

**PACKET FOR ANSWER AND COUNTERCLAIM:  
LEGAL SEPARATION WITH CHILDREN**

<b>Forms included in this packet:</b>	
<a href="#"><u>DR-866</u></a>	<b>Instructions</b>
<a href="#"><u>DR-867</u></a>	<b>Answer and Counterclaim to Complaint for Legal Separation with Children</b>
<a href="#"><u>DR-150</u></a>	<b>Child Custody Jurisdiction Affidavit</b>
<a href="#"><u>DR-305</u></a>	<b>Child Support Guidelines Affidavit</b>
<a href="#"><u>DR-314</u></a>	<b>Information Sheet</b>
<a href="#"><u>DR-306</u></a>	<b>Shared Custody Child Support Calculation</b>
<a href="#"><u>DR-315</u></a>	<b>Application for Child Support Enforcement Division (CSED) Services</b>
<b>Where can I find more information?</b>	
<p>You can also contact the Family Law Self-Help Center at (907) 264-0851 or (866) 279-0851 or visit the court's website: <a href="http://ak-courts.info/family">ak-courts.info/family</a>.</p> <p>The statutes, court rules, and the forms referenced in this packet are available on the court's website at <a href="http://ak-courts.info/home">ak-courts.info/home</a>.</p>	

## **INSTRUCTIONS FOR ANSWER AND COUNTERCLAIM: LEGAL SEPARATION WITH CHILDREN**

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

- Answer and Counterclaim to Complaint for Legal Separation with Children*, form [DR-867](#)
- Child Custody Jurisdiction Affidavit*, form [DR-150](#)
- Child Support Guidelines Affidavit*, form [DR-305](#)
- Information Sheet*, form [DR-314](#)

If you have one of the following parenting plan arrangements:

- Shared custody: *Shared Custody Child Support Calculation*, form [DR-306](#)
- Divided custody: *Divided Custody Child Support Calculation*, form [DR-307](#)
- Hybrid custody: *Hybrid Custody Child Support Calculation*, form [DR-308](#)
- If you want to have Child Support Enforcement Division (CSED) help you collect and keep track of child support: *Application for CSED Services*, form [DR-315](#). You can also apply online for CSED services at [www.childsupport.alaska.gov](http://www.childsupport.alaska.gov).

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

### **2. How do I fill out the answer and counterclaim?**

This form is your response to the complaint. The answer tells the court which parts of the complaint you agree with and which parts you disagree with. You can also tell the judge if you think the Alaska court does not have the authority (called "jurisdiction") to decide the case. See [ak-courts.info/cusjurs](http://ak-courts.info/cusjurs) for more information on jurisdiction. The counterclaim section is where you can tell the judge what you want to happen in your case: the parenting plan, child support arrangements, and division of marital property and debt.

### **3. How do I fill out *Child Support Guidelines Affidavit* and *Child Custody Jurisdiction Affidavit*?**

- Answer each question completely. If you disagree with the income the other parent provided on their DR-305, fill out what you think the information should be on yours. For more detailed information, see the online tutorial at [ak-courts.info/dr305howto](http://ak-courts.info/dr305howto), or read *How to Calculate Child Support under Civil Rule 90.3* (form [DR-310](#)). A paper copy of the DR-310 booklet is available from the court clerk for customers with limited or no internet access.
- *Child Support Guidelines Affidavit* requires that you include your most recent tax return, three pay stubs, and documents that show information about any deductions you want to claim.
- *Child Custody Jurisdiction Affidavit* has a checkbox where you can say that you agree with what the other parent already wrote in their affidavit. If you disagree, fill out completely what you think the correct information is.
- You must sign these forms in front of a notary public. A court clerk can provide this notary service for you for free if you bring the documents to court. Bring a photo ID with you for the notarization. If you do not have access to a notary or court clerk, you can fill out and attach *Self-Certification (No Notary Available)*, form [TF-835](#).

**4. How do I know if I need to fill out any extra child support forms (DR-306, DR-307, or DR-308)?**

Count up the number of overnights the children spend with each parent over the course of one year. That number determines the formula you use to calculate child support. These forms will help you complete the formula according to Civil Rule 90.3. For more information, see [ak-courts.info/css](http://ak-courts.info/css), or read *How to Calculate Child Support under Civil Rule 90.3* (form [DR-310](http://ak-courts.info/dr310)). A paper copy of the DR-310 booklet is available from the court clerk for customers with limited or no internet access.

