

Name, Address & Phone Number
(If Attorney filing, type Name, Address & Phone Number)

Plaintiff, Pro Se Defendant, Pro Se
 Attorney for Plaintiff Defendant

**IN THE FAMILY COURT OF THE SECOND CIRCUIT
STATE OF HAWAII**

)	FC-D NO. _____
)	
)	DIVORCE DECREE
Plaintiff,)	(With Children)
)	
vs.)	Presiding Judge: _____
)	
)	Date of Hearing/Review by Judge: _____
)	
)	
Defendant.)	

DIVORCE DECREE (With Children)

A hearing was held before the Presiding Judge or an affidavit was submitted. After full consideration of the evidence, the Court finds the material allegations of the Complaint for Divorce to be true. Plaintiff is entitled to a divorce from the bonds of matrimony on the grounds that:

- the marriage is irretrievably broken
- the parties have lived separate and apart for a period of two (2) years or more.

The Court has jurisdiction to enter this Divorce Decree, Plaintiff is referred to as:

Husband Wife.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. **Decree:** A decree of divorce is granted to Plaintiff. The bonds of matrimony between Husband and Wife are hereby dissolved. The parties are restored to the status of single persons. Either party is permitted to marry after the effective date of this Divorce Decree. This Divorce Decree is effective after it is signed and filed by the Court.

2. The parties have _____ child(ren) together.

<u>Child(ren)'s Initials</u>	<u>Year of Birth</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

A. Legal custody of the above-named minor child(ren) is:

1. Awarded to Husband and Wife jointly.
2. Awarded to Wife
3. Awarded to Husband

B. Physical custody of the above-named minor child(ren) is:

1. Awarded jointly to Husband and Wife, with a visitation/time sharing schedule as described in paragraph C below.
2. Awarded to Wife with a visitation/time sharing schedule as described in paragraph C below.
3. Awarded to Husband with a visitation/time sharing schedule as described in paragraph C below.

C. **Visitation/Time Sharing Schedule** shall be as follows:

1. The parties shall arrange reasonable visitation.

2. Visitation/Time Sharing schedule shall be as follows:

3. Supervised Visitation/Time Sharing schedule shall be as follows:

3. **Child Support** (Pursuant to Child Support Guidelines Worksheet attached hereto or previously filed):

- A. Beginning with a first payment on the ____ day of _____
(Month/Year)
Husband shall pay to Wife for the support of the parties' child(ren) \$ _____
per child, for a total of \$ _____ per month.
- B. Beginning with a first payment on the ____ day of _____
(Month/Year)
Wife shall pay to Husband for the support of the parties' child(ren) \$ _____
per child, for a total of \$ _____ per month.
- C. Payments of child support shall continue for each child until the child attains the age of eighteen (18) years, or graduates from high school, or discontinue high school, whichever occurs last.
- D. Child support shall further continue uninterrupted (including during regular school vacation periods) until the age of twenty-three (23) as long as the child(ren) continues his or her education post-high school on a full-time basis at an accredited college or university or in a vocational or trade school.
- E. The Child Support Enforcement Agency (CSEA) is made a party for the limited issue of child support.
- F. Based on Exceptional Circumstances (Appendix A-3 of the Child Support Guidelines Worksheet signed by both parties, including the statement "the parties agree that waiver of child support is in the best interest of the child(ren)"), must be attached/filed) Child support is waived.

4. **Method of Child Support Payment** (Check A **OR** B)

- A. All payments shall be made payable to and through:
Child Support Enforcement Agency (CSEA), P.O. Box 1860, Honolulu, Hawai`i
96805-1860, and pursuant to the Order of Income Withholding which shall be filed with this decree.
- B. Direct payment (Supplemental Affidavit Re: Direct Payment for Child Support form **must** be attached/filed)
- Child support payments shall be paid by Husband directly to Wife.
- Child support payments shall be paid by Wife directly to Husband.

In all direct payment cases, either Husband or Wife may void the direct payment arrangement at any time and apply for services from the CSEA to receive payments through the agency. If the child(ren) of the parties receive public assistance from the Department of Human Services, foster care payments, or Social Security or if either parent applies to the CSEA, CSEA may immediately void a direct payment arrangement by sending notice by regular mail to both parents at their last known addresses as set forth in this decree.

5. **Child Health Care:** For so long as Husband or Wife has an obligation to pay child support.

