

Spouse A Name: _____ Phone: _____

Mailing Address: _____

Email: _____ By providing an email address, I agree that the court and other parties can send me court documents at this email address.

Spouse B Name: _____ Phone: _____

Mailing Address: _____

Email: _____ By providing an email address, I agree that the court and other parties can send me court documents at this email address.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

AT _____
[location of court]

Parent/Spouse A: _____
(Plaintiff)

Parent/Spouse B: _____ Case No. _____
(Defendant) [leave blank, court will fill in]

☐ There is an open Child in Need of Aid (CINA) case involving these children.
Court Location: _____ Case No. [if known]: _____

UNCONTESTED COMPLAINT FOR LEGAL SEPARATION WITH CHILDREN

We state that the following facts are true and request the following relief:

1. Spouse A is a resident of ☐ the State of Alaska. ☐ _____.
Spouse B is a resident of ☐ the State of Alaska. ☐ _____.
2. Date of marriage: _____ Place of marriage: _____
Date of separation: _____
3. Have you previously been granted a legal separation for this marriage by any court?
☐ No
☐ Yes. [**STOP.** Under Alaska law, you cannot be granted a legal separation more than once. You will need to file for divorce, dissolution, or some other relief.]
4. There is an incompatibility of temperament between us that makes it impossible to live together, but we want to stay legally married to preserve or protect significant legal, financial, social, or religious interests. We understand that:
 - A legal separation is **not** a required step before getting a divorce or dissolution.
 - We will stay legally married.
 - The court will divide the marital property and debt we received during the marriage (from the date of marriage until the date of separation).
 - We will have a court-ordered parenting plan that covers decision-making about the children, the children's living arrangements and schedules, and child-related financial matters, such as what to do with the children's PFDs and federal tax deductions.
 - The court will order a child support order based on our parenting plan and income.

5. Minor Children (children under age 18)

Were **any** children born or adopted during the marriage that are still minors? ☐ Yes ☐ No
Do you have any minor children **together**, that were born or adopted from **before** the marriage? ☐ Yes ☐ No
Is a spouse pregnant? ☐ Yes ☐ No
If you marked "No" to **all** questions, **STOP**. Do not use this form. Use *Uncontested Complaint for Legal Separation without Children*, [DR-852](#). If you marked "Yes" to any question, continue with this form.

A. We have the following children under the age of 18 [include unborn children]:

Full Name of Each Child	Date of Birth [estimate if unknown]

☐ More minor children of this relationship are listed on an attachment.

B. Have the children lived for at least the last 6 months in Alaska (or for infants less than six months old, lived in Alaska since birth)? ☐ Yes ☐ No

[If any child has not lived in Alaska for the last 6 months, the Alaska court probably does not have the authority, called "jurisdiction," to make decisions about them. You may want to contact a lawyer to learn about your options.]

☐ We attached the **required** *Child Custody Jurisdiction Affidavit*, form [DR-150](#), to this complaint form to show that the Alaska court has jurisdiction.

6. Parenting Plan

A. Decision-Making. [How the parents will make important decisions about the children. For example: educational, medical, and religious decisions.]

Joint Decision-Making: both parents discuss the issues and decide together, 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: one parent makes decisions about the children, because the parents are not able to communicate about the children, or one parent is unfit due to severe mental illness, substance abuse, or domestic violence issues. Both parents usually have access to school and medical records, both parents have the authority to make a decision in an emergency when the child is with them, 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 agree to

☐ joint decision-making.

☐ sole decision-making to ☐ Parent A. ☐ Parent B.

- B. Living Arrangements. [The children's schedule. Which parent the children will physically be with and live with **on particular days and times.**]

Usual schedule during the week or year: [Be as specific as possible.]

Special schedule for summer or other vacation periods (spring break, winter break, etc.):

Special arrangements for holidays and birthdays:

Other special schedule arrangements:

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

- ☐ Weekly Scheduling Chart, SHC-1132 [Word](#) | [PDF](#)
☐ Custody & Visitation Plan, SHC-1120 [Word](#) | [PDF](#)

[Note: a history of domestic violence can significantly affect the parenting plan in your case. If one or both parents have a history of domestic violence, as defined by the law, the court may be limited in the kind of parenting plan it can order. If this applies to your situation, **you are strongly encouraged to discuss the situation with a lawyer.**]

- C. Travel costs necessary for the children to see each parent should be divided as follows:

- D. Other Parenting Plan Agreements. [For example: how the children will communicate with a parent when not staying with that parent, how and where exchanges will happen, rules about travel out-of-state with the children, any safety concerns and restrictions, and how parents will communicate with each other about the children.]

