

Your Name: _____

Mailing Address: _____

Telephone: _____ Message phone: _____

Email: _____

NOTE: If for any reason you do not wish the other party to know your physical address, you must still 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 (you),
v.

Defendant (the other parent).

Your Case No. _____

COMPLAINT FOR CUSTODY OF MINOR CHILDREN

I, _____, state that the following facts are true and request
(Print your name here.)
the following relief:

1. **Marital History**

- We are NOT married to each other, and have never been.
- We are currently married to each other. (If true, you CANNOT use this form.)
- We were previously married to each other, but the children at issue were conceived or born AFTER the court entered a divorce or dissolution decree.

Information about Divorce or Dissolution Decree

Location of court (city and state): _____

Case No.: _____ Date of Decree: _____

Other: _____

2. **Other Custody Orders**

- No court has issued a custody order about these children.
- The following custody orders have been issued about these children (include domestic violence protective orders and tribal court orders):

Court Location (city and state)	Case No.	Date of Order	In Effect? (Yes or No)

3. Child(ren)'s Information

3A. Please list all the minor children you have had together, including unborn child(ren) if you and the defendant are the parents.

Full name of each child	Date of birth /est. birth

Additional child(ren) listed on attached paper.

3B. Has(have) the minor child(ren) lived continuously for the last 6 months in Alaska?
 YES **NO** (*NOTE: If the child(ren) have not lived in Alaska for the last 6 months, it is very likely Alaska does not have the authority, or jurisdiction, to make decisions about the child(ren). Please contact an attorney to learn about your options.*)

I have attached the **required** Child Custody Jurisdiction Affidavit, **DR-150**.

3C. Does paternity need to be established on any child(ren)? **YES** **NO**
(If the father is not on the birth certificate, this section will help get him on it. Questions: call the Family Law Self-Help Center at (907) 264-0851 or (800) 494-0851 toll-free from a non-Anchorage but Alaska-based phone number.)

If paternity needs to be established, please complete the following chart. If you have a completed Three-Way Affidavit to Disestablish and Establish Paternity, SHC-151 [Word](#) | [PDF](#) or a DNA test, attach it to this *Complaint*.

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

3D. Do you need the court to order the other parent to do a DNA test?

No **Yes.** If yes, you will need to file a *Motion for DNA Testing* with this *Complaint*. You can get motion forms at www.courts.alaska.gov/shc/family/shcforms.htm#shc-pac6.

4. Parenting Plan: *Parenting plans include: (1) how will the parents make decisions about the child(ren)? (2) what will the child(ren)'s living arrangements and schedule be?*

4A. Decision-making: *How will decisions be made relating to health, education or religion of the child(ren)? Joint decision-making means both parents share the decision making because they can communicate about the children, even though they may not get along otherwise. Joint decision-making is the most common arrangement. Sole decision-making 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 abuse or domestic abuse issues. With sole decision-making, 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 other parent.*

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

- Joint Decision-making (*the parents share the decision making about the child(ren)*).
- Sole Decision-making to Mother Father (*one parent makes decisions about the child(ren)'s upbringing and does not have to consult with the other parent*).

4B. Living arrangements *describes the child(ren)'s schedule. **NOTE:** If you are filing in Fairbanks, you are required to use the Proposed Parenting Plan, SHC-1127 [Word](#) | [PDF](#).*

Tip: Print out the annual school calendar provided by your local school district which includes vacations and in-service days. Circle the days you want overnights and count them up. Use that number to figure out the percentage of time with each parent which will be needed to calculate child support. 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, go to www.timeanddate.com/calendar/. You may find the Weekly Scheduling Chart, SHC-1132 [Word](#) | [PDF](#) helpful. You can attach the annual calendar and weekly chart to this *Complaint*.

The following living arrangement is in the child(ren)'s best interests:

Schedule during the week to be with each parent: _____

Summer Vacation: _____

Holidays & Birthdays: _____

Weekends: _____

Other: _____

You may also use one of the following forms to show the parenting schedule:

as described on the attached Weekly Scheduling Chart, SHC-1132 [Word](#) | [PDF](#)

the schedule on the attached Custody & Visitation Plan, SHC-1120 [Word](#) | [PDF](#)

the schedule on the attached Proposed Parenting Plan, SHC-1127 [Word](#) | [PDF](#)

(Required for Fairbanks)

4C. Travel: Travel costs for visitation should be divided as follows:

4D. Safety concerns: *A history of domestic violence can significantly affect the outcome of the custody issues in this case. In short, there is a presumption that the perpetrator of domestic violence may not get custody. The presumption may be overcome by meeting specific legal requirements. You are strongly encouraged to discuss the situation with an attorney. For more information, see www.courts.alaska.gov/shc/family/dvlawfaq.htm.*

I am concerned about my safety or the safety of the children when with the other parent.

Therefore, I request that visitation be restricted as follows: _____

5. Child & Medical Support I have completed and attached the **required** Child Support Guidelines Affidavit, **DR-305**.

