

DIVORCE WITH NO CHILDREN



*A GUIDE TO FILING
FOR DIVORCE WITH
NO CHILDREN
IN NEBRASKA*

Updated: 05/2026

Important Contacts

Clerk of the District Court Office

County Sheriff Office

Other

Other

This case packet was developed as part of the Self-Help Center Pilot in Douglas County under grant number SJI-T-24-016 from the State Justice Institute. The points of view expressed are those of the Administrative Office of the Courts and Probation at the Nebraska Judicial Branch and do not necessarily represent the official position or policies of the State Justice Institute.



Can You use This Guide to File for a Divorce in Nebraska?

These forms should not be used if your divorce involves real estate, retirement accounts, pensions, requests for alimony, or if you or your spouse have or will have any biological or adopted children under the age of 19. These issues are complicated and can seriously affect your legal and financial rights. Judges and court staff cannot give legal advice. Therefore, you should talk to an attorney before filing.

Mistakes in these areas difficult to correct and can:

- Affect ownership or future sale of property or real estate.
- Impact the future financial security of you, your children, or another party.

To find out if you can use this guide, you must answer these questions first:

1. Are you or your spouse **active-duty military**?
2. Is there going to be a request for **alimony**?
3. Do you or your spouse own or have an interest in **real property**?
4. Do you or your spouse have a **pension or retirement plan** with a present employer or past employer?
5. Do you have children under the age of 19? This includes if you or your spouse are pregnant, have adopted, or have had any children outside of the relationship.

If you answered **YES** to *any* of the above questions – **STOP!** You cannot use this guide to file for a divorce in Nebraska. For a divorce that involves:

- Active-duty military, alimony, and pension or retirement plan, you should consult with an attorney.
- Children, you need to use the *Divorce with Children Guide*.

If you answered **NO** to *all the* above questions – continue with answering the next questions:

1. Have you or your spouse lived in Nebraska for one year before filing for a divorce?
2. Do you and/or your spouse live in the county where you want to file for a divorce (_____ County)?
3. Have you tried to make your marriage work, but it is completely broken and cannot be fixed?

If you answered **YES** to *all the* above questions – You may use this guide to file for a divorce in Nebraska.



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Helpful Information



Nebraska Filing
Fees and Court
Costs

What will it cost to file for a divorce without children?

You are expected to pay Nebraska Filing Fees, Court Costs and the cost to have the other party served with a copy of the divorce papers.

- Court fees and costs may be as much as \$200.
- Costs may change over time.

Use the QR code or this link: nejudicial.com/filing-fee-divorce.

How long does it take to get a divorce?

Divorce cases generally take at least three months to finalize. This is because there is a 60-day waiting period between filing a case and the final divorce decree (court decision), plus court scheduling generally takes at least a few weeks. Based on various case factors, divorces may take much longer.

How long do you have to wait before getting remarried?

You cannot remarry until six months after the final divorce decree (court decision) has been filed.

How do you use this guide?

Throughout this guide, Nebraska Supreme Court Forms are referenced. Scan this QR Code or visit nejudicial.com/divorce-no-children-forms to access the divorce forms. You may also search by their title or search form number (e.g., DC 6:4.4). Forms are also available for purchase at the courthouse. Forms are generally two documents, one form is instructions, and one is a fillable form that you will file.



NOTE: Some Nebraska courts require forms specific to their courts and court processes.

Please check with the clerk of the district court in the county where you are filing for a divorce to see what additional forms are required.

GLOSSARY OF LEGAL TERMS

For plain language assistance with legal terms, please see the searchable [Glossary \(nejudicial.com/glossary\)](https://nejudicial.com/glossary).

For plain language assistance with terms about divorce or other domestic relations, please see the Domestic Relations section (nejudicial.com/domestic-relations-glossary).

DIVORCE NO CHILDREN CHECKLIST

Step 1 – Filing and Payment

In Nebraska, divorce cases must be filed at the clerk of the district court’s office in the county you and/or your spouse live.

- Contact information for the Nebraska District Court Clerk’s Offices can be found on the website at nejudicial.com/de-clerk-contact.

To file your divorce case as a Self-Represented Litigant (SRL), you may either mail or personally take the completed forms and court filing fee to the district court clerk’s office. Filing as a SRL means you do not have a lawyer representing you.

