

Rule 17.100—Form 101: Petition for Dissolution of Marriage with no Minor or Dependent Adult Children

Read the [Guide to Representing Yourself in an Iowa Divorce Case](#) on the Iowa Judicial Branch website before using this form.

Do not use this form if any of the following are true:

- You are not married.
- Neither you nor your spouse has lived in Iowa for the last year before filing this Petition.
- Petitioner or Respondent is pregnant.
- There are children 18 years of age or older (born or adopted) who still need support (for example, the child is in high school or college, or is disabled).
- There are children under the age of 18 who are children (born or adopted) of both spouses before or during the marriage, even if Petitioner or Respondent is not the natural parent.

 *If filing electronically, you must provide any protected information in full on form 111.*

 *If filing in paper, you may use form 111 to provide any protected information in full.*

If you do not understand how to use this form, or if you should use this form, talk to an attorney.

In the Iowa District Court for _____ County

County where you are filing this Petition

In Re the Marriage of:

Your current legal name

Your spouse's current legal name

Upon the Petition of

Petitioner *Your full name: first, middle, last*

and concerning

Respondent *Your spouse's full name: first, middle, last*

For clerk's use only

**Petition for Dissolution of Marriage with
no Minor or Dependent Adult Children**

1. Personal Information *Fill in all information that you know. If you have been assaulted by your spouse and you fear for your safety, you may leave your street address, phone number, and email blank.*

A. Petitioner's (your) birth year and present residence: _____
Birth year

Petitioner's present street address _____
City _____
State _____
ZIP code

County _____
Phone number _____
Email address

B. Respondent's (your spouse's) birth year and present residence: _____
Birth year

Respondent's present street address _____
City _____
State _____
ZIP code

County _____
Phone number _____
Email address

If you need assistance to participate in court due to a disability, contact the disability coordinator at: (_____) _____ Persons who are hearing or speech impaired may call Relay Iowa TTY (1-800-735-2942). **Disability coordinators cannot provide legal advice.** Disability coordinator contact information available at: http://www.iowacourts.gov/Administration/Directories/ADA_Access/.

2. General Information About the Marriage and the Parties

A. Date and location of the marriage

_____, _____, _____, _____, _____
Month Day Year City State

B. Children

Check all that are true

- (1) There are no children under the age of 18 who are children of both Petitioner and Respondent.
- (2) There are no children under the age of 18 who were adopted or born during this marriage.
- (3) There are no children 18 years of age or older who still need support.
- (4) Neither Petitioner nor Respondent is pregnant.

C. Petitioner's residence

You cannot get a divorce in Iowa if your spouse does not live in Iowa and you have lived in Iowa for less than one year, or if you came to live in Iowa just to get a divorce.

If you have questions about this, talk to an attorney.

- (1) The **only** reason that Petitioner (you are Petitioner) is living in Iowa is just to get a divorce.
 True
 False *If you do not live in Iowa, or if you live in Iowa for reasons other than just to get a divorce, check "False."*
- (2) Petitioner has lived in Iowa for the last _____ years and _____ months in _____ county.
 - *If you have always lived in Iowa, count the time since your birth.*
 - *If you have been a resident of another state, count the time since you last moved to Iowa.*

D. Parties' residence

Check each that is true

- (1) Petitioner has lived in Iowa for more than one year.
- (2) Respondent (your spouse) is a resident of Iowa.

E. Condition of the marriage

Check all that are true

- (1) The marriage is broken and cannot be saved.
- (2) This is the only divorce case going on involving this marriage.
*If you **did not** check (2), explain in H. You should also talk to an attorney.*
- (3) This Petition is being filed in good faith for the purpose of ending the marriage.
- (4) Counseling will not save the marriage. *If counseling may save the marriage, do not check (4).*

F. Respondent's status

Check each that is true

- (1) Respondent (your spouse) is in the military service.
If you check (1), note that there are special rules that may prevent your case from going forward if your spouse is in the military. You should talk to an attorney.
- (2) Respondent is in prison or jail at _____ in _____.
Name of facility State

G. Protective or no contact order

Check one

- (1) There is neither a "protective order" nor a "no contact order" between Petitioner (you) and Respondent (your spouse).
- (2) There is a "protective order" or a "no contact order" between Petitioner and Respondent.
If you check (2), fill in the following information:
- a. County and state where the order came from: _____
County State
- b. Court case number: _____

H. Other information: _____

3. Petitioner's Request

A. Petitioner asks the court to:

Check all that apply. The court will only consider items that are checked.

