Rule 17.100—Form 128 ***Settlement Agreement for a Dissolution of Marriage with no Minor or Dependent Adult Children***

Caution: *This form may require you to provide protected or confidential information.*

Use this form only if you and your spouse both agree to the terms of a settlement agreement.

- *If filing electronically and you include protected information on this form, fill out or update the Protected Information Disclosure form (111) if you have not already done so.*
- *If filing in paper, you may use form 111 to provide any protected information in full.*

Do not use this form if:

- *You and your spouse have children under the age of 18, or*
- *You and your spouse have children 18 years of age or older who still need support.*

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 your case is filed

Upon the Petition of	Equity case no. _____
_____ **Petitioner** *Full name first, middle, last*	**Settlement Agreement for a Dissolution of Marriage with no Minor or Dependent Adult Children**
and concerning	
_____ **Respondent** *Full name first, middle, last*	

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 address, phone number, and email blank.

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

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

_____ (_____) _____ _____
County *Phone number* *Email address*

B. Respondent's birth year and present residence: _____
Birth year

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

_____ (_____) _____ _____
County *Phone number* *Email address*

2. Agreements

We agree to the following:

A. 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.

B. Breakdown of marriage

The marriage is broken down and cannot be saved.

C. Counseling

Counseling will not save the marriage.

D. Waiting period before decree *Check one*

(1) ◯ More than 90 days have passed since Respondent was served with an Original Notice.

(2) ◯ Fewer than 90 days have passed since Respondent was served with an Original Notice, but we want the court to take action right away without a separate hearing. We have no children affected by this action. Neither Petitioner nor Respondent is pregnant. This paper explains how we would like to settle all issues in our divorce.

E. Financial affidavits *Check one*

(1) ◯ Petitioner or Respondent has filed a Financial Affidavit (124).

If you check (1), *check* a *and/or* b.

a. ☐ Petitioner has filed a Financial Affidavit. Petitioner certifies that Petitioner has fully disclosed all income and the identity and value of all assets and debts.

b. ☐ Respondent has filed a Financial Affidavit. Respondent certifies that Respondent has fully disclosed all income and the identity and value of all assets and debts.

(2) ◯ We are asking that the court not require us to file Financial Affidavits because: *Explain*

_____

_____

F. Division of personal property

Check one

(1) ◯ We have divided our personal property. Petitioner will keep the personal property in Petitioner's possession. Respondent will keep the personal property in Respondent's possession.

If you check (1), *skip to* G.

(2) ◯ Our personal property will be divided as follows:

Attach additional sheets if necessary.

a. Petitioner will get the following as Petitioner's separate personal property:

_____

_____

_____

b. Respondent will get the following as Respondent's separate personal property:

_____

_____

_____

G. Division of real estate

For each parcel of real estate you own, provide the following information.
Attach a separate sheet for each additional parcel.

(1) Ownership of real estate

Check one

a. ◯ We do not own any real estate. *If you check* a, *skip to* H.

b. ◯ We own real estate located at: _____,
Street address

in the City of _____, County of _____, and

State of _____. This land is described in the deed as follows:

_____

_____

_____

_____

_____

(2) The real estate shall be:

Check one

a. ☐ Sold and the profit or debt divided _____% to Petitioner and _____% to Respondent.

b. ☐ Awarded to Petitioner, subject to all liens and mortgages.

c. ☐ Awarded to Respondent, subject to all liens and mortgages.

d. ☐ Other *Explain* _____

_____

(3) Additional real estate

☐ *Check this box if you are attaching separate sheets for additional parcels of real estate.*

H. Division of debts

Check one

(1) ◯ There are no debts.

(2) ◯ We have listed all the debts that we know about and ask that they be divided as follows:
Attach additional sheets if necessary.

Continued on next page

a. Petitioner will pay the following debts:

i. Business or person to whom a debt is owed	**ii. Account number, if any** *Last 4 numbers only*	**iii. Total amount still owed**
(a)		$
(b)		$
(c)		$
(d)		$
(e)		$

☐ *Check this box if you are attaching a separate sheet listing additional information about Petitioner's debts.*

b. Respondent will pay the following debts:

i. Business or person to whom a debt is owed	**ii. Account number, if any** *Last 4 numbers only*	**iii. Total amount still owed**
(a)		$
(b)		$
(c)		$
(d)		$
(e)		$

☐ *Check this box if you are attaching a separate sheet listing additional information about Respondent's debts.*

c. For any debt we do not know about, the spouse who made the debt will pay that debt.

