

You must use black ink to fill out this form.

Your Name: _____

Mailing Address: _____

Telephone: _____ Message phone: _____

NOTE: If for any reason you do not wish the other party to know your physical address, you still must provide a mailing address so that the court and the other party can serve you by mail.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

AT _____
City or Town where the Court is located

_____)	
Plaintiff,)	
v.)	
_____)	Your Case No. _____
Defendant.)	
_____)	

**ANSWER AND COUNTERCLAIM
To Divorce Without Children**

I, _____, hereby submit my response to
(Print your name here)
plaintiff's complaint, and allege as follows:

A. ANSWER

1.

- Agree with the statements in paragraph 1 of the *Complaint*.
- Disagree with the statements in paragraph 1 of the *Complaint*.
- Do not understand the statements in paragraph 1 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 1 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 1 in Plaintiff's *Complaint*.

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2.

- Agree with the statements in paragraph 2 of the *Complaint*.
- Disagree with the statements in paragraph 2 of the *Complaint*.
- Do not understand the statements in paragraph 2 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 2 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 2 in Plaintiff's *Complaint*.

3.

- Agree with the statements in paragraph 3 of the *Complaint*.
- Disagree with the statements in paragraph 3 of the *Complaint*.
- Do not understand the statements in paragraph 3 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 3 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 3 in Plaintiff's *Complaint*.

4.

- Agree with the statements in paragraph 4 of the *Complaint*.
- Disagree with the statements in paragraph 4 of the *Complaint*.
- Do not understand the statements in paragraph 4 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 4 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 4 in Plaintiff's *Complaint*.

5.

- Agree with the statements in paragraph 5 of the *Complaint*.
- Disagree with the statements in paragraph 5 of the *Complaint*.
- Do not understand the statements in paragraph 5 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 5 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 5 in Plaintiff's *Complaint*.

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6.

- Agree with the statements in paragraph 6 of the *Complaint*.
- Disagree with the statements in paragraph 6 of the *Complaint*.
- Do not understand the statements in paragraph 6 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 6 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 6 in Plaintiff's *Complaint*.

7.

- Agree with the statements in paragraph 7 of the *Complaint*.
- Disagree with the statements in paragraph 7 of the *Complaint*.
- Do not understand the statements in paragraph 7 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 7 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 7 in Plaintiff's *Complaint*.

8.

- Agree with the statements in paragraph 8 of the *Complaint*.
- Disagree with the statements in paragraph 8 of the *Complaint*.
- Do not understand the statements in paragraph 8 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 8 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 8 in Plaintiff's *Complaint*.

9.

- Agree with the statements in paragraph 9 of the *Complaint*.
- Disagree with the statements in paragraph 9 of the *Complaint*.
- Do not understand the statements in paragraph 9 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 9 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 9 in Plaintiff's *Complaint*.

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10.

- Agree with the statements in paragraph 10 of the *Complaint*.
- Disagree with the statements in paragraph 10 of the *Complaint*.
- Do not understand the statements in paragraph 10 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 10 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 10 in Plaintiff's *Complaint*.

11.

- Agree with the statements in paragraph 11 of the *Complaint*.
- Disagree with the statements in paragraph 11 of the *Complaint*.
- Do not understand the statements in paragraph 11 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 11 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 11 in Plaintiff's *Complaint*.

12.

- Agree with the statements in paragraph 12 of the *Complaint*.
- Disagree with the statements in paragraph 12 of the *Complaint*.
- Do not understand the statements in paragraph 12 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 12 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 12 in Plaintiff's *Complaint*.

13.

- Agree with the statements in paragraph 13 of the *Complaint*.
- Disagree with the statements in paragraph 13 of the *Complaint*.
- Do not understand the statements in paragraph 13 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 13 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 13 in Plaintiff's *Complaint*.

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B. AFFIRMATIVE DEFENSE(S)

(An affirmative defense is facts and arguments that attack the plaintiff's legal right to bring the court case. The affirmative defense might win for the defendant even if everything in the plaintiff's complaint is true.)