- (1) End the marriage of Petitioner (you) and Respondent (your spouse).
- (2) Fairly divide the property and the debts of the parties.
- (3) Order that Respondent pay the court fees.
- (4) Order that Respondent pay for Petitioner's attorney's fees before the divorce is final.
If you check (4), you must file form 122.
- (5) Order that Respondent pay spousal support (alimony) to Petitioner.
If you check (5), you must file form 122.
- (6) Change Petitioner's last name to: _____
Name can only be changed to name on birth certificate or name used immediately prior to the marriage.
Print your former or birth name
- (7) Other request: _____

4. Attorney Help

Check one

A. An attorney did not help me prepare or fill in this paper.

B. An attorney helped me prepare or fill in this paper.

If you check B, you must fill in the following information:

Name of attorney or organization, if any

Attorney's P.I.N. # – Ask the attorney

Business address of attorney or organization

City

State

ZIP code

(_____) _____
Attorney's phone number

(_____) _____
Attorney's fax number – optional

Attorney's email address – optional

5. Service Instructions

If Petitioner is filing in paper

Check one

A. Petitioner will accept service of documents at the attorney's address listed above; or

B. Petitioner will accept service of documents in this case at the mailing address below.

6. Oath and Signature

I, _____, have read this Petition, and I certify under penalty
Print your name

of perjury and pursuant to the laws of the State of Iowa that the information I have provided in this Petition is true and correct.

_____, 20_____
Signed on: Month Day Year

*Your signature**

Mailing address

City

State

ZIP code

(_____) _____
Phone number

Email address

Additional email address, if applicable

* *Whether filing electronically or in paper, you must handwrite your signature on this form. If you are filing electronically, scan the form after signing it and then file electronically.*

Important Notice to Petitioner
See next page for instructions for filing a Petition.

Do not file these instructions

Instructions for Filing a Petition for Dissolution of Marriage

The Iowa Judicial Branch is converting the court system to electronic filing county by county. The electronic filing system is also known as EDMS. To determine if this case is in a county using electronic filing, [check the map](#) available on the Iowa Judicial Branch website under eFiling, or call the clerk of court office in your county. If your county accepts electronic filing, **you must file electronically** unless you get permission from the court to file in paper. Contact the clerk of court in your county if you are unable to file electronically.

Filing your Petition electronically

- If you are filing your divorce case in a county that uses electronic filing, you must register to electronically file. For help with registration, see the eFiler's User Guide [How to Register Pro Se \(Self Represented\) for eFiling](#).
- After you have registered, [log in to the electronic filing system](#) to electronically file your dissolution case.
- For help electronically filing your divorce, see [How to eFile a New Case](#).
- With your Petition, you must also file an Original Notice (104) and a Protected Information Disclosure Form (111).
- You will receive a Notice of Electronic Filing (NEF) when the clerk of court has approved the eFiling of your Petition and other documents.
- If there was a problem with your filing, EDMS will send you a Retraction Notice. You can then log in to My Filings, correct the error, and resubmit your filing. For help, see [How to Resubmit a Returned Filing](#).
- Log in to your eFile account and download and print your Petition and Original Notice so that you can serve it on (deliver it to) your spouse.
- For help finding and downloading your Petition and Original Notice, please see [My Filings Reference Guide](#).

Filing your Petition in paper

- If the county where you will be filing your Petition does not yet accept electronic filing, you may proceed in paper. If the county does accept electronic filing, you must proceed electronically, unless you have received permission from the court to file in paper.
- With your Petition (101), you must also file a Petition Cover Sheet (102), an Original Notice (104a), and a Confidential Information Form (103).
- Forms 101 and 104a: Make **two** photocopies if you can deliver copies of these forms to your spouse in-person or by mail. Make **three** photocopies if you are going to ask the county sheriff or a civil process server to deliver these forms to your spouse.
Note about making photocopies: You should make your photocopies before you go to the courthouse to file your papers. It is expensive to make photocopies at the clerk of court office. It is cheaper to make the copies at a business that makes photocopies or at a public library.
- Forms 102 and 103: You do **not** have to make photocopies of these forms.
- Take the original forms you filled in and the photocopies to the clerk of court office in your county. Tell the clerk at the counter you are filing a Petition for a divorce.
- Give the clerk at the counter these forms:

- 101 Petition for Dissolution of Marriage (Divorce) with no Minor Children
- 102 Coversheet for a Petition for Dissolution of Marriage with no Minor Children
- 103 Confidential Information Form (*Do not make copies of this form.*)
- 104a Original Notice

- Pay the filing fee. If you cannot afford to pay the filing fee, prepare and file form 109.
- The clerk at the counter can tell you the amount of the filing fee. The Iowa legislature sets these fees and periodically raises them, so check with the clerk's office to confirm the current filing fee.
- The clerk of court will sign the Original Notice (104a). You will have to serve this form on (deliver it to) your spouse.
- The clerk at the counter will time-stamp each of the copies (original and photocopies).

Do not file these instructions