

IN THE _____ CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

Plaintiff [NAME (First, Middle, Last) OF SPOUSE FILING THE DIVORCE]

vs.

Docket No: _____

Defendant [NAME (First, Middle, Last) OF THE OTHER SPOUSE]

Divorce Agreement
[Marital Dissolution Agreement]

This form explains how you and your spouse will divide your property and debts.
You must file this form with your *Complaint for Divorce* (FORM 1).

Warning! Divorce cases can be hard.
It is always good to talk with a lawyer – if possible.
For information on how to get legal help, call 1-844-Help4TN (1-844-435-7486).

Check “yes” or “no” for each question below.

Does one or more of the children born while you were married have a different birth father?

Yes No

Does somebody else have a Court Order giving them custody or visitation of the children?

Yes No

Is a spouse pregnant?

Yes No

Does either spouse have a pension or retirement plan? This includes any retirement except Social Security. If you have any questions, see a lawyer.

Yes No

Does either spouse own a business?

Yes No

Does either spouse have real property (real property is houses, land, mobile homes that are permanently attached to the ground, condominiums, and cooperatives).

Yes No

If you checked “**YES**” for any of the above questions, **you cannot use these forms. Please talk to a lawyer!**

Do you and your spouse agree on everything in the Parenting Plan?

Yes No

If you checked “**NO**” for the above question, **you cannot use these forms. Please talk to a lawyer!**

PLAINTIFF: Initials _____ Date Signed _____ DEFENDANT: Initials _____ Date Signed _____



We promise the Court that (check **Yes** or **No** for each box):

1. We are the Plaintiff and Defendant listed above. We are filing a *Complaint for Divorce* in the county and Court listed above. We can no longer get along as spouses. We understand our marriage rights and duties. We want to get an agreed divorce.

Yes No

2. We agree on everything in the Complaint for Divorce. The complaint for Divorce does not have to be served, and there is no need to file an *Answer*.

Yes No

3. Each of us has read this whole *Divorce Agreement*. We agree it is fair. We agree that each of us has told the other all information on assets and/or debts that we each have. We understand that the *Divorce Agreement* will become part of our *Final Decree of Divorce*.

Yes No

4. My spouse and I have children together who are under 18, in high school, or disabled.

Yes No

Children together means children you had together that were born before your marriage AND all children born or adopted during the marriage. This includes all children either spouse had during the marriage. The Court can decide issues about each child under age 18, in high school, or disabled.

5. We have entered into a *Permanent Parenting Plan*. It is attached and part of this *Divorce Agreement*. We agree the *Plan* is in the best interest of the children. We understand the Court will make the final decision about parenting issues.

Yes No

6. No one made us sign this *Agreement*. We will sign any other papers needed to carry out this *Agreement*.

Yes No

7. Neither spouse **is** pregnant.

Yes No

8. We agree that this *Complaint for Divorce* will take effect only if the Court finds it fairly divides our assets and debts and fully provides for the care and support of our children and if the Court grants a divorce.

Yes No

If you checked "NO" on any box, you cannot use any of these forms to file a divorce. If you have any questions about the Complaint for Divorce, or about what might happen if either of you change your mind, you need to speak with a lawyer before signing it.

PLAINTIFF: Initials _____ Date Signed _____ DEFENDANT: Initials _____ Date Signed _____



Plaintiff's Personal Property

The **Plaintiff** will own the following property:

a. Vehicles (cars, motorcycles, trucks, boats, etc.)

Vehicle 1	Year	Make	Model	VIN #
Vehicle 2	Year	Make	Model	VIN #
Vehicle 3	Year	Make	Model	VIN #
Vehicle 4	Year	Make	Model	VIN #

b. Other personal property (bank accounts, cash, furniture, jewelry, etc.) – **NOT** houses or land:

Type of Account	Bank or Financial Institution	Account # (last 4 digits)	Account Balance
Checking Account			\$
Savings Account			\$
Money Market Acct			\$
Other Account			\$
Other Account			\$

Describe other personal property: _____

c. All personal property the Plaintiff has now is his/hers.

If you need more lines, please copy this page and make sure it is included when you file this form.

PLAINTIFF: Initials _____ Date Signed _____ DEFENDANT: Initials _____ Date Signed _____

Defendant's Personal Property

The **Defendant** will own the following property:

a. Vehicles (cars, motorcycles, trucks, boats, etc.)