I think the living arrangement will be the child(ren) will be with each parent at least 110 overnights a year which results in a shared custody child support calculation. I have also completed and attached a Shared Custody Child Support Calculation, **DR-306**.

5A. Civil Rule 90.3 Calculation: The Court should enter child support

in accordance with Civil Rule 90.3 or vary from Civil Rule 90.3 because (note: this is very rare): _____

5B. Child Support should be ordered from the date of separation the date of the *Final Decree* other: _____.

5C. Other parent's income: I believe that the other parent

i. is making approximately \$_____ per hour year at his/her job as a _____

ii. has a work history of being able to make \$ _____ per hour year as a _____

and this is the amount that should be used when calculating child support if they do not respond to this *Complaint*. I have completed the *Child Support Affidavit*, from DR-305, using these numbers and will serve the DR-305 with this complaint.

5D. Child Support past the age of 18: I do do not request that child support for each child continue for up to a year after the child turns 18 when the following conditions are met: 1) the child is 18 years old, (2) unmarried, (3) actively pursuing a high school diploma or equivalent level of training, and (4) living as a dependant with a parent.

5E. Has either Child Support Services Division (CSSD), the Alaska court or any other state court or child support agency ordered anyone to pay child support?

No Yes, Mother Father, or other _____ has been ordered to pay child support. (*Please attach a copy of that order if you have it.*)

IMPORTANT: If you answered yes, send a copy of this complaint to the Collections and Support Section of the Attorney General's Office. The mailing address is provided at the end of this form.

If another state ordered child support, please read about registering the out-of-state order at <http://www.courts.alaska.gov/shc/family/shcforeign.htm>.

5F. Has anyone applied for public benefits (ATAP, TANF, Food stamps etc.) to support this child?

No Yes, who? _____

IMPORTANT: If you answered yes, send a copy of this motion to the Collections and Support Section of the Attorney General's Office. The mailing address is provided at the end of this form.

5G. CSSD Services: I do do not request the assistance of CSSD to enforce the child support order and keep records of the payments. (*If yes, fill out form DR-315 and file with this Complaint*)

6. Miscellaneous

6A. Permanent Fund Dividend: I request that the court designate Father Mother as the authorized parent to apply for the minor child(ren)'s PFDs. *Please describe any special agreements, such as depositing the PFD into an college savings account etc.:*

6B. Federal Taxes

i. Mom Dad shall claim the child(ren) as a dependent on his/her federal income taxes each year alternating years, starting in year _____.

ii. Each parent shall claim the child(ren) on federal income taxes each year as follows:

child: _____ Dad Mom

child: _____ Dad Mom

child: _____ Dad Mom

child: _____ Dad Mom

iii. Other: _____

7. Other: _____

REQUEST FOR RELIEF

I REQUEST:

1. That a *Final Order* be entered granting the parenting plan set forth in section 4 of this *Complaint*;

2. That Child Support be calculated, ordered and collected as set forth in section 5 of this *Complaint*;

3. If requested, that paternity be established for the child(ren) as set forth in section 3 of this *Complaint* and the birth certificate amended accordingly.

4. That PFD applications and federal tax dependency issues be ordered as set forth in section 6 of this *Complaint*.

5. Other: _____

6. For further relief as the Court deems fit and proper.

I have attached the following documents:

Child Custody Jurisdiction Affidavit, DR-150 – Required

Child Support Guidelines Affidavit, DR-305 – Required

Shared Custody Support Calculation, DR-306 – Required if you want shared custody

Other _____

Date

Your Signature (In blue ink if possible)

Service Instructions

Copies for the defendant:

After you open the court case, **you must serve the defendant** with a copy of this form and all of its attachments **by:**

- **certified mail / restricted delivery/ return receipt, OR**
- **by process server.**

For information about serving the defendant, see: www.courts.alaska.gov/shc/family/serve.htm.

Copies for CSSD:

If CSSD is collecting, in the process of setting up an order, or the child(ren) have benefited from public assistance, send a copy of this form and all of its attachments to the attorneys for the Child Support Services Division **by first class mail**. Look at your court case number to determine which office is handling your case:

Court case numbers beginning with a 1, 2 or 3:
Examples: 1JN-05-8888, 2BE-05-8888 or 3AN-05-8888

Attorney General's Office
Collections and Support Section
1031 West Fourth Ave., Ste 200
Anchorage, AK 99501

Court case numbers beginning with a 4:
Example: or 4FA-05-8888

Attorney General's Office
Collections and Support Section
100 Cushman St., Ste. 400
Fairbanks, AK 99701

Other Useful Contact Information for Family Law Cases

Alaska Court System's Family Law Self-Help Center

www.courts.alaska.gov/shc/family/selfhelp.htm

Helpline: (907) 264-0851 or (866) 279-0851 (toll-free in Alaska but outside Anchorage)

Court Contact Information: www.courts.alaska.gov/courtdir/index.htm