

INSTRUCTIONS FOR COMPLAINT FOR LEGAL SEPARATION WITHOUT CHILDREN

1. What forms do I need to fill out? (Use this as your checklist.)

- Complaint for Legal Separation without Children*, form [DR-862](#)
- Information Sheet*, form [DR-314](#)
- Summons*, form CIV-100 [Select your location from the list at [ak-courts.info/civ100.](#)]
- If you do **not** use TrueFiling: *Case Description Form*, form [CIV-125S](#)
- If you cannot afford the filing fee and want to ask that it be waived: *Request for Exemption from Payment of Fees*, form [TF-920](#)

All forms listed above are available on the court's website at [ak-courts.info/forms](#). They are also available in paper copy from the court clerk upon request.

2. How do I fill out the complaint?

The complaint asks for information about you, your spouse, and any marital property or debt. List all property and debt of the marriage that you want the court to divide.

3. How do I fill out the *Summons*?

Find the CIV-100 Summons for your court location from the list at [ak-courts.info/civ100](#).

Fill-in the blank spaces in the top half of the form, except the case number. When you file your papers, the clerk completes the lower half, gives your case a case number, and assigns a judge.

If you use TrueFiling, the clerk will email you the completed summons. If you file in person, the clerk may give you the summons right away, or the clerk may mail it. If you file your case by mail, you will receive the summons back by mail.

4. What is my case type?

When you start a case, you need to tell the court the case type.

When you start your case in TrueFiling, use the "Initiate Case" button for Domestic Relations cases. Enter:

- the location of the court you are filing in.
- for Case Type: Legal Separation
- for Case Sub-Type: Stay Legally Married (no minor children and not pregnant) - do NOT Agree (or are unsure) on Property/Debt Division or Parenting Plan

If you do not use TrueFiling,

- fill out and file *Case Description Form*, form [CIV-125S](#)
- check the box: Stay Legally Married (no minor children and not pregnant) - do **not** Agree (or are unsure) on Property/Debt Division

5. What do I do with the completed forms?

File all of your completed forms with the court. You must use the court's electronic filing platform, TrueFiling, unless you are exempt. For detailed instructions on using TrueFiling, see [ak-courts.info/tfhowto](#). You must either pay the filing fee in TrueFiling or ask the court to waive the fee by filing *Request for Exemption from Payment of Fees*, form [TF-920](#).

You are exempt from using TrueFiling 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 at the end of your complaint form. Make two copies of all your forms and attachments (one for your records and one to give to your spouse). File the **originals** of your completed forms in person at the courthouse or by mail. See ak-courts.info/dir for a list of addresses.

6. What happens after I open the case?

You must give a copy of everything you filed with the court to your spouse. This is called "service." When you first open a case, you must also serve your spouse with the *Summons* that was signed by the clerk and the *Standing Order in Domestic Relations Cases*. The court clerk will send you the *Standing Order* after you file your complaint. At the beginning of the case, you must use certified mail delivery or a process server to serve your spouse.

For more information on service at the beginning of the case, see:

- Civil Rule 4, available to read at ak-courts.info/civrules. A copy of the rule book is also available at any courthouse and most public libraries.
- *How to Serve a Summons in a Civil Lawsuit*, form [CIV-106](#). This booklet is also available in paper copy from the court clerk.
- Family Law Self-Help Center website at <https://courts.alaska.gov/shc/family/serve.htm#8>

Once the other spouse files a response to your complaint (called an "answer"), the court will set a hearing and notify you of the date, time, and location. Usually, the purpose of the hearing is to discuss the trial date and trial deadlines, determine if the parties want a formal or informal trial, and learn if the parties want to try mediation.

7. Are there other resources?

- The Family Law Self-Help Center has legal information for people without lawyers. Call (907) 264-0851 or (866) 279-0851. Staff can also answer questions about using the court's TrueFiling electronic filing system.
- Visit the court's family law self-help page: ak-courts.info/selfhelp
- Learn about getting help from a lawyer: ak-courts.info/findlawyer
- Learn about the court's TrueFiling system: ak-courts.info/tfhowto
- The Zoom Family Law Education Class explains the court process for people who do not have lawyers: ak-courts.info/flecinfo
- The Zoom Hearing and Trial Preparation class helps people without lawyers prepare for a hearing or trial: ak-courts.info/HTP