Vehicle 1	Year	Make	Model	VIN #
Vehicle 2	Year	Make	Model	VIN #
Vehicle 3	Year	Make	Model	VIN #
Vehicle 4	Year	Make	Model	VIN #

b. Other personal property (bank accounts, cash, furniture, jewelry, etc.) – **NOT** houses or land:

Type of Account	Bank or Financial Institution	Account # (last 4 digits)	Account Balance
Checking Account			\$
Savings Account			\$
Money Market Acct			\$
Other Account			\$
Other Account			\$

Describe other personal property: _____

c. All personal property the Defendant has now is his/hers.

If you need more lines, please copy this page and make sure it is included when you file this form.

PLAINTIFF: Initials _____ Date Signed _____ DEFENDANT: Initials _____ Date Signed _____

Debt

Notice: The *Final Decree of Divorce* does not necessarily affect the ability of a creditor to proceed against a party or a party's property, even though the party is not responsible under the terms of the *Decree* for an account, any debt associated with an account, or any debt. It may be in a party's best interest to cancel, close or freeze any jointly-held accounts. *T.C.A. §36-4-134*

What this means: This Order does not protect you against creditors. They may try to collect from you, even if your spouse is supposed to pay the debt. It may be best to cancel, close, or freeze any accounts you have together.

Plaintiff will pay all debt s/he has made since separating from the other spouse and will also pay the following debts:

LIST ALL LOANS, INCLUDING CAR NOTES, CREDIT CARDS, CASH ADVANCE DEBTS	NAME OF CREDITOR (person or company you owe)	ACCOUNT NUMBER (last 4 digits)	NAME ON THE ACCOUNT	AMOUNT STILL OWED
1.				\$
2.				\$
3.				\$
4.				\$

If you need more lines, please copy this page and make sure it is included when you file this form.

Are any of the debts listed above joint debts? It is a joint debt if both spouses signed a Note or legal paper to pay the debt.

The Plaintiff will do his or her best to re-finance or pay off these joint debts.

Plaintiff has (choose one): 90 days 180 days 1 year from date the Court approves this **Agreement to do so or otherwise** take the other spouse's name off of these joint debts.

What if the Plaintiff does not re-finance or pay off the joint debts in that time? Then the other spouse may take him or her back to Court. The Court may order the Plaintiff's assets sold to pay off the joint debt(s).

PLAINTIFF: Initials _____ Date Signed _____ DEFENDANT: Initials _____ Date Signed _____

Defendant will pay all debt s/he has made since separating from other spouse and will also pay the following debts:

LIST ALL LOANS, INCLUDING CAR NOTES, CREDIT CARDS, CASH ADVANCE DEBTS	NAME OF CREDITOR (person or company you owe)	ACCOUNT NUMBER (last 4 digits)	NAME ON THE ACCOUNT	AMOUNT STILL OWED
1.				\$
2.				\$
3.				\$
4.				\$

If you need more lines, please copy this page and make sure it is included when you file this form.

Are any of the debts listed above joint debts? It is a joint debt if both spouses signed a Note or legal paper to pay the debt.

The Defendant will do his or her best to re-finance or pay off these joint debts.

Defendant has (choose one): 90 days 180 days 1 year from date the Court approves this Agreement to do so or otherwise take the other spouse's name off of these joint debts.

What if the Defendant does not re-finance or pay off the joint debts in that time? Then the other spouse may take him or her back to Court. The Court may order the Defendant's assets sold to pay off the joint debt(s).

WE BOTH AGREE ON HOW TO DIVIDE THE DEBTS

(Hold Harmless Provision)

Both spouses agree to divide their debts as listed above. The **Plaintiff** agrees to pay all the debts listed under "**Plaintiff's Debts.**" The **Defendant** agrees to pay all the debts listed under "**Defendant's Debts.**" The **Plaintiff** will not try to make the **Defendant** pay his/her debts. The **Defendant** will not try to make the **Plaintiff** pay his/her debts. The Plaintiff and Defendant understand that Creditors can try to collect from both of them. A creditor may get one spouse to pay the other spouse's debt, even after the divorce is final. If that happens, the spouse who has agreed to pay the debt will pay the other spouse back. S/he will pay back any payments and reasonable lawyer's fees the spouse paid. S/he will pay back any costs of trying to stop a creditor from collecting the debt.

PLAINTIFF: Initials _____ Date Signed _____ DEFENDANT: Initials _____ Date Signed _____



ALIMONY (check one):

Warning! This section can be very hard. Please talk with a lawyer if you need help with this section.

Alimony can only be changed if there are significant life changes. Sometimes it cannot be changed at all. You have to get a Court Order to change alimony.

