

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT _____

Plaintiff,)
vs.)

Defendant.) Case No. _____

**FINDINGS OF FACT AND CONCLUSIONS OF LAW
(DIVORCE WITH CHILDREN AND PROPERTY)**

- Trial in this case was held on _____
 Settlement conference in this case was held on _____

Plaintiff did not appear appeared in person appeared by telephone
Plaintiff was represented by self attorney _____

Defendant did not appear appeared in person appeared by telephone
Defendant was represented by self attorney _____

The record shows the defendant was served with summons and complaint for divorce, and

- Defendant did not file an answer or otherwise defend, and the matter proceeded by default. (Default)
 Defendant joined in signing the complaint filed an answer and did not contest the facts alleged or prayer for relief in the complaint. (Uncontested)
 Defendant filed an answer and the parties settled all issues. (Settlement)
 Defendant filed an answer and the parties proceeded to trial. (Contested)

The court considered testimony and examined any evidence or agreements presented. The court now makes the findings of fact and conclusions of law set forth below.

FINDINGS OF FACT

BACKGROUND

- Plaintiff defendant is a resident of the State of Alaska.
- The parties married in _____ on _____ and ever since have been and now are married to each other.
- The parties permanently separated on _____
- There exists an incompatibility of temperament between the parties such that it is impossible for them to remain together as married persons.
- Plaintiff asks to restore this prior name: _____
Defendant asks to restore this prior name: _____

CHILD CUSTODY

6. The following child(ren) was(were) born to, or adopted by, the parties before and/or during the marriage:

<i>Child's Full Name</i>	<i>Date of Birth</i>
_____	_____
_____	_____
_____	_____
_____	_____

Plaintiff Defendant is currently pregnant.

7. The court has jurisdiction over the child(ren).

The child(ren) resided in Alaska for at least six consecutive months immediately before the complaint was filed in this case.

When the complaint was filed, there was no other state with greater rights to jurisdiction under the *Uniform Child Custody Jurisdiction and Enforcement Act*.

Other _____

8. The court considered the statutory factors set forth in AS 25.24.150(c), and AS 25.20.090 if appropriate, and finds that the best interests of the child(ren) will be served by:

Agreement of the parties set forth separately and incorporated here by reference.

Agreement of the parties described below.

The court's determination set forth separately and incorporated here by reference.

The court's determination described below.

If announced on the record, the following can be found at

Media # _____ Beg. Log # _____ End Log # _____ Date _____

9. Legal custody (decision making) should be awarded to the plaintiff solely. defendant solely. parties jointly. Both parents should be listed on all educational and medical records.

10. Physical custody should be awarded as follows:

Primary to plaintiff Primary to defendant

Shared by parties

_____% to plaintiff _____% to defendant

Divided custody

Plaintiff has primary custody of _____

Defendant has primary custody of _____

Hybrid custody

Plaintiff has primary custody of _____

Defendant has primary custody of _____

Parties to share physical custody of _____

_____% to plaintiff _____% to defendant

CHILD SUPPORT

13. Child and medical support should

- Be ordered in accordance with Alaska Civil Rule 90.3.
- Vary from the child support award calculated under Civil Rule 90.3 because:

If not varied, amount of support that would be required \$ _____

Estimated value of property awarded instead of support \$ _____

14. The plaintiff defendant should timely apply for the child(ren)'s Alaska Permanent Fund Dividend (PFD) each year. The child(ren)'s PFD funds:

- May be spent for the child(ren)'s health education, and welfare.
- Should be saved in an interest-bearing account in both parent's names and both parents should have access to all statements from the account.
- Other _____

15. The plaintiff defendant should timely apply for the child(ren)'s Alaska Native Claims Settlement Act (ANCSA) dividends.

16. A child and medical support order should be entered and incorporated here by reference.

PROPERTY ALLOCATION

17. Assets and debts to be awarded to **plaintiff**

- Plaintiff should retain all assets and debts now in plaintiff's possession and control.
- Plaintiff should be awarded the following property and allocated the following debt:

<i>Assets Awarded to Plaintiff</i>	<i>Value (\$)</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

<i>Debts Allocated to Plaintiff</i>	<i>Value (\$)</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total value of assets to plaintiff	_____
<u>Less</u> value of debts to plaintiff	_____
Equals net value to plaintiff	_____

CONCLUSIONS OF LAW

- A. The court has personal jurisdiction over the parties and the child(ren), and subject matter jurisdiction over the marriage, custody, and child support disputes.
- B. A decree of divorce should be issued forever severing the bonds of matrimony now existing between the parties.
- C. It is in the child(ren)'s best interest to award custody and visitation as set forth above.
- D. Child and medical support should be ordered as set forth above. A child support order should be entered without delay.
- E. Property and debt(s) should be allocated as set forth above, which is fair and equitable.
- F. The plaintiff's prior name should be restored.
 The defendant's prior name should be restored.
- G. Other conclusion(s) of law:

ENTERED this _____ day of _____, 20____

Recommended for approval:	
_____	_____
Superior Court Master	Date

 JUDGE OF THE SUPERIOR COURT

 Print or Type Name

I certify that on _____
a copy of this document was sent or given to:

Clerk: _____

