

You must use black ink to fill out this form.

Plaintiff's Name: _____

Mailing Address: _____

Telephone: _____ Message phone: _____

Defendant's Name: _____

Mailing Address: _____

Telephone: _____ Message phone: _____

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT _____
City or Town where the Court is located

Plaintiff,)
)
vs.)
)

Defendant.)
_____)

Your Case No. _____

**UNCONTESTED COMPLAINT FOR DIVORCE
With Children**

We, _____, state that the following facts are true
(Print your names here)
and request the following relief:

1. Residence

Plaintiff is a resident of the State of _____.

Defendant is a resident of the State of _____.

2. Facts of the Marriage

Date of Marriage: _____ Place of Marriage: _____

Date of separation: _____

3. Basis for Decree of Divorce: An incompatibility of temperament between the parties makes it impossible to live together any longer as husband and wife.

4. Restoration of former name

Plaintiff Defendant wants their former name restored as: _____
(Print full former name here.)

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5. Property and debt

There is no property or debt for the Court to divide and we will each keep what we have in our possession or control.

There is property and debt for the Court to divide. We request that the marital property and debt be divided according to the attached Property and Debt Description worksheets (*you can use Property and Debt Worksheet, [SHC-1000](#)*).

6. Statement Regarding Minor Child(ren) (*include child(ren) of this relationship born prior to or during the marriage or adopted during the marriage*):

a. Are there minor child(ren) who were born, conceived or adopted during the marriage? YES NO (*If No, go to section 9.*)

The minor child(ren) are:

| Full name of each child | Date of birth |
|-------------------------|---------------|
| | |
| | |
| | |
| | |
| | |

Additional minor child(ren) of this relationship are listed on an attachment.

b. Has/have the minor child(ren) lived in Alaska continuously for the last six months?

YES (*Go to section 7.*)

NO. We do not want an order about child custody. (*Go to section 9.*)

You MUST file a completed *Child Custody Jurisdiction Affidavit*, [DR-150](#) with this Complaint (<http://www.courtrecords.alaska.gov/webdocs/forms/dr-150.pdf>).

7. Custody and Visitation: *The court decides custody and visitation issues by figuring out what is in the children’s best interests. The court must decide two kinds of custody: (1) legal custody and (2) physical custody.*

7a. Legal Custody *Legal custody refers to decision making authority such as matters relating to health, education or religion of the child(ren). There are 2 kinds of legal custody: joint and sole. Joint legal custody means both parents share the decision making because they can communicate about the children, even though they may not get along otherwise. Joint legal is the most common type of legal custody awarded by courts. Sole legal custody means one parent makes decisions about the child(ren) because there is no way that the parents can communicate about the child(ren) or one parent is unfit due to severe mental illness, substance*

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abuse or domestic abuse issues. However, with sole legal, both parents usually have access to school and medical records and neither parent can move out of the state with the children without permission from the court or the other parent.

Because it is in the best interests of the children, we request:

- Joint Legal Custody (*the parents share the decision making about the child(ren)*).
- Sole Legal Custody to Mother to Father (*this parent will make decisions about the child(ren)'s upbringing and does not have to consult with the other parent*)

7b. Physical Custody *Physical custody describes the child(ren)'s schedule. If the children are with each parent more than 110 over nights within 1 year, you have a shared custody schedule. If one parent has 109 over nights or less, he or she has a visitation schedule and the other parent has primary custody. **NOTE:** If you are filing in Fairbanks, you are required to use the Proposed Parenting Plan, SHC-1127 [Word](#) | [PDF](#).*

Tip: Print out the school calendar provided by your school district which includes vacations and in-service days. Circle the days you want overnights and count them up to figure out if you have a shared or primary schedule. For links to many school calendars, visit <http://www.courtrecords.alaska.gov/webdocs/shc/family/docs/calendars.pdf>. For a one-page annual calendar without school dates, check-out www.timeanddate.com/calendar/. You may find the Weekly Scheduling Chart, SHC-1132 [Word](#) | [PDF](#) helpful. If you use one of these calendars, you also need to set out the times for exchanges and visitation during the day. You can attach the annual calendar and weekly chart to this complaint.

