

518.195 SUMMARY DISSOLUTION PROCESS.

Subdivision 1. **Criteria.** A couple desirous of dissolving their marriage may use the streamlined procedure in this section if:

- (1) no living minor children have been born to or adopted by the parties before or during the marriage, unless someone other than the husband has been adjudicated the father;
- (2) the wife is not pregnant;
- (3) they have been married fewer than eight years as of the date they file their joint declaration;
- (4) neither party owns any real estate;
- (5) there are no unpaid debts in excess of \$8,000 incurred by either or both of the parties during the marriage, excluding encumbrances on automobiles;
- (6) the total fair market value of the marital assets does not exceed \$25,000, including net equity on automobiles;
- (7) neither party has nonmarital assets in excess of \$25,000; and
- (8) neither party has been a victim of domestic abuse by the other.

Subd. 2. **Procedure.** A couple qualifying under all of the criteria in subdivision 1, may obtain a judgment and decree by:

- (1) filing a sworn joint declaration, on which both of their signatures must be notarized, containing or appending the following information:
 - (i) the demographic data required in section 518.10;
 - (ii) verifying the qualifications set forth in subdivision 1;
 - (iii) listing each party's nonmarital property;
 - (iv) setting forth how the marital assets and debts will be apportioned;
 - (v) verifying both parties' income and preserving their rights to spousal maintenance; and
 - (vi) certifying that there has been no domestic abuse of one party by the other; and
- (2) viewing any introductory and summary process educational videotapes, if then available from the court, and certifying that they watched any such tapes within the 30 days preceding the filing of the joint declaration.

The district court administrator shall enter a decree of dissolution 30 days after the filing of the joint declaration if the parties meet the statutory qualifications and have complied with the procedural requirements of this subdivision.

Subd. 3. **Forms.** The state court administrator shall develop simplified forms and instructions for the summary process. District court administrators shall make the forms for the summary process available upon request and shall accept joint declarations for filing on and after July 1, 1997.

Subd. 4. [Repealed by amendment, 1997 c 245 art 2 s 5]

History: 1991 c 271 s 5,9; 1996 c 408 art 11 s 9; 1997 c 245 art 2 s 5; 1999 c 37 s 1