I. Cash payment

We ask that

Check one

(1) ◯ Neither Petitioner nor Respondent pay any money to the other.

(2) ◯ Petitioner pay Respondent $ _____ to equalize the division of property and debts by

_____ _____, 20 _____.
Month *Day* *Year*

(3) ◯ Respondent pay Petitioner $ _____ to equalize the division of property and debts by

_____ _____, 20 _____.
Month *Day* *Year*

Continued on next page

J. Spousal support (alimony)

Check one

We ask that:

(1) ◯ Neither Petitioner nor Respondent pay spousal support (alimony) to the other.

(2) ◯ Petitioner pay spousal support (alimony) to Respondent as follows: _____

_____

_____

_____

(3) ◯ Respondent pay spousal support (alimony) to Petitioner as follows: _____

_____

_____

K. Name change

Check one

We ask that

(1) Petitioner's name

a. ◯ Not be changed.

b. ◯ Be changed to: _____

Print Petitioner's former or birth name

Name can only be changed to name on birth certificate or name used immediately prior to the marriage.

(2) Respondent's name

a. ◯ Not be changed.

b. ◯ Be changed to: _____

Print Respondent's former or birth name

Name can only be changed to name on birth certificate or name used immediately prior to the marriage.

L. Court fees

Check one

We ask that

(1) ◯ Petitioner will pay all court fees.

(2) ◯ Respondent will pay all court fees.

(3) ◉ Petitioner and Respondent shall each pay one-half of the remaining court fees.

(4) ◯ Petitioner and Respondent shall each pay one-half of the total court fees.

Continued on next page

M. Attorney's fees

(1) Petitioner's attorney's fees

Check one

a. (●) Petitioner has no attorney's fees.

b. ( ) Petitioner will pay Petitioner's attorney's fees.

c. ( ) Respondent will pay $ _____ for Petitioner's attorney's fees.

(2) Respondent's attorney's fees

Check one

a. ( ) Respondent has no attorney's fees.

b. (●) Respondent will pay Respondent's attorney's fees.

c. ( ) Petitioner will pay $ _____ for Respondent's attorney's fees.

N. Necessary documents

We will sign and promptly deliver to each other any papers that may be needed to carry out this Settlement Agreement.

O. Other agreements

Attach additional sheets if necessary.

Continued on next page

3. Attorney Help

Check one

A. Petitioner

(1) ◉ An attorney did not help me prepare or fill in this paper.

(2) ◯ An attorney helped me prepare or fill in this paper.
If you check (2)*, 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*

B. Respondent

(1) ◯ An attorney did not help me prepare or fill in this paper.

(2) ◉ An attorney helped me prepare or fill in this paper.
If you check (2)*, 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*

4. Oaths and Signatures

This Settlement Agreement addresses all issues in our divorce. We have made a full disclosure of our property and debts to each other. We want the court to approve this agreement and make it a part of the final Decree.

A. Petitioner's Oath and Signature

I, _____, certify under penalty of perjury and pursuant to the
Print your name
laws of the State of Iowa that I have read this Settlement Agreement and it accurately states how I would like the court to address the issues in my divorce. I know I have the right to talk to an attorney about this Agreement. I am voluntarily signing this Agreement. I am asking that this Settlement Agreement be presented to a judge for approval and filing with the court.

_____ _____, 20_____ _____
Month *Day* *Year* *Petitioner's signature**

_____ _____ _____ _____
Mailing address *City* *State* *ZIP code*

(_____) _____ _____ _____
Phone number *Email address* *Additional email address – if available*

* *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.*

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B. Respondent's Oath and Signature

I, _____, certify under penalty of perjury and pursuant to the
Print your name
laws of the State of Iowa that I have read this Settlement Agreement and it accurately states how I would like the court to address the issues in my divorce. I know I have the right to talk to an attorney about this Agreement. I am voluntarily signing this Agreement. I am asking that this Settlement Agreement be presented to a judge for approval and filing with the court.

_____ _____, 20_____ _____
Month *Day* *Year* *Respondent's signature**

_____ _____ _____ _____
Mailing address *City* *State* *ZIP code*

(_____) _____ _____ _____
Phone number *Email address* *Additional email address – if available*

* *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.*