7. Child & Medical Support

Information about child support:

To calculate child support, figure out the percentage of time during the year the children will be with each parent based on the number of overnights.

1. Look at an annual calendar and count the days each parent will have overnights with the children.
2. To figure out what percentage of the year the children will have overnights with each parent, divide the total number of overnights with each parent by 365, then multiply that number by 100.
3. If there are 109 overnights or fewer for one parent, fill out form [DR-305](#) only. If **both parents** have 110 overnights or more, fill out both form [DR-305](#) and form [DR-306](#). If you have a less common schedule, see [ak-courts.info/css](#).

For links to many school calendars:

<http://www.courts.alaska.gov/shc/family/docs/calendars.pdf>.

For a one-page annual calendar without school dates: www.timeanddate.com/calendar/.

To learn more about child support: <http://courts.alaska.gov/shc/family/support.htm>.

- ☐ We completed and attached the **required** *Child Support Guidelines Affidavit*, form [DR-305](#).
- ☐ We agree to a **shared parenting time schedule** (the children are with each parent at least 110 overnights per year), so we **also** completed and attached *Shared Custody Child Support Calculation*, form [DR-306](#).
- ☐ We attached *Divided Custody Child Support Calculation*, form [DR-307](#), because we agree to that type of parenting plan. [See the form for a description.]
- ☐ We attached *Hybrid Custody Child Support Calculation*, form [DR-308](#), because we agree to that type of parenting plan. [See the form for a description.]
- A. Civil Rule 90.3 Calculation. [You can read the full rule at [ak-courts.info/civrules](#).]
- ☐ The Court should enter child support according to the formula in Civil Rule 90.3.
- ☐ The Court should vary from Civil Rule 90.3, because: [**Note:** variances are rare.]

B. Child Support should start on:

- ☐ the date we stopped living together: _____
- ☐ the date when the court signs the final legal separation decree.
- ☐ other: _____

C. Income and Employment Information.

Parent A's Current or Most Recent Employer: _____

Address: _____

Dates of Employment: _____

Parent B's Current or Most Recent Employer: _____

Address: _____

Dates of Employment: _____

- D. Child support can continue while a child is 18 years old, if the child is (1) not married, (2) actively pursuing a high school diploma or equivalent level of training, and (3) living as a dependent with a parent.
Do you want support to continue while the children are 18 years old? ☐ Yes ☐ No
- E. Has Child Support Enforcement Division (CSED), any other child support agency, or any state or tribal court ordered anyone to pay child support for the children? ☐ Yes ☐ No
If yes, who was ordered to pay? ☐ Parent A ☐ Parent B ☐ _____
[Attach copy of child support order if you have it. Read about registering orders from another state or tribe at <http://www.courts.alaska.gov/shc/family/shcforeign.htm>.]
- F. Has anyone applied for public benefits (ATAP, TANF, SNAP, etc.) to support these children? ☐ No ☐ Yes, name of person: _____
- G. Do you want CSED to enforce the child support order and keep records of the payments? ☐ No ☐ Yes [Fill out form [DR-315](#) and attach it, or apply online at www.childsupport.alaska.gov.]
- H. The court must order immediate income withholding from the person ordered to pay child support, unless there is an exception under Alaska Statute 25.27.062(m). If you want to ask for an exception, explain below:
- _____

8. Other Financial Issues Related to the Children

- A. Alaska Permanent Fund Dividend (PFD)
- ☐ The children are not eligible to receive a PFD currently and/or will not be eligible to receive one in the future.
- ☐ The children are eligible to receive a PFD or will be in the future.
The court should designate ☐ Parent A ☐ Parent B ☐ _____
as the authorized person to apply for the children's PFDs.
- ☐ The children's PFDs must be placed in a savings account. Both parents will have access to the account records, and both parents must agree before spending any money from the accounts.
- ☐ The PFDs may be spent on the children's expenses, in their best interests.
- ☐ Other arrangement for spending or saving the children's PFDs:
- _____

- B. Alaska Native Corporation (ANC) Dividend
- ☐ The children are not eligible to receive an ANC dividend currently and/or will not be eligible to receive one in the future.
- ☐ The children are eligible to receive an ANC dividend or will be in the future.
- ☐ ANC dividends must be placed in a savings account. Both parents will have access to the account records, and both parents must agree before spending any money from the accounts.
- ☐ ANC dividends may be spent on the children's expenses, in their best interests.
- ☐ Other arrangement for spending or saving the children's ANC dividends:
- _____

C. Federal Taxes

- ☐ The court should designate ☐ Parent A ☐ Parent B to claim all the children as dependents on federal income taxes
- ☐ every year.
- ☐ in alternating years, where Parent A will have ☐ odd years. ☐ even years.

