

STATE OF HAWAI'I FAMILY COURT SECOND CIRCUIT	DIVORCE DECREE (With Children)	CASE NUMBER FC-D NO.
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<p style="text-align: center;">_____ PLAINTIFF (Full Name)</p> <p style="text-align: center;">vs.</p> <p style="text-align: center;">----- DEFENDANT (Full Name)</p>	<p>This document is prepared by <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Atty. For Plaintiff <input type="checkbox"/> Atty. for Defendant</p> <hr/> <p>Name</p> <hr/> <hr/> <p>Address</p> <hr/> <hr/> <p>City, State, Zip</p> <hr/> <hr/> <p>Phone</p>
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Presiding Judge	Date of Hearing/Review by Judge
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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. In this Divorce Decree, Plaintiff is 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>Name (first, middle, last)</u>	<u>Date 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: _____

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

- A. Beginning with the 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 the 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 years, or graduates from high school, or discontinues high school, whichever occurs last. Child support shall further continue uninterrupted (including during regular school vacation periods) until the age of 23 as long as the child 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.
- D. The Child Support Enforcement Agency (CSEA) is made a party for the limited issue of child support.
- E. Based on Exceptional Circumstances (Appendix C 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 the Child Support Enforcement Agency (CSEA), P.O. Box 1860, Honolulu, Hawaii 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 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 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 his 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 obligation 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.
Alimony shall continue for _____ months.
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 party is awarded those titled in his/her name alone.
- C. Husband is awarded: _____

- D. Wife is awarded: _____

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

- A. There are none.
- B. Each party 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: _____

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

A. There are none.

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

12. **Retirement Accounts:**

A. There are none.

B. Each party shall keep their own.

C. The retirement accounts of the parties shall be divided per Linson formula and Wife Husband shall be responsible for QDRO and costs thereof.

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 their 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 their name alone.

B. There are no joint debts.

C. Husband shall pay:(specify which debts and amount) _____

D. Wife shall pay:(specify which debts and amount) _____

15. Name Change:

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

(first, middle, last name) _____.

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

(first, middle, last name) _____.

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
<p>APPROVED AS TO FORM AND CONTENT:</p> <p>X _____ Signature of Plaintiff</p> <p>SS#: XXX-XX-_____</p> <p>Address: _____</p> <p>_____</p> <p>Employer's Name and Address: _____</p> <p>_____</p> <p>_____</p> <p>Date Plaintiff Signed Decree: _____</p> <p>APPROVED AS TO FORM:</p> <p>X _____ Signature of Attorney for Plaintiff</p> <p>Name: _____</p>	<p>X _____ Signature of Defendant</p> <p>SS#: XXX-XX-_____</p> <p>Address: _____</p> <p>_____</p> <p>Employer's Name and Address: _____</p> <p>_____</p> <p>_____</p> <p>Date Defendant Signed Decree: _____</p> <p>APPROVED AS TO FORM:</p> <p>X _____ Signature of Attorney for Defendant</p> <p>Name: _____</p>