Complete the following required forms:

- *Complaint for Dissolution of Marriage/Divorce (No Children)* (DC 6:4.1) using the *Instructions* (DC 6:4.1a)
- *Certificate of Dissolution of Marriage or Annulment* (DHHS Vital Records Worksheet)
- *Confidential Employment and Health Insurance Information* (DC 6:5.11) using the *Instructions* (DC 6:5.11a)
- *Social Security Numbers, Gender, and Birth Date(s)* (DC 6:5.12) using the *Instructions* (DC 6:5.12a)

Please include your email address on the forms.
The court uses your email to send court notices about your case.

Prepare to Pay the Fees:

You must pay Nebraska Court Filing Fees upon delivery of your divorce forms to the court. See filing fees nejudicial.com/filing-fee-divorce.

- If you are paying in person at the district court clerk’s office, then you may pay in cash, check, or money order.
- If you are paying by mail, then you must pay by check or money order. **Do not send cash in the mail;** or
- If you cannot afford to pay the fees and costs:
 - **Complete the form** *Affidavit and Application to Proceed In Forma Pauperis (Request to Proceed Without Payment of Fees)*; (DC 6:7.1) using the *Instructions* (DC 6:7.1a)
 - **Complete the form** *Order to Proceed In Forma Pauperis* (DC 6:7.2) using the *Instructions* (DC 6:7.2a)
 - Bring or mail these forms to the district court clerk’s office **with the forms** you completed to file for divorce.



- The district court clerk’s office will notify you by email or phone if the judge approves or denies your request to file your divorce case without payment of fees.
- If your request for a fee waiver is denied by the court, the case cannot proceed without you paying the required filing fees to the district court clerk’s office.
- For more information see *Request to Proceed Without Payment of Fees Guide* at nejudicial.com/Divorce-WithoutPaymentFees.

Step 2 – Voluntary Appearance or Service

The law requires your spouse to be **notified or served notice** that a divorce case has been filed. Proof of the notification must be filed with the district court clerk’s office. This can be done by:

- Voluntary Appearance:** (This is the easiest.)

The spouse who did not file the initial paperwork to start the divorce process (i.e., the defendant) needs to complete the *Voluntary Appearance* (DC 6:4.3) form using the *Instructions* (DC 6:4.3a).

- The form must be signed by your spouse.
- The form must be filed with the district court clerk’s office.
- The form may be filed by you or your spouse. If you give the form to your spouse to file, check to make sure your spouse filed it with the district court clerk’s office.

OR

- Personal Service by Sherriff:**

You may ask the Sheriff’s Office to deliver or “**serve**” the divorce papers to your spouse.

- File a completed *Praecipe (Request) for Summons/Personal Service* (DC 6:4.4) form using the *Instructions* (DC 6:4.4a) with the clerk of the district court’s office to get the process started.
- After you file the *Praecipe (Request) for Summons/Personal Service* with the clerk of the district court’s office, the court staff will prepare the summons and notify you by email or phone that:
 - You need to pick up the summons and personal service paperwork to bring to the Sheriff’s Office for service; or
 - The district court clerk’s office has a special arrangement with their Sheriff’s Office to handle delivery of the summons and personal service paperwork.
- The Sheriff’s Office will charge you a fee for serving the paperwork to your spouse.
- The Sherriff’s Office will notify the district court clerk’s office if they were able or unable to serve the divorce papers on your spouse by filing a *Return of Service* form.

- Because notice or service is required for divorce cases, you will need to contact the district court clerk's office or electronically access your court case using **Case Information – eServices** to see if a *Return of Service* form was filed.

Log in for Online Court Case Information Searches

- **Case information** in the Nebraska statewide trial court case management system known as JUSTICE and the appellate case management system known as SCCALES can be accessed for free at any courthouse kiosk or law library, including the [Nebraska State Library](#), UNL's [Schmid Law Library](#), Creighton's [Klutznick Law Library](#), and public library partners across the state (contact your public library to see if they are a partner).
- If you are unable to go to the courthouse or a library to search for case information, this page, nejudicial.com/CaseInfo has information about the cost and instruction on how to complete a search.

If service was unsuccessful, you may request Alternate Service (Service by Publication).