If you want alimony but do not agree on all the sections below, you cannot use this form.

You must fill out each section.

Neither spouse wants alimony.

OR

1. The **Plaintiff** **Defendant** agrees to pay (amount): \$ _____

2. We agree that the alimony (check **all** that are true for your agreement):

Will be paid until this date _____.

Will end when the one who receives the alimony dies or gets married again.

Will end when the one who receives the alimony finishes school, or on _____.

Will end when the one receiving the alimony finishes school, or on **(date)** _____, whichever date comes first.

Or if this happens: _____.

Will not be modified.

The Court can modify the alimony due to significant changes in our lives, or if the person receiving alimony lives with another person, with or without a romantic relationship.

3. We agree that the alimony will be paid (check **one**):

Weekly

Monthly

Other: _____.

Lump sum paid all at one time

Important: Both of us understand alimony may change our Federal taxes. Unless we specifically agree otherwise, the payor will be able to deduct it on his/her tax return and the person receiving it will have to declare it as income. Our initials at the bottom of this page show we understand this. We agree we are responsible for knowing, understanding and accepting this.

PLAINTIFF: Initials _____ Date Signed _____ DEFENDANT: Initials _____ Date Signed _____



Name Change

Check below to change a spouse’s name back to the name used before this marriage (maiden name or previous married name). A government agency or other business may need proof of this name change. If so, give them a filed copy of this form.

Plaintiff _____
First Middle Last

Defendant _____
First Middle Last

Court Costs will be paid by (check one):

- Plaintiff**
- Defendant**
- Plaintiff** and **Defendant** will each pay half
- Other (explain): _____

Waiver of Service

By signing this *Agreement*, the Plaintiff and Defendant agree they do not have to serve each other with divorce papers. This form is only good for 180 days after the last spouse signs it. Your final hearing must be within those 180 days. If the 180 days has passed, you will have to fill out, sign, and file this form again. The spouses understand that they do not have to file an *Answer* to the *Complaint for Divorce*.

Entire Agreement

This document says everything the Plaintiff and Defendant agreed to. If they agreed with each other about anything else, the Court cannot make them do it.

Warning – Changes (Modifications)

This form is a legal contract. It is very important this contract is completely filled out. Make sure that you are OK with everything that is in it before you sign it. Speak to a lawyer before signing or if you have any questions.

PLAINTIFF: Initials _____ Date Signed _____ DEFENDANT: Initials _____ Date Signed _____

**Read below – but only sign in front of a Notary.
You may sign at a different time than your spouse.**

Plaintiff

I know that Tennessee has laws against lying on purpose (perjury). I swear that:

- As far as I know, the information on this form is true.
- I have told my spouse about all property and all debts that I know about. I have not kept any property or debts a secret from my spouse before I signed this *Agreement*.
- This is everything we have agreed to.
- Any agreements we have that are not listed above are no longer any good.

I understand that even if one of us changes his or her mind after we both sign it, the Court may still enforce the *Complaint for Divorce*.

SWORN to and SUBSCRIBED before me on:

(date): _____
[MM/DD/YYYY]

Signed at (city): _____

State of Tennessee, County of _____

By (Plaintiff): _____

Signature of Notary Public, State of Tennessee

My Commission Expires: _____
[MM/DD/YYYY]

(Notary's seal)

**Read below – but only sign in front of a Notary.
You may sign at a different time than your spouse.**

Defendant

I know that Tennessee has laws against lying on purpose (perjury). I swear that:

- As far as I know, the information on this form is true.
- I have revealed to my spouse all property and all debts that I know about and have not kept any property or debts a secret from my spouse before I signed this *Agreement*.
- This is everything we have agreed to.
- Any agreements we have that are not listed above are no longer any good.

I understand that even if one of us changes his or her mind after we both sign it, the Court may still enforce the *Complaint for Divorce*.

SWORN to and SUBSCRIBED before me on:

(date): _____
[MM/DD/YYYY]

Signed at (city): _____

State of Tennessee, County of _____

By (Defendant): _____

Signature of Notary Public, State of Tennessee

My Commission Expires: _____
[MM/DD/YYYY]

(Notary's seal)

By signing this *Agreement*, the spouses agree not to serve each other with divorce papers. They will give this *Agreement* to a Court within 180 days. The 180 days starts when both of them have signed the *Agreement*. They agree that they do not need to file an *Answer* to the *Complaint for Divorce*.

PLAINTIFF: Initials _____ Date Signed _____ DEFENDANT: Initials _____ Date Signed _____