402A) are attached to this affidavit
and incorporated herein by reference.
14. Petitioner and Respondent were married on _____ (date) at
_____ (city, state). The marriage was recorded in the
County of _____, State of _____.
15. Petitioner and Respondent separated on or about _____.
16. Petitioner Respondent believes that there is no reasonable likelihood that the marriage of
Petitioner and Respondent can be preserved and, therefore, believes that the marriage is
irretrievably broken.
17. Petitioner is not on active duty with the Armed Forces of the United States of America or its allies.
18. Respondent is not on active duty with the Armed Forces of the United States of America or its allies.
19. Petitioner Respondent is not pregnant.
20. There is no nonmarital property.

(Check appropriate boxes. Strike inapplicable language if necessary from sections you have checked. Add additional pages if necessary)

- There is no marital property to be divided.
- The parties have entered into a written agreement for the division of their property which includes all assets and debts and identifies and divides the marital property and debts and sets apart to each party his or her nonmarital property. This agreement is attached to this affidavit and incorporated herein by reference.

21. Petitioner and Respondent both waive any claim for spousal maintenance from the other. Petitioner and Respondent acknowledge that this waiver precludes the court from subsequently ordering spousal maintenance.

Petitioner and Respondent have agreed that spousal maintenance in the amount of \$ _____ per month for _____ months, commencing on _____, paid by

Petitioner Respondent to Respondent Petitioner is appropriate, which maintenance shall be modifiable not modifiable, and ask that the court incorporate this agreed upon spousal maintenance in the judgment of dissolution.

22. Petitioner Respondent is unaware of any genuine issue as to any material fact in this proceeding.

23. Petitioner Respondent requests that her former name of _____ be restored to her and states that there is no fraud in connection with this request.

24. There were no child[ren] born or adopted during the marriage. **(Complete the remaining sections if there are child[ren] of the parties to this action.)**

The child[ren] born or adopted during the marriage are: _____

<u>Name:</u>	<u>Date of Birth:</u>	<u>Date & Court of Adoption:</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

The following child[ren] are emancipated by reason of age, marriage, entry in the military or nonattendance at a school of higher education and are not physically or mentally incapacitated.

<u>Name:</u>	<u>Date of Birth:</u>
1. _____	_____
2. _____	_____

(Check appropriate boxes. Strike inapplicable language if necessary from sections you have checked. Add additional pages if necessary)

25. The child[ren] lived with Petitioner Respondent at _____
_____ (street address, city, state), for six months
immediately preceding the filing of this petition.

26. The Petitioner Respondent has not participated in any capacity in any other litigation concerning the custody of the child[ren] in this or any other state. Petitioner Respondent has no information of any custody proceeding concerning the child[ren] pending in this court or a court of any other state, and knows of no person not a party to these proceedings who has physical custody of the child[ren] or who claims to have custody or visitation rights with the child[ren].

27. Petitioner and Respondent have entered into a custody agreement which is attached and incorporated herein by reference. Petitioner and Respondent request that the court incorporate the terms of the custody agreement in the judgment of dissolution.

28. Attached hereto is a child support worksheet (Form 14) which has been agreed to by both parties. Petitioner Respondent attests to the truth of the contents of the child support worksheet.

29. The parties agree that the amount of support calculated by the Child Support Guidelines is unjust and inappropriate and agree that Petitioner Respondent shall pay \$ _____ per month per child for a total of \$ _____ per month child support. Reasons for deviation from Form 14 child support calculation are: _____
_____.

30. The child support rights have have not been assigned to the State of Missouri

31. Costs paid by Respondent Petitioner.

Signature: _____

Printed Name: _____

PETITIONER

RESPONDENT

(Check appropriate boxes. Strike inapplicable language if necessary from sections you have checked. Add additional pages if necessary)

STATE OF MISSOURI)
COUNTY OF JACKSON)

Personally appeared before me on _____, who upon being sworn stated that the foregoing statements were true and accurate to the best of his her knowledge and belief.

Notary Public

CERTIFICATE OF MAILING

I hereby certify that a copy of the foregoing was mailed on the _____ day of _____ by U.S. Mail, postage prepaid to: Respondent Petitioner.

(*Check appropriate boxes. Strike inapplicable language if necessary from sections you have checked. Add additional pages if necessary.)

Form 1499

(Check appropriate boxes. Strike inapplicable language if necessary from sections you have checked. Add additional pages if necessary)

Form 1499 Adopted by Court en Banc 9/27/96
Effective 10/27/96