For more information on Service by Publication go to the Nebraska Judicial Branch Self-Help website, or you may ask the district court clerk's office for a printed copy of the guide:

- *Alternate Service Guide for Divorce (Service by Publication)*
nejudicial.com/Divorce-AlternateServiceGuide

Step 3 – Property and Liability Statement

- The court may or may not require a *Property and Liability Statement* form. This form assists in the division of household items, property and other belongings you and your spouse own.
 - You may ask the clerk of the district court's office for their court's Property and Liability Statement. Local court rules may require a specific form.
 - A sample *Property and Liability Statement* form is available on the Nebraska Judicial Branch's website.
 - If the form is printed by the clerk, you may be charged a copy fee.
 - The *Property and Liability Statement* form must be signed by both parties and filed with the court. If both parties do not sign the statement, the judge may continue your divorce case.

See *Property Division Guide* at nejudicial.com/Divorce-PropertyDivisionGuide for more information and *Appendix C* at nejudicial.com/Divorce-PropertyLiability for a sample *Property and Liability Statement* form.



Step 4 - Waiting Period for Final Court Hearing

- Once served divorce papers, your spouse has 30 days to respond to your *Complaint for Dissolution of Marriage/Divorce (No Children)*.
 - Your spouse must respond to your complaint in writing by filing an *Answer and Counterclaim for Dissolution of Marriage (No Children)* ([DC 9:1](#)).
 - If your spouse does not file an Answer, they are “in default.” This means that the judge can grant you a divorce at a default court hearing.
- The final court hearing for your divorce cannot be held until **60 days** after your spouse was **legally** notified (served) that you filed for divorce.
- When this 60-day waiting period starts depends on the method of service used.
 - If your spouse filed a **Voluntary Appearance** form with the clerk’s office:
 - Then 60 days from the date the Voluntary Appearance was filed with the court.
 - If you used **Personal Service**:
 - Then 60 days from the date the sheriff serves the *Summons and Complaint* to your spouse.
 - If you use **Service (Notice) by Publication**:
 - Then 60 days from the date of the last publication of the notice in the legal newspaper.

Step 5. Determine if a Court Hearing is Needed and what Divorce Decree (Order) to Prepare

- **Spouse Did Not File an Answer and Counterclaim for Dissolution of Marriage (No Children)**

If your spouse **did not file** a written *Answer and Counterclaim for Dissolution of Marriage (No Children)*, but you still want a court hearing, you will need to complete one of the following decrees:

- If your spouse signed a Voluntary Appearance or was personally served by the sheriff, you must complete this decree:
 - *Decree of Dissolution/Divorce (No Children)* ([DC 6:4.6](#)) using the *Instructions* ([DC 6:4.6a](#)).
- If you used service by publication, you must complete this decree:
 - *Decree for Dissolution of Marriage (No Child(ren)) (Service by Publication)* ([DC 6:6.6](#)) using the *Instructions* ([DC 6:6.6a](#)).
- Go to Step 6: Setting a hearing.

- **Agree on Final Decree and Want to Appear Before a Judge**

If you and your spouse agree on what should be included in a final decree and want a court hearing before a judge, then you will need to complete one of the following decrees:

- If your spouse signed a Voluntary Appearance or was personally served by the sheriff, you must complete this decree:
 - *Decree of Dissolution/Divorce (No Children)* (DC 6:4.6) using the *Instructions* (DC 6:4.6a).
- If you used service by publication, you must complete this decree:
 - *Decree for Dissolution of Marriage (No Child(ren)) (Service by Publication)* (DC 6:6.6) using the *Instructions* (DC 6:6.6a)
- Go to Step 6: Setting a hearing.

- **Agree on Final Decree and Do Not Want to Appear Before the Judge**

If you and your spouse agree on what should be included in a final decree and do not want to appear before a judge, then you may request the final court hearing be waived.

NOTE: Some judges do not allow the final court hearing to be waived. Some judges will require the parties to appear in court before they will sign the *Decree for Dissolution of Marriage/Divorce (No Children)* or *Decree for Dissolution of Marriage (No Child(ren)) (Service by Publication)*.