**5. What do I do with the completed forms?**

File all of your completed forms with the same court where the complaint was filed. 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](http://ak-courts.info/tfhowto).

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 answer 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](http://ak-courts.info/dir) for a list of addresses.

You must give a copy of your answer (and everything attached to it) to your spouse. This is called "service."

Use TrueFiling to serve your spouse if:

- Both of you are using TrueFiling.
- You are using TrueFiling and your spouse gave their email address to the court.

Fill out the certificate of service at the end of your answer form if:

- Your spouse is not using TrueFiling and did not give their email address to the court.
- You are exempt from using TrueFiling.

**6. What happens next?**

Once your answer is filed, 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](http://ak-courts.info/selfhelp)
- Learn about getting help from a lawyer: [ak-courts.info/findlawyer](http://ak-courts.info/findlawyer)
- Learn about the court's TrueFiling system: [ak-courts.info/tfhowto](http://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](http://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](http://ak-courts.info/HTP)
- The court offers parents free mediation to help you draft a parenting plan agreement. To request this, use *Request for Court-Sponsored Parenting Plan Dispute Resolution*, form [MED-405](#).
- If you are having difficulty co-parenting, you can participate in the court's co-parenting coaching program. Learn about the program at [ak-courts.info/cpp](http://ak-courts.info/cpp). Both parents can ask to attend by filing *Joint Request for Court's Co-Parenting Program*, form [MED-460](#). One parent can ask to attend by filing *Request for Court's Co-Parenting Program*, form [MED-461](#).

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

[You must give a mailing address for the court and other parties to mail you required documents. You can use any address, as long as you will get all mail sent to this address as soon as it is delivered.]

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

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

[Fill out the location, party names, and case number exactly the same as on the complaint.]

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
AT \_\_\_\_\_Parent/Spouse A: \_\_\_\_\_  
(Plaintiff)Parent/Spouse B: \_\_\_\_\_ Case No. \_\_\_\_\_  
(Defendant)**ANSWER AND COUNTERCLAIM TO  
COMPLAINT FOR LEGAL SEPARATION WITH CHILDREN**

I, \_\_\_\_\_ [your name], state that the following facts are true and respond to Parent/Spouse A's complaint as follows:

**A. ANSWER**

- I agree with all of the statements in the complaint.
- I agree with the statements in the complaint, **except** for [list the specific section numbers and letters you disagree with]: \_\_\_\_\_
- I am not sure if I agree or disagree with the statements in these sections of the complaint:  
\_\_\_\_\_

**B. AFFIRMATIVE DEFENSES**

Affirmative defenses are facts or legal arguments that stop Parent/Spouse A from bringing this court case at all. When you claim an affirmative defense, you usually also need to file a motion to dismiss the case. If you prove an affirmative defense, you might get what you are asking for, even if everything in the complaint is true.

- I have no affirmative defenses. [Go to Section C.]
- I state the following affirmative defenses. [Check all sections below that apply.]
1.  This court does not have subject-matter jurisdiction (authority) to decide custody of the minor children, because: [**Note:** Attach *Child Custody Jurisdiction Affidavit*, form [DR-150](#), to this answer form to support this defense.]
    - The children have never lived or been present in Alaska.
    - The children do not currently live in Alaska and have not lived in Alaska since \_\_\_\_\_.
    - The children currently live in Alaska, but it has been less than six months.
    - Another court has already decided custody issues about the children.
- I attached a *Motion to Dismiss for Lack of Jurisdiction*. [You can use form [TF-706](#).]

2.  I have never resided or been present in the State of Alaska. It is my position that this court does not have jurisdiction over me and/or over any of the property or debt of the marital estate. I want the court to dismiss this case, because I will be prejudiced if we are legally separated before the property division occurs in another state.  
 I attached a *Motion to Dismiss for Lack of Jurisdiction*. [You can use form [TF-706](#).]
3.  The location of this case is not correct. The case should have been filed at the courthouse in \_\_\_\_\_ [name of city or town].  
 I attached a *Motion to Change Venue*. [You can use form [TF-706](#).]
4.  We have already been previously been legally separated on \_\_\_\_\_ [date] by a court in \_\_\_\_\_ [name or location of court].
5.  Other:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### C. COUNTERCLAIMS

A counterclaim is where you write what you want the judge to order. If you do not fill out this section, the judge may order what Parent/Spouse A asked for without knowing what you want.

