

STATE OF MISSOURI  
FAMILY COURT,  
31<sup>ST</sup> JUDICIAL CIRCUIT



JUVENILE DIVISION  
1111 NORTH ROBBERSON  
SPRINGFIELD, MO 65802  
PHONE: 417-868-4008

CHECKLIST FOR FILING YOUR FAMILY LAW CASE WITHOUT AN ATTORNEY

If you desire to proceed in a court case without an attorney you are considered a pro se litigant. Pro se simply means “for one's own behalf”. As a pro se litigant you are held to the same procedural requirements as an attorney. This information is being provided to assist you in completing your family law case and ensuring you have met the procedural requirements to complete your case. **Remember, the Judge, Court Staff and the Clerk’s Office cannot provide legal advice. Further, nothing contained in this checklist should be considered legal advice.** This is only provided as a guide to make the process easier. You may always consult an attorney if your situation requires more information than provided by this checklist.

The Supreme Court of Missouri has approved forms located at <http://www.selfrepresent.mo.gov> for the following types of cases:

- Dissolution of Marriage (Divorce)
- Paternity
- Motion to Modify Child Custody and/or Child Support

Before you may file your family court action you will need to complete the Litigant Awareness Program located at <http://www.selfrepresent.mo.gov>. It is a two-step process which consists of watching a video on the website listed above and then reading basic information about your particular type of case. Once you have completed both steps you may print your Certificate of Completion which will be required when filing your case.

## TIMELINE

Depending on how your case proceeds there will be different requirements concerning documents to be filed and different time periods. The table below explains the time requirements for a default or settled case and the typical time required for a case where both parties are involved and no agreement has been reached.

Event	No Agreement	Settled Case	Default
	Timeline From Filing of Case		
<b>Filing</b>	The date the initial Petition or Motion is processed to the Circuit Clerk	The date the initial Petition or Motion is processed to the Circuit Clerk	The date the initial Petition or Motion is processed to the Circuit Clerk
<b>Service or Waiver of Service</b>	Once service of process is obtained 30 days must pass before the case can move forward. See service section for more information.	Once service of process is obtained 30 days must pass before the case can move forward. See service section for more information.	Once service of process is obtained 30 days must pass before the case can move forward. See service section for more information.
<b>Response by other party</b>	Other party must respond within 30 days of service	May be filed with original filing, otherwise must be filed within 30 days of service.	If no response by other party after 30 days, they are in default.
<b>Case Management Hearing (in cases with dependent children)</b>	If case involves children, Case Management Hearing will typically be set 45-60 days from when a response is filed. Date will be given by the Court. Be sure to fulfill all requirements on the order regarding this court date.	If your case is uncontested, you may have your case finalized at any point after the 31 <sup>st</sup> day following the filing of the response.	If you have filed your case and properly served on the other party, and the other party fails to file an Answer within 30 days, your case is in default.
<b>Trial</b>	Typically 8-12 months after response filed. Date will be given by the Court.		

## CASE TYPES AND REQUIREMENTS FOR EACH

You will need to complete and file certain documents with the circuit clerk's office. These documents are available at <http://www.selfrepresent.mo.gov>. Find the type of case for your situation below.

### Dissolution of Marriage (Divorce)

When the parties are married and desire to end the marriage they will need to participate in a Dissolution of Marriage. This type of case will end the marriage, divide the parties' marital assets and debts, determine maintenance, set a parenting plan concerning the children of the parties, order child support and restore a former name, if requested.

Fully complete every section of each of the documents listed below, print the documents and take them to the Greene County Circuit Clerk's Office located on the second floor of the Court House. This office is open from 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding holidays.