A. Husband shall maintain medical and dental insurance for the benefit of the child(ren).

B. Wife shall maintain medical and dental insurance for the benefit of the child(ren).

C. Any additional medical and dental expenses not covered by insurance shall be paid _____% by Husband and _____% by Wife.

D. Not applicable

6. **Life Insurance for the Benefit of the Child(ren):**

A. Husband shall maintain life insurance on his life with a minimum death benefit of \$_____ for the benefit of the child(ren) so long as there is a child support obligation.

B. Wife shall maintain life insurance on her life with a minimum death benefit of \$_____ for the benefit of the child(ren) so long as there is a child support obligation.

If Husband or Wife dies without the required insurance, Husband's or Wife's estate shall be liable to the child(ren) to the extent that the required insurance was not maintained. Such obligations on the part of Husband's or Wife's estate shall be accorded the highest priority.

C. Not applicable.

7. **Alimony:**

A. Neither party shall be required to pay alimony to the other party.

B. Beginning with a first payment on the ____ day of _____
Month/Year

Husband Wife shall pay to Husband Wife alimony of \$_____ per month, to be paid

in one amount of \$_____ by the ____ day of each month.

in two equal installments of \$_____ by the ____ and ____ day of each month.

Alimony shall continue for _____ months and terminate with the payment due _____(Month/Day/Year).

Alimony shall terminate upon the death of either Husband or Wife or upon the recipient's remarriage.

8. **Bank Savings, Checking, Credit Union Accounts and Securities** (Stocks, Bonds, Mutual Funds, etc.)

A. There are none.

B. Each is awarded those titled in his/her name alone.

C. Husband is awarded: _____

D. Wife is awarded: _____

9. **Vehicles** (Autos, Trucks, Motorcycles, Campers, Boats, etc.):

A. There are none.

B. Each is awarded the vehicles titled in his/her name alone.

C. Husband is awarded: _____

D. Wife is awarded: _____

Necessary transfer documents shall be signed no later than ten (10) days following the filing of this Divorce Decree. If either party fails to do so, the Director of Finance of the County of Maui is authorized and directed to transfer the ownership of vehicle(s) if requested to do so.

10. **Real Property:**

A. Neither party owns any interest of any kind in any real property.

B. The real property shall be divided as follows (identify the addresses):

11. **Life Insurance Policy(ies):**

A. There are none.

B. Each party is awarded the life insurance policy(ies) held on his/her life, together with any cash value therein and subject to any debt thereon.

12. **Retirement Accounts/Benefits:**

A. There are none.

B. Each party shall keep their own.

C. The retirement accounts/benefits of both parties shall be divided as follows:

D. If a QDRO is required, Wife Husband shall be responsible and pay for it and the other party shall not delay in approving it as to form and content.

13. **All Other Assets** (Personal Belongings, Furniture, Household Effects, Art, Stamps, Coins, Tools, Equipment, Jewelry, Accounts Receivable, Investment Assets, Business Assets, Cemetery Plots or Niches, Tax Refunds Due, etc.)

A. Each party is awarded the personal belongings and the household effects in his/her possession.

B. Husband is awarded: _____

C. Wife is awarded: _____

14. **All Outstanding Debts:**

A. Each party shall pay all of the credit card and other debt in his/her name.

B. Husband shall pay: (specify which debts and amounts) _____

C. Wife shall pay: (specify which debts and amounts) _____

15. **Name Change:**

A. Wife shall resume the use of her birth surname former married name and shall be known hereafter as: _____

[] B. Husband shall resume the use of his [] birth surname [] former married name and shall be known hereafter as: _____

Failure of Party to Perform: If either party fails to execute any document in compliance with this decree, the other party may submit a motion to the Court, requesting that the Court appoint the Chief Clerk of the Second (2nd) Circuit, to execute said document on behalf of the non-compliant party. Said motion may be done without further notice to the non-compliant party. Such execution by the Chief Clerk shall have the same effect as if executed by the non-compliant party.

16. **Other:** _____

Date

Judge

APPROVED AS TO FORM AND CONTENT:

X _____
Signature of Plaintiff
SS# XXX-XX-_____
Address: _____

Date Plaintiff signed Decree: _____

X _____
Signature of Defendant
SS# XXX-XX-_____
Address: _____

Date Defendant signed Decree: _____

APPROVED AS TO FORM:

X _____
Signature of Attorney for Plaintiff
Name: _____

X _____
Signature of Attorney for Defendant
Name: _____