- You may request the final court hearing be waived if:
 - Your spouse was properly served with a notice of your *Complaint for Dissolution of Marriage/Divorce (No Children)*.
 - Your spouse filed the *Answer and Counterclaim for Dissolution of Marriage (No Children)*, to your complaint within thirty (30) days.
 - More than sixty (60) days have passed since your spouse was properly served with a notice of your Complaint.
 - Both you and your spouse agree to all terms of the final *Decree for Dissolution of Marriage/Divorce (No Children)*.
- Both you and your spouse must agree to waiving the court hearing.
- Both you and your spouse must complete and file the following forms with the clerk of the district court:
 - You will complete the *Plaintiff's Request for Decree of Dissolution of Marriage/Divorce Without Hearing* (DC 6:4.9).
 - You must sign this document **in the presence of a notary public.**
 - Your spouse will complete *Defendant's Request for Decree of Dissolution of Marriage/Divorce Without Hearing* (DC 6:4.10).
 - Your spouse must sign this document **in the presence of a notary public.**

- Complete the *Decree of Dissolution/Divorce (No Children)* (DC 6:4.6) using the *Instructions* (DC 6:4.6a).
 - Complete and notarize the *Property and Liability Statement* if you were told by the judge or clerk of the district court that you needed to provide a statement (See Step 3). (If the judge did not tell you that you needed to provide a statement, you and your spouse may still complete a statement if you feel it is necessary or would be helpful).
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If you and your spouse have not resolved all the issues and do not agree on what should be included in the final *Decree of Dissolution of Marriage/Divorce (No Children)*, then you will likely need to go to trial.

If your plan is to go to trial, this packet is not sufficient to help. You and your spouse should consult with an attorney, mediation services, or other legal services.

Step 6 - Scheduling your Final Court Hearing

- Court staff (e.g., district court clerk's office, bailiff for the district court judge) in the county you filed for divorce will provide information on how to set a final court hearing for divorce.
 - In some instances, a *Proposed Scheduling Order* may be required. While courts requiring this should provide a document for you to complete and file with the district court clerk's office, you may also ask them if a *Proposed Scheduling Order* is necessary.
 - Be prepared to tell the person who is scheduling the final hearing the date your spouse was legally notified or served the divorce papers.
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Step 7 – Notify Your Spouse About the Final Court Hearing Date

- Complete *Notice of Hearing and Certificate of Service* (DC 6:4.5) using the *Instructions* (DC 6:4.5a).
 - You must mail the *Notice of Hearing and Certificate of Service* to your spouse.
 - You must file the *Notice of Hearing and Certificate of Service* with the district court clerk's office.
-

Step 8 - Preparing for Your Final Court Hearing

- Complete the *Instructions for Your Divorce Hearing* (DC 6:4). This will be your script for the court hearing.



- Make sure you have a completed *Decree of Dissolution of Marriage/Divorce (No Children)* (DC 6:4.6) using the *Instructions (DC 6:4.6a)* or *Decree for Dissolution of Marriage (No Child(ren)) (Service by Publication)* (DC 6:6.6) using the *Instructions (DC 6:6.6a)*. (See Step 5)
 - You will need to have 2 copies of the decree for the day of your court hearing.
 - Plan your transportation and parking to the courthouse** so that you arrive at the courthouse 30 minutes before your court hearing. This will give you time to confirm the courtroom location and be at the courtroom at least 15 minutes before your court hearing.
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Step 9 – Day of Your Final Court Hearing

- Bring **2 completed copies** of the *Decree of Dissolution of Marriage/Divorce (No Children)* (DC 6:4.6) or *Decree for Dissolution of Marriage (No Child(ren)) (Service by Publication)* (DC 6:6.6).
 - Bring your **completed copy** of the *Instructions for your Divorce Hearing (DC 6:4)*.
 - Have your courtroom location.
 - Arrive at the courthouse 30 minutes before your court hearing.
 - Be at the assigned courtroom at least 15 minutes before your court hearing.
 - Be prepared to confirm your marriage “irretrievably broken” (broken and beyond repair) and you have tried but there is nothing you can do to make the marriage work.
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Step 10 – After Your Final Court Hearing

- Once your decree is signed by the judge and placed on the record, you will need to read your decree carefully so that you know and can follow what the judge has ordered about all the issues involved in your divorce.
- If you or your ex-spouse does not follow the decree, the judge may hold you or your ex-spouse in contempt of court. Contempt hearings are very serious, and a judge can put a person in jail for being in contempt of court.
- You will need to request a certified copy of the final decree from the district court clerk’s office to keep in your records. There may be a cost for certified copies.
- If you or your ex-spouse does not agree with the decree, then you or your ex-spouse should consult with an attorney or other legal services about what options may be available to you including filing an appeal.
- An appeal must be filed within 30 days after the decree is signed by the judge.
- You and your spouse must wait six months after the decree is filed with the clerk of the district court before remarrying.**