

## 68.14 JUDGMENT - TRIAL, AFFIDAVIT

### A. ALL JUDGMENTS SHALL CONTAIN A FINDING OF THE COURT AND MUST INCLUDE AND RECITE:

1. Full name of attorney or attorneys and party represented. If either party is not represented by counsel, the judgment shall so state.
2. The **last four digits of the** social security numbers of the parties.
3. The addresses of the parties, and the employers' names, if disclosed in the pleading.

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### B. THE JUDGMENT OF THE COURT SHALL CONTAIN THE FOLLOWING PROVISIONS:

1. In a proceeding for dissolution of marriage, that the marriage between [name parties] is dissolved; in a proceeding for legal separation, a judgment of legal separation.
2. An award as to the custody of the children, if any minor children, support and maintenance payments, including payments through the clerk of the court, visitation rights and date payments are to begin. Upon application by the obligee or the Missouri ~~Division of Child Support Enforcement~~ **Family Support Division** of the Department of Social Services, the obligor's wages or other income shall be subject to withholding without further notice if the obligor becomes delinquent in maintenance or child support payments in an amount equal to one month's total support obligation. The order shall also contain provisions notifying the obligor that:
  - a. the withholding shall be for the current month's maintenance and support; and
  - b. the withholding shall include an additional amount equal to fifty percent of one month's child support and maintenance to defray delinquent support and maintenance, which additional withholding shall continue until the delinquency is paid in full.
3. **That the terms of the parenting plan shall be performed.**
4. Pursuant to subsection 11 of §452.377, RSMo, every judgment establishing or modifying custody or visitation shall include the following language:

"Absent exigent circumstances as determined by a court with jurisdiction, you, as a party to this action, are ordered to notify, in writing by certified mail, return receipt requested, at least sixty days prior to the proposed relocation, each party to this action of any proposed relocation of the principal residence of the child, including the following information:

- a. the intended new residence, including the specific address and mailing address, if known, and if not known, the city;
- b. the home telephone number of the new residence, if known;
- c. the date of the intended move or proposed relocation;
- d. a brief statement of the specific reasons for the proposed relocation of the child; and
- e. a proposal for a revised schedule of custody or visitation with the child.

Your obligation to provide this information to each party continues as long as you or any other party by virtue of this order is entitled to custody of a child covered by this order. Your failure to obey the order of this court regarding the proposed relocation may result in further litigation to enforce such order, including contempt of court. In addition, your failure to notify a party of a relocation of the child may be considered in a proceeding to modify custody or visitation with the child. Reasonable costs and attorney fees may be assessed against you if you fail to give the required notice."

**In the event of noncompliance with this order, the aggrieved party may file a verified motion for contempt. If custody, visitation, or third-party custody is denied or interfered with by a parent or third party without good cause, the aggrieved person may file a family access motion with the court stating the specific facts that constitute a violation of the custody provisions of the judgment of dissolution, legal separation, or judgment of paternity. The circuit clerk will provide the aggrieved party with an explanation of the procedures for filing a family access motion and a simple form for use in filing the family access motion. A family access motion does not require the assistance of legal counsel to prepare and file."**

- ~~4. That the terms of the parenting plan shall be performed.~~
5. That the terms of the separation agreement (if one has been entered into) shall be performed.
6. Divide marital property and marital debt and set aside separate property, if appropriate.
- 7. If any real estate is divided, the legal description of the real estate shall be included in the judgment.**
- ~~78.~~ Counseling for minor children as ordered by the court.
- ~~89.~~ The wife's restored name shall be specified in full if restoration is requested.
- ~~910.~~ That costs be taxed to one or both parties.
- 11. Form 14 shall be attached to the judgment.**

- 12. In all cases tried in front of the Family Court Commissioner, any proposed judgment filed by a party shall contain the following language below the Commissioner's signature line:**

The Court adopts and confirms the findings and orders of the Family Court

Commissioner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

In all cases **a proposed** ~~an original~~ judgment shall be submitted to the court.