- I make the counterclaims below. If I asked the court to dismiss the case in section B (Affirmative Defenses), and the court does not dismiss the case, I do not waive any claim I made about the court's lack of jurisdiction.
- I have no counterclaims. [Go to Section D.]

1. Date of marriage: \_\_\_\_\_ Place of marriage: \_\_\_\_\_  
Date of separation: \_\_\_\_\_

2. I understand that if one spouse requests a divorce, the court must grant it. I also understand that if both spouses agree to a legal separation over a divorce, the judge can grant a legal separation instead of a divorce:
- A legal separation is **not** a required step before getting a divorce or dissolution.
  - In a legal separation, the spouses will stay legally married to each other.
  - The court will divide the marital property and debt the spouses received during the marriage (from the date of marriage until the date of separation).
  - The court will order a 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 the parenting plan and the income of both spouses.

- I agree to a legal separation, because **I want to stay legally married** to preserve or protect significant legal, financial, social, or religious interests.
- I do not agree to a legal separation. **I want a divorce.**

3. **Minor Children (children under age 18)**

A. Parent A and I 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. My counterclaims apply to the children listed in Section 3.A above.

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

4. **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, I request:

- joint decision-making.  
 sole decision-making to  me.  Spouse/Parent A.

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.]

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

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Special arrangements for holidays and birthdays:

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Other:

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

- Weekly Scheduling Chart*, SHC-1132 [Word](#) | [PDF](#)
- Parenting Plan*, form [DR-475](#)

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

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- D. Safety Concerns.

**[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.**]

- I am concerned about the children's safety around Parent A, because:

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Therefore, I request that Parent A's parenting time be restricted as follows:

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## 5. 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](http://ak-courts.info/css).

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

One-page annual calendar without school dates: [www.timeanddate.com/calendar/](http://www.timeanddate.com/calendar/)

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

- I completed and attached **required** *Child Support Guidelines Affidavit*, form [DR-305](#).
- I am proposing a **shared parenting time schedule** (the children are with each parent at least 110 overnights per year), so I have **also** completed and attached *Shared Custody Child Support Calculation*, form [DR-306](#).
- I attached *Divided Custody Child Support Calculation*, form [DR-307](#), because I am proposing that type of parenting plan. [See the form for a description.]
- I attached *Hybrid Custody Child Support Calculation*, form [DR-308](#), because I am proposing 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](http://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.
- My Current or Most Recent Employer: \_\_\_\_\_
- Address: \_\_\_\_\_
- Dates of Employment: \_\_\_\_\_
- Spouse/Parent A's Current or Most Recent Employer: \_\_\_\_\_
- Address: \_\_\_\_\_
- Dates of Employment: \_\_\_\_\_
- D. Child support can continue while the 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?  Me  Parent A  \_\_\_\_\_  
 [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](http://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:  
 \_\_\_\_\_  
 \_\_\_\_\_

**6. 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.  
 I request that the court designate  me  Parent A  \_\_\_\_\_  
 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

- I request that the court designate  me  Parent A to claim all the children as dependents on federal income taxes
  - every year.
  - in alternating years, where I will have  odd years.  even years.
- I request that I claim the following children every year on my federal income taxes: \_\_\_\_\_  
and Parent A claim the following children every year on their federal income taxes: \_\_\_\_\_
- Other arrangement for claiming the children as dependents on federal income taxes:  
\_\_\_\_\_  
\_\_\_\_\_

7. **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.]

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

8. **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](http://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. I 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
- Motion and Affidavit for Genetic (DNA) Testing*, form [DR-530](#), because I need the court to order a DNA test to determine paternity

**9. 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 10.]

There is marital property and debt for the court to divide in a fair and equitable manner.

I have attached a *Property & Debt Worksheet*, SHC-1000 [Word](#) | [PDF](#).