- ☐ Parent A will claim the following children every year on their federal income taxes:

Parent B will claim the following children every year on their federal income taxes:

- ☐ Other arrangement for claiming the children as dependents on federal income taxes:

9. **Pregnant Spouse.**

Is one of the spouses currently pregnant?

- ☐ No.
- ☐ Yes, and the other spouse is the unborn child's biological parent. [The court can include the unborn child in the parenting plan and child support order.]
- ☐ Yes, and the other spouse is **not** the unborn child's biological parent.
[Explain below. Include any requests you have about parental rights and responsibilities for each spouse after the child is born.]

10. **Disestablish Paternity**

A. Do you need to disestablish paternity on any children born during the marriage?

- ☐ No
- ☐ Yes [If yes, complete the chart below. Read more at ak-courts.info/paternity.]

Child's Name	Affidavit of Paternity? (Y or N)	DNA Test Done? (Y or N)	DNA Test Planned? (Y or N)	Name (if any) of Father Listed on Birth Certificate

- ☐ More children needing paternity disestablishment are listed on an attachment.

B. We attached the following documents to disestablish paternity:

- ☐ *Three-Way Affidavit to Disestablish and Establish Paternity*, form [DR-521](#)
- ☐ A completed DNA test
- ☐ A certified birth certificate or previous court order showing the correct legal and biological father

11. Property and Debt

- ☐ We have already divided all marital property and debt so there is none for this court to divide. We can each keep what we have in our possession or control. [Go to section 12.]
- ☐ There is marital property and debt for the court to divide in a fair and equitable manner.
- ☐ We attached a *Property & Debt Worksheet*, SHC-1000 [Word](#) | [PDF](#).
- ☐ Below is a list of our assets and debts, and our agreement about dividing our assets and debts. **We believe the division below is fair and just.**

A. Real Property (land and buildings) provide street address or legal description	Value	Acquired During Marriage		Currently Owned By			To Be Awarded To		
		yes	no	A	B	JT*	A	B	JT
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								

*For jointly owned real property at address _____:

- a. ☐ **We will sell the property** and split any profit with ____% to Spouse A and ____% to Spouse B. Until the property is sold, ☐ Spouse A ☐ Spouse B will make all payments and decisions about the property, and ☐ will be ☐ will not be reimbursed from sale proceeds before any profit is paid.
- b. ☐ **One of us will buy the other out.** ☐ Spouse A ☐ Spouse B will buy the other spouse's interest in the property in an amount equal to ____% of the fair market value. We also agree that ☐ the amount of this payment will be \$_____ or ☐ we will have a licensed appraiser or real estate broker determine the property's fair market value. We will select the appraiser or broker together.
- c. ☐ Other:

[Attach extra pages for other real property that is owned jointly.]

B. Motor Vehicles (car, truck, RV, ATV, boat, snow machine, etc.). [List make and model; license, registration, or vehicle ID number.]	Value	Acquired During Marriage		Currently Possessed By			To Be Awarded To		
		yes	no	A	B	JT	A	B	JT
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								

- C. Other Property (furniture, appliances, jewelry, computers, guns, tools, bank accounts, etc.)
[For bank or other financial accounts, list the last 3 digits of the account number and the name of the issuing institution.]

	Value	Acquired During Marriage		Currently Possessed By			To Be Awarded To		
		yes	no	A	B	JT	A	B	JT
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								

[Attach extra pages for other vehicles or personal property.]

- D. Retirement Benefits. We understand that this agreement is only between us and that the retirement or pension plan provider may require other documents to accept our agreement. We also understand that the court will not draft for us any documents, including a qualified domestic relations order (QDRO), that divide the retirement.

- ☐ Neither of us earned retirement or pension benefits during the marriage.
☐ One or both of us earned retirement or pension benefits during the marriage:
☐ Spouse A earned retirement or pension benefits during the marriage:

Last 3 numbers of account	Value of account	Being paid now? (Y/N)

- ☐ Spouse B earned retirement or pension benefits during the marriage:

Last 3 numbers of account	Value of account	Being paid now? (Y/N)

- ☐ We agree that we will each keep our own retirement and pension benefits.
This is fair and equitable, because:

- ☐ Our agreement about the distribution of retirement or pension benefits is attached. If the agreement is not accepted by the retirement or pension plan administrator as a qualified domestic relations order (QDRO), we agree that the court, upon motion by a party, may make any necessary changes. If changes are necessary, we agree that the effective date of the order will be the date of our original legal separation decree.

