

**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 (You – biological Father)  
v.  
\_\_\_\_\_  
Defendant 1 (the mother)  
\_\_\_\_\_  
Defendant 2 (the current father)  
\_\_\_\_\_

Your Case No. \_\_\_\_\_

**COMPLAINT by BIOLOGICAL FATHER  
TO DISESTABLISH CURRENT FATHER and ESTABLISH SELF**  
 with  without Complaint for Custody

**1. Who are the people involved in this case?**

**A.** I am the plaintiff and believe I am the biological father of the following child(ren). I would like to disestablish Defendant 2, remove him from the birth certificate and establish myself and be added to the birth certificate.

Name of child(ren)	Date of Birth

**B.** Defendant 1 is the mother.

**C.** Defendant 2 is current legal father of the child(ren).

**2. Where does everyone live?**

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A. I am a resident of  the State of Alaska  other \_\_\_\_\_.

B. The child(ren) live in  the State of Alaska  other \_\_\_\_\_.

✓ **YOU MUST** attach a *Child Custody Jurisdiction Affidavit*, [DR-150](#).

C. Defendant 1/ Mother lives in  the State of Alaska  
 other \_\_\_\_\_

D. Defendant 2/current legal father lives in  the State of Alaska  
 other \_\_\_\_\_

E. If I do not live in Alaska, I am submitting to the jurisdiction of this court because the defendants live in Alaska, it is the most convenient forum and in the best interests of the child(ren).

**3. What is/was the marital status between you and the mother?**

A.  I was married to her when she got pregnant or gave birth.

B.  I married her after the child(ren) was(were) born and we are now married.

C.  I was divorced from her on \_\_\_\_\_ by the court in \_\_\_\_\_.

D.  I am not currently, nor have I ever been married to her.

E. Other: \_\_\_\_\_

**4. What is/was the marital status between the mother and Defendant 2?**

A.  They were married when she got pregnant or gave birth.

B.  They were married after the child(ren) was(were) born and are now married.

C.  They were divorced on \_\_\_\_\_ by the court in \_\_\_\_\_.

D.  They are not currently, nor ever have been married.

F. Other: \_\_\_\_\_

**5. Who is on the birth certificate?**

A.  No father is listed

B.  Me, the Plaintiff

C.  Defendant 2

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D.  Other \_\_\_\_\_

**6. If someone is listed as father on the birth certificate, how was paternity established?**

A.  He was married to mother when she got pregnant or gave birth.

B.  He signed an *Affidavit* or *Acknowledgement of Paternity*.

C.  The Office of Children's Services (OCS) established paternity.

D.  The Child Support Services Division (CSSD) established paternity.

E. **Other:** \_\_\_\_\_

**7. Comments to help the Judge understand situation: (add sheets if necessary)**

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**8. Why do you believe that Defendant 2 is NOT the child(ren)'s biological father?**

A.  DNA testing has excluded him. The ORIGINAL results are attached.

B.  Other: \_\_\_\_\_

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**9. Why do you believe that YOU are the child(ren)'s biological father?**

A.  DNA testing has established me. The ORIGINAL results are attached.

B.  Other: \_\_\_\_\_

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**10. Do you want the court to order the Defendant to have DNA testing?**

No

Yes, I have attached:

- Motion & Affidavit for Genetic (DNA) Testing, SHC-1370 [Word](#) | [PDF](#), and
- proposed Order for Genetic (DNA) Testing, SHC-1375 [Word](#) | [PDF](#).

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**11. What about child support?**

**A.** Has CSSD ordered anyone to pay child support?

No  Me  Defendant 2  Other \_\_\_\_\_

**B.** Is CSSD in the process of setting up an order?

No  Yes

**C.** Has the court ordered anyone to pay child support for this child(ren)?

No  Me  Defendant 2  Other \_\_\_\_\_

**IMPORTANT:** If any child support has been ordered, 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.

**12. Has anyone applied for public benefits (ATAP, TANF, Food Stamps etc.) to support this child?**

No  Me  Defendant 2  Other \_\_\_\_\_

**IMPORTANT:** If there are public benefits, 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.

**13. Do you want to establish a custody, visitation and child support order with the mother at this time?**

No

Yes, I request that custody and visitation be entered in the best interests of the children and that child support be entered in accordance with Civil Rule 90.3. I have attached the following:

Proposed Parenting Plan or Custody & Visitation Plan (see <http://courts.alaska.gov/shc/family/shcforms.htm#cust> for different versions)

Child Support Guidelines Affidavit, [DR-305](#) [Fill-In PDF]

Motion and Affidavit for Interim Custody & Child Support, SHC-1101 [Word](#) | [PDF](#) , Custody Order (one page), SHC-1103 [Word](#) | [PDF](#)

Other \_\_\_\_\_

**14. Other:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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**REQUEST FOR RELIEF**

**WHEREFORE, I REQUEST:**

1. That a *Final Order* be entered that disestablishes Defendant 2 as the legal father of the minor child(ren) in question and terminates any rights of custody or visitation;
2. That a *Final Order* be entered that establishes Plaintiff as legal/biological father of the minor child(ren) in question;
3. That the Bureau of Vital Statistics be given notice to replace Defendant 2 with Plaintiff on the birth certificate(s) of the minor child(ren).
4. That the *Final Order* relieve Defendant 2 of any ongoing child support obligation from the date I filed this *Complaint*,

5. That arrearages be modified as allowed by law.

**NOTE:** *The general rule is that child support cannot be retroactively modified. This means the court cannot go back and change past due child support amounts. However, depending on how the original obligation was established, the court may be able to set aside some or all of the arrearages. This is a complicated area of law and you should consult an attorney to find out whether something can be done in your case.*

6. That custody, visitation and child support with Plaintiff be ordered as requested.

7. **Other:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Your Signature* (In blue ink if possible)

***See next page for list of attachments and service instructions***

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### **Attachments**

I have attached the following documents and served them with this Complaint on the Defendants:

- Child Custody Jurisdiction Affidavit, [DR-150](#) (**Required**)
- Custody & Visitation Plan and proposed Order
  - Custody & Visitation Plan (long), SHC-1120 [Word](#) | [PDF](#) and proposed Custody & Visitation Order (long), SHC-1121 [Word](#) | [PDF](#), OR
  - Proposed Parenting Plan (23 pages), SHC-1127 [Word](#) | [PDF](#)
- Child Support Guidelines Affidavit, [DR-305](#) [Fill-In PDF]
- Motion and Affidavit for Interim Custody & Child Support, SHC-1101 [Word](#) | [PDF](#)
- Custody Order (one page), SHC-1103 [Word](#) | [PDF](#)
- A copy of the CSSD or Court's Child Support Order
- The ORIGINAL DNA testing results
- Motion & Affidavit for Genetic (DNA) Testing, SHC-1370 [Word](#) | [PDF](#)
- proposed Order for Genetic (DNA) Testing, SHC-1375 [Word](#) | [PDF](#)
- Other: \_\_\_\_\_

### **Service Instructions**

#### Copies for the defendants:

After you open the court case, **you must serve each defendant** with a copy of this form and all of its attachments **by certified mail / restricted delivery/ return receipt OR by process server.**

#### Copies for CSSD:

If CSSD is collecting child support, 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