I am aware of the following property bought, earned, or received during the marriage:

Home. Value: \$ \_\_\_\_\_ Mortgage Amount: \$ \_\_\_\_\_

Other Building [describe]: \_\_\_\_\_  
Value: \$ \_\_\_\_\_ Mortgage Amount: \$ \_\_\_\_\_

Land [describe]: \_\_\_\_\_  
Value: \$ \_\_\_\_\_ Mortgage Amount: \$ \_\_\_\_\_

Vehicle (car, truck, snow machine, boat, etc.): \_\_\_\_\_  
Value: \$ \_\_\_\_\_ Loan Amount: \$ \_\_\_\_\_

Vehicle (car, truck, snow machine, boat, etc.): \_\_\_\_\_  
Value: \$ \_\_\_\_\_ Loan Amount: \$ \_\_\_\_\_

Vehicle (car, truck, snow machine, boat, etc.): \_\_\_\_\_  
Value: \$ \_\_\_\_\_ Loan Amount: \$ \_\_\_\_\_

Vehicle (car, truck, snow machine, boat, etc.): \_\_\_\_\_  
Value: \$ \_\_\_\_\_ Loan Amount: \$ \_\_\_\_\_

Furniture  Household Goods  Guns  Jewelry  Tools  Artwork

Other Valuable Personal Property [list]: \_\_\_\_\_  
\_\_\_\_\_

Bank Accounts [list bank name and last four of account number]: \_\_\_\_\_  
\_\_\_\_\_

Stocks, Bonds, Crypto, Other Financial Instruments [describe]: \_\_\_\_\_  
\_\_\_\_\_

Spouse/Parent A's Retirement Savings  
 401(k)/403(b) account  IRA  Pension (PERS, TRS, FERS, etc.)  
 Military  SBS  Other: \_\_\_\_\_

Spouse/Parent B's Retirement Savings  
 401(k)/403(b) account  IRA  Pension (PERS, TRS, FERS, etc.)  
 Military  SBS  Other: \_\_\_\_\_

Other: \_\_\_\_\_

I am aware of the following debt and other liabilities incurred during the marriage, not already listed above:

Credit card debts [list card name and last four of account number]: \_\_\_\_\_  
\_\_\_\_\_

Unpaid medical bill  Unpaid utility bill  Unpaid cell phone bill

Student loans  Liens on the home  Other unpaid bill: \_\_\_\_\_

Other: \_\_\_\_\_

10. **Other requests or information I want the court to know about:**

[For example: lawyer’s fees, spousal support, etc. If you want the court to award you lawyer’s fees or spousal support before the end of the case, you must file a separate motion in addition to writing it in this section. See [ak-courts.info/motpac](http://ak-courts.info/motpac) for forms.]

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**D. REQUEST FOR RELIEF**

**I REQUEST that the court:**

1. Issue a decree of  legal separation.  divorce.
2. Enter a final order granting the parenting plan, as requested in section C.4.
3. Calculate child support and enter a child support order, as requested in section C.5.
4. Enter a final order regarding financial matters related to the children, as requested in section C.6.
5. Enter a final order and judgment regarding property and debt, as requested in section C.9.
6.  Disestablish paternity for the children born during the marriage, as requested in section C.8, and order the birth certificates to be amended.
7.  Other: \_\_\_\_\_

I attached the following **REQUIRED** forms:

- Child Custody Jurisdiction Affidavit*, form [DR-150](#)
- Child Support Guidelines Affidavit*, form [DR-305](#)
- Information Sheet*, form [DR-314](#)

I attached the following **additional** documents:

- Shared Custody Child Support Calculation*, form [DR-306](#)
- Application for CSED Services*, form [DR-315](#)
- Property & Debt Worksheet*, SHC-1000 [Word](#) | [PDF](#)
- Proposed Parenting Plan
- Other: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**\*\*See next page for information on TrueFiling  
and for instructions on REQUIRED service.\*\***

**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](http://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.

<input type="checkbox"/> I certify that I am exempt from using TrueFiling for a reason listed in AB 92. Signature: _____ Print or Type Name: _____
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**You must give a copy of this form (and everything attached to it) to every party in the case.** This is called "service."

**Use TrueFiling to serve the other party if:**

- Both you and the other party are using TrueFiling.
- You are using TrueFiling and the other party gave their email address to the court.