1. Petition, Form CAFC001  
The petition is the document which starts the legal proceeding. This document needs to be notarized. The Court does not provide this service. You will need to get the document notarized prior to filing.
2. Certificate of Dissolution  
A form required by the Missouri Department of Health.
3. Income and Expense Statement, Form CAFC050  
On this form you will list your income and expenses along with your spouse's income and expenses.
4. Filing Information Sheet  
The information requested on this form is used to process your case.
5. Property and Debt Statement and Proposed Separation Agreement, Form CAFC040  
On this form you will list the assets and debts of the marriage and how you would like the assets and debts divided. Pay attention to the definitions of marital and nonmarital property and debt. Additionally, you WILL need a copy of the legal description of any real estate at your court appearance. This can be obtained from the Recorder of Deeds in the county where the property is located.
6. Parenting Plan, Form CAFC501  
This form must be completed if children were born to the parties at any time and any of those children are under the age of 18 (21 if enrolled full time in college). There are two parts to this form, Part A and Part B. You must complete both parts in their entirety. This plan will state how the issues in your child or children's lives are to be handled between the parents.
7. Proposed Judgment, Form CAFC070

This form should be completed and brought to Court at the time of your court appearance.

8. Certificate of Completion from the Litigant Awareness Program  
You will print this certificate after completing the litigant Awareness Program discussed above and file it with the Circuit Clerk on the second floor of the courthouse.
9. Certificate of Completion of an Approved Co-Parenting Class  
If there were children born to the parties at any time and any of the children are under 18 years of age, an approved co-parenting class must be taken by both parties. The certificate received for completing this case must be filed with the Circuit Clerk's office on the second floor of the courthouse. The list of approved classes is available in the Circuit Clerk's office.

### Filing

After you have fully completed each and every form listed above you should make a copy for your records and take the documents to the Greene County Circuit Clerk's Office. There is a filing fee of \$132.00 which will need to be paid at the time of filing.

### Service of Process

"Service" or "service of process" refers to the delivery of a summons, which will be prepared by the Circuit Clerk, to the opposing party in the lawsuit. In a Dissolution of Marriage an Answer, Form CAFC010-R, may be completed and filed by the other party. If the other party completes this document and it is filed with the clerk, the filing of the Answer will waive the need for service. If the Answer is not filed you will need to pay for the Sheriff of the county in which the opposing party is located to deliver the Summons and Petition. The Greene County Sheriff charges \$35.00 for service in Greene County. If the location of the opposing party is unknown you may file Request for Service by Publication, Form CAFC712. The fee for Service by Publication is \$110.00.

### Paternity Action

When a child is born out of wedlock and the parties desire to have the father of the child or children legally declared, a parenting plan entered, child support ordered and/or change the name of the minor child then a Paternity action is needed.

Fully complete every section of each of the documents listed below, print the documents and take them to the Greene County Circuit Clerk's Office located on the second floor of the Court House. This office is open from 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding holidays.

1. Petition, Form CAFC301 (If you are the Father) or CAFC302 (If you are the Mother)  
The petition is the document which starts the legal proceeding. This document needs to be notarized. The Court does not provide this service. You will need to get the document notarized prior to filing.
2. Petition, Consent and Order of Parent's Appointment as Next Friend  
This document is necessary for a child born outside of wedlock. If the mother is the party filing the action you will need to file CAFC751. If the father is the party filing you will

need to file CAFC411 (The document is located in the Petition for Minor Name Change section of the website).

3. Parenting Plan, Form CAFC501

This form must be completed if children were born to the parties at any time and any of those children are under the age of 18 (21 if enrolled full time in college). There are two parts to this form, Part A and Part B. You must complete both parts in their entirety. This plan will state how the issues in your child or children's lives are to be handled between the parents.

4. Income and Expense Statement, Form CAFC250

On this form you will list your income and expenses along with the other parent's income and expenses.

5. Property and Debt Statement, Form CAFC240

You will list your property and debts on this form.

6. Filing Information Sheet

The information requested on this form is used to process your case.

7. Proposed Judgment, Form CAFC370-1/1/2017

This form should be completed and bought to Court at the time of your court appearance.

8. Certificate of Completion from the Litigant Awareness Program

You will print this certificate after completing the litigant Awareness Program discussed above and file it with the Circuit Clerk on the second floor of the courthouse.

9. Certificate of Completion of an Approved Co-Parenting Class

If there were children born to the parties at any time and any of the children are under 18 years of age, an approved co-parenting class must be taken by both parties. The certificate received for completing this case must be filed with the Circuit Clerk's office on the second floor of the courthouse. The list of approved classes is available in the Circuit Clerk's office.