- I have no affirmative defenses. *(Go to Section C.)*
- I further allege the following as my affirmative defense(s):

1.

- I have never resided or been present in the State of Alaska. It is my position that the Alaska court does not have jurisdiction over any of the property or debt of the marital estate. I want the Alaska court to dismiss this case because I will be prejudiced if we are divorced before the property division occurs in another state.

I have attached to this Answer a *Motion to Dismiss*.

2.

- The venue of this action is improper. This case should have been filed at the courthouse in _____.
City or Town

I have attached to this Answer a *Motion To Change Venue*.

3.

- Other _____

C. COUNTERCLAIM(S)

(A counterclaim is where the defendant states what he/she wants to happen regarding the issues in the case.)

- I have no counterclaims. *(Go to Section D.)*
- I further allege the following as my counterclaim(s):
- I have stated above that the Alaska court does not have jurisdiction over the marital estate and that the case should be dismissed. If this court does not dismiss the case, I submit the following counterclaim(s) without waiving my claim about the court's lack of jurisdiction.

1. Date of Separation

- I disagree with plaintiff's date of separation and assert that we have been continuously separated since _____.
(Date of Separation)

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2. Children

- We have NO minor children together and the wife is NOT pregnant.
- We have minor children or the wife is pregnant. *(If the wife is pregnant, there are children, or paternity needs to be disestablished for any child(ren) born or conceived during the marriage, this form will NOT work for you. Use Answer & Counterclaim to Divorce With Minor Children, SHC-105 [Word](#) | [PDF](#)).*

3. Property

3A. There is no property or debt to be divided by this court and we can each keep what we have in our possession or control.

3B. There is property and debt to be divided by this Court. I request that the marital property and debt be divided in a just and equitable manner. I am currently aware of the following types of property and debt:

- | | |
|--|--|
| <input type="checkbox"/> Land | <input type="checkbox"/> Bank / credit union account(s) |
| <input type="checkbox"/> Building(s) <i>(include your home here)</i> | <input type="checkbox"/> 401(k) / 403(b) retirement account(s) |
| <input type="checkbox"/> Car / truck | <input type="checkbox"/> IRA account(s) |
| <input type="checkbox"/> Snow machine / 4-wheeler | <input type="checkbox"/> Pension |
| <input type="checkbox"/> Boat(s) | <input type="checkbox"/> Household goods |
| <input type="checkbox"/> Plane(s) | <input type="checkbox"/> Credit card debt(s) |
| <input type="checkbox"/> Gun(s) | <input type="checkbox"/> Debt related to property (mortgages, vehicle or equipment loans etc.) |
| <input type="checkbox"/> Tools | <input type="checkbox"/> Other debt(s) |

Optional Comments: _____

3C. I have attached a *Property and Debt Worksheet*.

4. Restoration of Former Name

I request that my former name of _____ be restored to me.
(Print your full former name)

You must use black ink to fill out this form.

5. **Other:** For example attorney's fees, spousal support, etc. If you want the court to award you attorney's fees or spousal support before the end of the case, you must file a separate motion in addition to writing it in this section. See <http://courts.alaska.gov/shc/family/motions.htm> for forms.)

D. REQUEST FOR RELIEF

I REQUEST:

1. That the court end our marriage and issue a *Decree of Divorce*;
2. That a *Final Order and Judgment* be entered regarding property and debt as requested in the Complaint or section 3 of the Counterclaim;
3. That my former name of _____ be restored to me.
(Print full former name here)

4. Other: _____

5. For such other and further relief as the Court deems fit and proper.

I have attached the following documents:

Property & Debt Worksheet, SHC-1000 [Word](#) | [PDF](#)

Other: _____

Date

Your Signature (In blue ink if possible)

Certificate of Service

I certify that on _____ a copy of this *Answer* and all documents attached as indicated above was/were mailed hand delivered to:

Plaintiff _____ Plaintiff's Lawyer _____

Other _____

Your signature: _____