A copy of the present value statement from the plan administrator for each retirement account is attached. [Note: **This is required. An account statement is not the same as a present value statement.**]

E. Debts

[List **all debts** owed by either party, whether or not it is a joint debt (for example, mortgages, car loans, credit card balances, past due or unpaid bills, etc.). List total amount of outstanding debt (not monthly payments) and who it is owed to. For credit card, bank card, or debit card accounts, list the last 4 digits of the account number and the name of the issuing institution. **Note:** Even though you agree which spouse is responsible to pay a debt that is in both of your names, the bank or other creditor may still hold the other spouse responsible for the debt if payments are not made.]

Debt Owed To	Amount	Incurred During Marriage		Currently Owed By			To Be Paid By		
		yes	no	A	B	JT	A	B	JT
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								
	\$								

F. Transfer Deadline.

All **payments** from one spouse to the other spouse will be done by _____.

All **documents** necessary to carry out this agreement (for example: signing quit claim deeds, refinancing, transferring title, etc.) will be done by _____.

Any **property** stored by one party for the other will be transferred by _____.

12. **Other Agreements** [For example: lawyer's fees, spousal support, etc.]

REQUEST FOR RELIEF

We request that the court:

1. Issue a decree of legal separation.
2. Enter a final order granting the parenting plan, as requested in section 6.
3. Calculate child support and enter a child support order, as requested in section 7.
4. Enter a final order regarding financial matters related to the children, as requested in section 8.
5. Enter a final order and judgment regarding property and debt, as requested in section 11.
6. ☐ Disestablish paternity for the children born during the marriage, as requested in section 10, and order the birth certificates to be amended.
7. ☐ Other: _____

We attached the following **REQUIRED** forms:

- ☐ *Child Custody Jurisdiction Affidavit*, form [DR-150](#)
- ☐ *Child Support Guidelines Affidavit*, form [DR-305](#)
- ☐ *Information Sheet*, form [DR-314](#)
- ☐ *Case Description Form*, form [CIV-125S](#) [This is **not required** if you use TrueFiling.]

We attached the following **additional** documents:

- ☐ *Request for Exemption from Payment of Fees*, form [TF-920](#)
- ☐ *Shared Custody Child Support Calculation*, form [DR-306](#)
- ☐ *Application for CSED Services*, form [DR-315](#)
- ☐ *Property & Debt Worksheet*, SHC-1000 [Word](#) | [PDF](#)
- ☐ Parenting Plan
- ☐ Other: _____

Date

Signature of Parent/Spouse A

Date

Signature of Parent/Spouse B

Use of TrueFiling

([Administrative Bulletin No. 92](#) - AB 92)

1. See if TrueFiling is available for your case type and court location at ak-courts.info/tfcourts.
2. If available, you **must** use TrueFiling unless you are exempt. You are exempt if one of these applies:
 - You are in a jail or correctional facility.
 - You have a disability under the Americans with Disabilities Act (ADA).
 - You do not have safe access to a computer, internet, or email.
 - You cannot access the help you need to use TrueFiling.
 - You have a language barrier or are Limited English Proficient.

You do not need to prove you are exempt. If you are exempt **and** you choose not to use TrueFiling, check and sign the text box below. If you sign below, you can only give documents to the court by mail or in person. You cannot email them.

☐ I certify that I am exempt from using TrueFiling for a reason listed in AB 92.

Signature: _____ Print or Type Name: _____

☐ I certify that I am exempt from using TrueFiling for a reason listed in AB 92.

Signature: _____ Print or Type Name: _____

Information about Filing Your Documents & Next Steps

(You do not need to file this page with the court)

1. **Using TrueFiling:** Create a TrueFiling account and log in. Upload this complaint and all attachments as one “bundle.” See instructions at ak-courts.info/tfhowto.
Not Using TrueFiling: Make two copies of the complaint and all attachments. The copies are for each of you for your records. Bring the originals to the court in person or mail it (court directory: ak-courts.info/dir).
3. After you open the case, the court clerk will usually give you both a “Standing Order” that has important information about your case. Make sure to read it carefully and follow it. The clerk will also send you both a notice with the date, time, and place of the court hearing to finalize your divorce.

For more help, call the Family Law Self-Help Center at (907) 264-0851 or (866) 279-0851. Or visit the self-help website at ak-courts.info/family.

2. There is a **fee** to file a case (see fee amounts at ak-courts.info/courtfees). In TrueFiling, pay the fee with a credit or debit card. In person, you can pay the court clerk with most forms of payment. By mail, include a check or money order. If you **cannot afford** the fee, ask the court to waive it. Call the Family Law Self-Help Center at (907) 264-0851 or (866) 279-0851, or attach form [TF-920](#) to request a waiver from the judge.

Nothing will happen in your case until you pay or the court approves your waiver.