### Filing

After you have fully completed each and every form listed above you should make a copy for your records and take the documents to the Greene County Circuit Clerk's Office. There is a filing fee of \$132.00 which will need to be paid at the time of filing.

### Service of Process

"Service" or "service of process" refers to the delivery of a summons, which will be prepared by the Circuit Clerk, to the opposing party in the lawsuit. In a Paternity action an Answer, Form CAFC312 for the mother and Form CAFC311 for the father, may be completed and filed by the other party. If the other party completes this document and it is filed with the clerk, the filing of the Answer will waive the need for service. If the Answer is not filed you will need to pay for the Sheriff of the county in which the opposing party is located to deliver the Summons and Petition. The Greene County Sheriff charges \$35.00 for service in Greene County.

### Motion to Modify Child Custody and/or Child Support

When there is currently a judgment in place from a Dissolution of Marriage, a Paternity Action or prior modification of either and a party desires to bring a new action to request a change to the current judgment then a Motion to Modify is required. A Motion to Modify may address multiple issues. This checklist will only address a requested change to child custody and child support.

Fully complete every section of each of the documents listed below, print the documents and take them to the Greene County Circuit Clerk's Office located on the second floor of the Court House. This office is open from 8:00 a.m. until 5:00 p.m. Monday through Friday, excluding holidays.

1. Motion to Modify Child Custody (and child support), Form CAFC101  
or  
Motion to Modify Child Support, Form CAFC102  
This Motion is the document which reopens the legal proceeding. This document needs to be notarized. The Court does not provide this service. You will need to get the document notarized prior to filing.
2. Filing Information Sheet  
The information requested on this form is used to process your case.
3. Parenting Plan, Form CAFC501  
This form must be completed if children were born to the parties at any time and any of those children are under the age of 18 (21 if enrolled full time in college). There are two parts to this form, Part A and Part B. If you are modifying child custody and child support then you must complete both parts in their entirety. If you are only modifying child support then only complete Part B.
4. Income and Expense Statement, Form CAFC150  
On this form you will list your income and expenses along with the other parent's income and expenses.
5. Property and Debt Statement, Form CAFC140  
You will list your property and debts on this form.
6. Proposed Judgment, Form CAFC170  
This form should be completed and brought to Court at the time of your court appearance.
7. Certificate of Completion from the Litigant Awareness Program  
You will print this certificate after completing the litigant Awareness Program discussed above and file it with the Circuit Clerk on the second floor of the courthouse.
8. Certificate of Completion of an Approved Co-Parenting Class  
If there were children born to the parties at any time and any of the children are under 18 years of age, an approved co-parenting class must be taken by both parties. The certificate received for completing this case must be filed with the Circuit Clerk's office

on the second floor of the courthouse. The list of approved classes is available in the Circuit Clerk's office.

#### Filing

After you have fully completed each and every form listed above you should make a copy for your records and take the documents to the Greene County Circuit Clerk's Office. There is a filing fee of \$132.00 which will need to be paid at the time of filing.

#### Service of Process

"Service" or "service of process" refers to the delivery of a summons, which will be prepared by the Circuit Clerk, to the opposing party in the lawsuit. In the Motion to Modify an Answer, Form CAFC112 for modification of custody cases only and Form CAFC111 for modification of custody and child support, may be completed and filed by the other party. If the other party completes this document and it is filed with the clerk, the filing of the Answer will waive the need for service. If the Answer is not filed you will need to pay for the Sheriff of the county in which the opposing party is located to deliver the Summons and Petition. The Greene County Sheriff charges \$35.00 for service in Greene County.

