

STATE OF INDIANA)
)
COUNTY OF ELKHART)

IN THE ELKHART SUPERIOR COURT 6

CASE NO: _____

IN RE THE LEGAL SEPARATION OF:

Name of Person Filing

Select One: Husband Wife

And

Name of Spouse

Select One: Husband Wife

SUMMONS IN LEGAL SEPARATION OF MARRIAGE WITH CHILDREN

To:

Name of Spouse Being Served

Address

Email Address

Your spouse has filed this case for Legal Separation of Marriage.

If you do not respond to this Summons, that is, if you do not file a written appearance with the Court, a Final Decree of Legal Separation will be issued after 60 days granting the relief sought by your spouse as stated in their Petition for Legal Separation, which you should be receiving with this Summons.

Both Spouses are required to follow the Family Court Local Rules 400 Series. You should read the entire set of Rules found at <https://elkhartcounty.com/en/government/courts/> under Local Rules. A five-page Highlight Summary is required to be attached to this Summons, but a full reading of those Rules is highly recommended.

The Elkhart County Family Court expects cooperation and communication. It is best if you and your spouse can work out as many agreements as possible prior to your first appearance in court. If you and your spouse are unable to work together, expect to attend a Problem-Solving Settlement Conference within 45 to 60 days of receiving this Summons, unless otherwise waived by the Court.

If spousal maintenance is requested, you are required to provide evidence of your weekly gross income (your pay before any deductions) and documents to verify year-to-date income (pay stub or employer statement) and your last income tax return, including all W-2s, 1099s and all accompanying schedules. There should be a Subpoena attached with the specific financial information that is essential to making these decisions.

You are highly encouraged to attain an attorney. In some circumstances, if your spouse makes more money than you or controls more of your families' income, then your spouse may be ordered to pay your attorney fees. There is also a list of free or low-cost attorney programs in the Family Law Highlight Summary attached to this Summons.

Hearing on Provisional (Temporary) Orders has been set for _____.

If no hearing has been requested, you may request a hearing for living expenses and maintenance.

This Summons Issued by the Clerk

Date Clerk of the Court, Elkhart County, Indiana

Contact information for Attorney for Filer: _____

The following manner of service is requested: Registered Mail Certified Mail Sheriff E-Service per Trial Rule 86 Other: _____

SERVICE ACKNOWLEDGED

I hereby acknowledge that I received a copy of this Summons and copies of the designated documents at

_____, Indiana, on this date, _____,
20_____.

_____ (Select: Filing Spouse Responding Spouse)

Return of Service Information: