

State of Tennessee	Court _____ (Must Be Completed)	County _____ (Must Be Completed)
Divorce Agreement (Marital Dissolution Agreement) (Form 5)		File No. _____ (Must Be Completed) Division/Part _____ (Large Counties Only)
Plaintiff _____ (Name: First, Middle, Last of Spouse Filing the Divorce)		
Defendant _____ (Name: First, Middle, Last of the Other Spouse)		

This form explains how you and your spouse will divide your property and debts.
You must file this form with your **Request 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 questions above, 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 question above, 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 **Request 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 **Request for Divorce**. The **Request 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 Divorce Order**.

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 Marital Dissolution 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 Request 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 for a divorce. If you have any questions about the Request 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 #

b. Other personal property like bank accounts, cash, furniture, jewelry, trailers, etc., **not** houses or land!

Type of Account	Bank or Financial Institution	Account Number (Last four Digits)	Account Balance
Check Account			
Savings Account			
Money Market Account			
Other Account			
Other Account			

Describe other personal property: _____

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

If you need more lines, copy this page. Make sure it is included when you file this paper.

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 #

b. Other personal property like bank accounts, cash, furniture, jewelry, trailers, etc., **not** houses or land!

Type of Account	Bank or Financial Institution	Account Number (Last four Digits)	Account Balance
Check Account			
Savings Account			
Money Market Account			
Other Account			
Other Account			

Describe other personal property: _____

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

If you need more lines, copy this page. Make sure it is included when you file this paper.

Debt

Notice: The Final Decree 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 debts he or she has made since separating from the other spouse. He or she will also pay for the following debts:

List all loans, including car notes, credit card, cash advance debts	Name of Creditor (person or company you owe)	Account Number (last four digits)	Name on the account	Amount still owed
1.				\$
2.				\$
3.				\$
4.				\$

If you need more lines, copy this page. Make sure it is included when you file this paper.

Are any of these 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 refinance or pay off these joint debts.

The Plaintiff has (choose one): 90 days 180 days 1 year from the 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 refinance 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 debts he or she has made since separating from the other spouse. He or she will pay for the following debts:

List all loans, including car notes, credit card, cash advance debts	Name of Creditor (person or company you owe)	Account Number (last four digits)	Name on the account	Amount still owed
1.				\$
2.				\$
3.				\$
4.				\$

If you need more lines, copy this page. Make sure it is included when you file this paper.

Are any of these 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 refinance or pay off these joint debts.

The Defendant has (choose one): 90 days 180 days 1 year from the 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 refinance 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 the 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. He or she will pay back any payments and reasonable lawyer's fees the spouse paid. He or she 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** the blocks that are true for your agreement):

Will be paid until this date _____

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

Will end when the one who gets the alimony finishes school, or on _____ ,
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 (you must 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: _____

Read below, but only sign in front of a notary.

You may sign at a different time than your spouse, if you want.

Plaintiff

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

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, if you want.

Defendant

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

- As far as I know, the information on this form is true.
- I have told my spouse about all property all and 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 Request 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 on:

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 divorce complaint.

Plaintiff: Initials _____ Date Signed: _____

Defendant: Initials _____ Date Signed: _____