**Use the Certificate of Service below if:**

- The other party is not using TrueFiling and did not give their email address to the court.
- TrueFiling is not available - check TrueFiling availability at <https://ak-courts.info/tfcourts>
- You are exempt from using TrueFiling.

<u>Certificate of Service</u>
I certify on _____ at _____ [date/time] I gave a copy of this document <b>and</b> any attachments by <input type="checkbox"/> mail. <input type="checkbox"/> hand-delivery. <input type="checkbox"/> TrueFiling. <input type="checkbox"/> email. [You can only use email if the other party provided an email address to the court]. I served these people: _____ Signature: _____

## Information about Filing and Serving Your Answer & Next Steps

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

You have 20 days after you receive the complaint to file your answer and any attachments to it. If the due date is a weekend or holiday, your answer is due the next day the court is open. For example, if you count 20 days and it ends on a Saturday, and the court is open Monday, your answer is due Monday. Count 20 days from

- the date you signed the certified mail restricted delivery receipt, or
- the date the process server delivered the court documents.

File your documents in the court where the case was started and serve the other party

Even if you ask to change the court location, you must still file your answer in the same court where the other party filed the complaint.

### 1. File with the Court.

**Using TrueFiling:** Create a TrueFiling account and log in. Upload this answer and all attachments as one “bundle.” See the User Guide at [ak-courts.info/tfhowto](http://ak-courts.info/tfhowto).

**Not Using TrueFiling:** Make two copies of this answer and all attachments: one copy for your records and one copy for the other party. Bring the original to the court in person or mail it (court directory: [ak-courts.info/dir](http://ak-courts.info/dir)). Make sure to mail it early enough for the court to get it before the 20-day deadline.

2. Service. If the other party has a lawyer, you must serve the lawyer instead of serving the other party directly.

If both of you use TrueFiling, you will complete service through TrueFiling. If not, service varies. See [ak-courts.info/tfservice](http://ak-courts.info/tfservice) for instructions.

What to expect after you file your answer and serve a copy on the other party

If you do not file an answer, the other party can ask the judge to decide the case without hearing from you. This is called “default.” Read more at [ak-courts.info/default](http://ak-courts.info/default).

After you file your answer, the court will set a hearing and send you a notice with the date, time, and location of the hearing.

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](http://ak-courts.info/family).



If disclosure of the information on this form could harm the health, safety or liberty of you or your children, then you are not required to give a copy of this form to the other party. Instead, file this form at the court with form [DR-151](#) which is available online or from the court clerk. AS 25.30.380(e).

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA AT \_\_\_\_\_

Case Name:

\_\_\_\_\_, Parent A (Plaintiff/Petitioner)  
 \_\_\_\_\_, Parent B (Defendant/Respondent)

In the Matter of: \_\_\_\_\_

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

**CHILD CUSTODY JURISDICTION AFFIDAVIT**

Name (include first, middle, and last): \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Mailing Address: \_\_\_\_\_

This is an uncontested case and both parents are filling out this affidavit together.

[You **must both sign** this form at the end.]

I agree with the *Child Custody Jurisdiction Affidavit* already filed by \_\_\_\_\_, so I am not completing the rest of this form. [You still **must sign** this form at the end.]

**1. These children are the subject of the current custody proceedings:**

CHILD 1				
First Name		Middle Name	Last Name	
Date of Birth		Place of Birth	Gender	
Current Address (since ___/___/___)		Who has custody?	Relationship	
Past Addresses (last 5 years)		City and State	Who did this child live with then? (name and current address)	Relationship
From	To			

CHILD 2				
First Name		Middle Name	Last Name	
Date of Birth		Place of Birth	Gender	
Current Address (since ___/___/___)		Who has custody?	Relationship	
Past Addresses (last 5 years)		City and State	Who did this child live with then? (name and current address)	Relationship
From	To			

<b>CHILD 3</b>				
First Name		Middle Name		Last Name
Date of Birth		Place of Birth		Gender
Current Address (since ___/___/___)		Who has custody?		Relationship
Past Addresses (last 5 years)		City and State	Who did this child live with then? (name and current address)	Relationship
From	To			

<b>CHILD 4</b>				
First Name		Middle Name		Last Name
Date of Birth		Place of Birth		Gender
Current Address (since ___/___/___)		Who has custody?		Relationship
Past Addresses (last 5 years)		City and State	Who did this child live with then? (name and current address)	Relationship
From	To			

<b>CHILD 5</b>				
First Name		Middle Name		Last Name
Date of Birth		Place of Birth		Gender
Current Address (since ___/___/___)		Who has custody?		Relationship
Past Addresses (last 5 years)		City and State	Who did this child live with then? (name and current address)	Relationship
From	To			

[Attach extra pages if there are more than 5 children. Write only on one side of the page.]