The following physical custody plan is in the child(ren)'s best interests (*check i, ii or iii*):

i. **Shared Physical Custody** The child(ren) will have 110 or more overnights with each of us. (*Check one box below for the plan you want.*)

the schedule on the attached Agreement & Order for Custody and Visitation, SHC-1126 [Word](#) | [PDF](#)

the schedule on the attached Parenting Agreement, [DR-475](#)

the following schedule:

Visitation during the week: as described on the attached Weekly Scheduling Chart, SHC-1132 [Word](#) | [PDF](#) or as follows: _____

Summer Vacation: _____

Holidays & Birthdays: _____

Weekends: _____

Other: _____

ii. **Primary Physical Custody:** Child(ren) will have 256 or more overnights with me and be with the other parent for 109 overnights or less. (*Check 1 box below for the plan you want.*)

the schedule on the attached Agreement & Order for Custody and Visitation, SHC-1126 [Word](#) | [PDF](#)

the schedule on the attached Parenting Agreement, [DR-475](#)

the following schedule:

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Visitation during the week: as described on the attached Weekly Scheduling Chart, SHC-1132 [Word](#) | [PDF](#) or as follows: _____

Summer Vacation: _____

Holidays & Birthdays: _____

Weekends: _____

Other: _____

iii. **Other Custody Arrangement** as follows: _____

7c. Travel costs for the child(ren) visiting between parents should be divided as follows: _____

7d. Safety concerns There are safety concerns, therefore, we request that visitation be restricted as follows: _____

8. Child Support – Both parents must attach the Child Support Guidelines Affidavit, Form [DR-305](#).

8a. Child support should be entered:

in accordance with Civil Rule 90.3.

vary from Civil Rule 90.3 because: _____

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8b. Child support should be ordered from the date of separation the date of the Final Decree other: _____

9. **Is wife currently pregnant?** NO YES If YES, is her husband the father of the child? YES NO Not Sure

9a. If the husband is NOT the father, is there a *Three-Way Affidavit to Disestablish and Establish Paternity*, SHC-151 [Word](#) | [PDF](#) attached stating who is the biological father?
 YES NO

10. **Does paternity need to be disestablished on any child(ren) born or conceived during the marriage?** YES NO

If YES, please list the child(ren), birthday(s) or expected birthday(s) and how you will disestablish. Please attach to this *Complaint* either a completed *Three-Way Affidavit to Disestablish and Establish Paternity*, SHC-151 [Word](#) | [PDF](#), or a DNA test.

| Child's Name | Date of Birth | Filing an Affidavit of Paternity, SHC-151 | DNA Testing Complete | DNA Testing Planned | Birth Certificate w/ Biological Father's Name |
|--------------|---------------|---|----------------------|---------------------|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

11. Permanent Fund Dividend:

Father Mother

will apply for the child(ren)'s PFD every year.

will alternate annually with Father Mother applying for the next PFD.

The child(ren)'s PFD monies will be:

used for the child(ren)'s living expenses.

saved in a bank account. Both parents will have access to all account statements.

Other: _____

12. Federal taxes: Father Mother will claim the child(ren) as a dependent on his/her income taxes each year alternating years, starting _____.

13. Other: _____

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REQUESTED RELIEF

WE REQUEST:

- 1. That the marriage be dissolved and that we be awarded a decree of divorce;
- 2. That a *Final Order and Judgment* be entered regarding property and debt as requested in section 5;
- 3. That the Plaintiff's Defendant's former name of _____ be restored; *(Print full former name here)*
- 4. That a *Final Order* be entered granting the custody and visitation plan set forth in section 7 of this *Complaint*;
- 5. That child support be ordered according to Civil Rule 90.3 varied for the reason(s) indicated in section 8 of this *Uncontested Complaint*;
- 6. That child support be ordered from the date of separation the date of the Final Decree other: _____;
- 7. That paternity be disestablished for the child(ren) born during the marriage as set forth in section 10 of this *Uncontested Complaint*;
- 8. That the arrangement for the child(ren)'s Permanent Fund Dividend application be ordered as set forth in section 11 of this *Uncontested Complaint*;
- 9. That the arrangement for claiming the child(ren) as a dependent on the parent's income taxes be ordered as set forth in section 12 of this *Uncontested Complaint*;
- 10. Other: _____

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

Date

Plaintiff's Signature (In blue ink if possible)

Date

Defendant's Signature (In blue ink if possible)