#### PRIOR TO SETTING A COURT DATE

1. Has your case already been filed? If not, file the case as stated above. If it has been filed continue to number 2.
2. Has the service of process or an Answer been filed with the Circuit Clerk? If not, review the service of process options stated above. If it has been completed continue to number 3.
3. Has at least thirty days passed since the service of process or waiver of the service of process occurred? If not, wait until 30 days have passed. If 30 days have passed then continue to number 4.
4. Has an Answer been filed? If yes go to 4a. if not go to 4b.
  - a. If an Answer is filed and the two parties are in agreement go to number 5. If an Answer has been filed and the parties are not in agreement prepare the documents listed in the Interim Domestic Order. The Court will notify you of your next Court date.
  - b. If no Answer has been filed 30 days after service of process has been obtained through the Sherriff's Department or a waiver of service the case is now in default and you may move forward. If the service was obtained through publication you must wait 45 days from the day the publication began. Go to number 5.
5. Does your case involve children? If not continue to number 6. If children are involved you will need to attend a Court approved program designed to educate parents on the detrimental effect of parental conflict on children. A copy of the Court approved programs will be provided by the Circuit Clerk's Office at the time of filing.

6. When you have completed steps 1 through 5 above you will need to ensure you have the necessary documents listed below:
  - a. Legal description of all real estate if involved in a Dissolution of Marriage (Divorce). If you do not have a copy of the legal description you will need to contact the Recorder of Deeds in the county in which the real estate is located. In Greene County the Recorder of Deeds is located in the historic courthouse at 940 N Boonville Ave., Springfield, Missouri.
  - b. Proposed Judgment
    - i. Dissolution of marriage (Divorce)      Form CAFC070
    - ii. Paternity    Form CAFC370
    - iii. Motion to modify                                      Form CAFC170
  - c. Child Education Course Certificate if there are children involved in the case.
  - d. You should bring a copy of all the documents you have previously filed with the Court.
  
7. Prepare Notice. Prior to seeing the Family Court Commissioner you will need to send Form CAFC721 to the other party. This document is contained in the Petitions for Dissolution of Marriage, Paternity actions and Motions to Modify Child Custody and/or Child Support.

You must provide Notice to the other party at least seven days in advance of the date you desire to see the Commissioner. The Greene County Family Court hears these matters on Tuesday, Wednesday and Thursday at 8:30 a.m.

8. If your case is not settled and it does not go into default, the court will provide dates for future hearings in the form of orders. Be sure to follow all instructions in these orders.

#### REQUIREMENTS OF FAMILY LAW CASES

You will need to provide certain information to the other party and the Court and complete the following classes.

1. Does your case involve children? If not continue to number 2. If children are involved you will need to attend a Court approved program designed to educate parents on the detrimental effect of parental conflict on children. A copy of the Court approved programs can be obtained from the Circuit Clerk's Office.
  
2. Is your case settled on ALL issues? If not you will need to attend the Alternative Dispute Resolution (ADR) class. Information of this class will be mailed to the address the Court has on file. You are responsible for ensuring the address informing is correct and up to date. You can check the information at the Circuit Clerk's office on the second floor of the Courthouse.



3. If you are involved in a Dissolution of Marriage case and you own real estate you will need a copy of your legal description (not the common address). If you do not have a copy of the legal description you will need to contact the Recorder of Deeds in the county in which the real estate is located. For property in Greene County, the Recorder of Deeds is located in the historic courthouse at 940 N Boonville Ave., Springfield, Missouri.
4. Certificate of Completion from the Litigant Awareness Program  
You will print this certificate after completing the litigant Awareness Program discussed above and file it with the Circuit Clerk on the second floor of the courthouse.
5. Certificate of Completion of an Approved Co-Parenting Class  
If there were children born to the parties at any time and any of the children are under 18 years of age, an approved co-parenting class must be taken by both parties. The certificate received for completing this case must be filed with the Circuit Clerk's office on the second floor of the courthouse. The list of approved classes is available in the Circuit Clerk's office.
6. If your case is not settled and it does not go into default, the court will provide dates for future hearings in the form of orders. Be sure to follow all instructions in these orders.

You should bring a copy of all the documents you have previously filed with the Court to each hearing

#### FOR THE DAY OF COURT

You will need to be on time or the Court will not have sufficient time to hear your case and it will need to be rescheduled. When you arrive at the Courthouse go to the Circuit Clerk's Office and inform the clerk at one of the "Family" windows that you are here for Court and they will procure your file and take you to the Courtroom.