2. Have you participated as a party, witness, or in another capacity in another proceeding about the custody of any of the children listed above or about visitation with them?

Yes  No

If yes, describe the other custody proceeding:

Name of the court: \_\_\_\_\_

Case number: \_\_\_\_\_ Date: \_\_\_\_\_

Court's decision: \_\_\_\_\_

3. Do you know of a proceeding that could affect this proceeding (such as a proceeding about domestic violence, protective orders, child-in-need-of-aid, termination of parental rights, adoption, or enforcement of a court order)?

Yes  No

If yes, identify the court: \_\_\_\_\_

Case number: \_\_\_\_\_

Type of the proceeding: \_\_\_\_\_

4. Do you know of anybody who is not a party to this proceeding who has physical custody of any of the children listed above, or claims they have a right to physical custody, legal custody, or visitation?  Yes  No

If yes, list each person's name, address, and what the person claims:

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

**I say on oath or affirm under penalty of perjury that my statements in this affidavit are true to the best of my knowledge and belief.**

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Signature (sign in front of a notary)

Subscribed and sworn to or affirmed before me at \_\_\_\_\_ on \_\_\_\_\_

\_\_\_\_\_  
Court clerk, notary public, or other person  
authorized to administer oaths  
My commission expires \_\_\_\_\_

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Signature (sign in front of a notary)

Subscribed and sworn to or affirmed before me at \_\_\_\_\_ on \_\_\_\_\_

\_\_\_\_\_  
Court clerk, notary public, or other person  
authorized to administer oaths  
My commission expires \_\_\_\_\_

**[NOTE: All parties have a continuing duty to tell the court of any other court proceeding in Alaska or any other state concerning the children listed above.]**

**\*\*See instructions for the REQUIRED service on the next page.\*\***

**You must give a copy of this form (and everything attached to it) to every party in the case.** This is called "service." If you are filling this out together with the other parent, you do **not** have to serve it on each other.

**Use TrueFiling to serve the other party if:**

- Both you and the other party are using TrueFiling.
- You are using TrueFiling and the other party gave their email address to the court.

**Use the Certificate of Service below if:**

- The other party is not using TrueFiling and did not give their email address to the court.
- TrueFiling is not available - check TrueFiling availability at <https://ak-courts.info/tfcourts>
- You are exempt from using TrueFiling.

Certificate of Service

I certify on \_\_\_\_\_ at \_\_\_\_\_ *[date/time]* I gave a copy of this document **and** any attachments by  mail.  hand-delivery.  TrueFiling.  email. *[You can only use email if the other party provided an email address to the court].*

I served these people: \_\_\_\_\_

Signature: \_\_\_\_\_

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA AT \_\_\_\_\_

\_\_\_\_\_)
Parent A (Plaintiff or Co-Petitioner)
\_\_\_\_\_)
Parent B (Defendant or Co-Petitioner)
\_\_\_\_\_)

CASE NO. \_\_\_\_\_

CHILD SUPPORT
GUIDELINES AFFIDAVIT

For more information about income and deductions, see Civil Rule 90.3. (ak-courts.info/civrules)

I attached a copy of my most recent tax return, 3 pay stubs, and documents needed to show my deductions to verify this information.

[Important: delete social security numbers & account numbers from any documents you attach.]

I did not attach supporting documents, because: \_\_\_\_\_

The amounts below are MONTHLY. YEARLY. [Make sure you are consistent with using monthly or yearly numbers. For example, if you check "monthly," remember to divide yearly amounts (like the PFD) by 12 before entering the information below.]

Table with 3 columns: Description, PARENT A, PARENT B. Rows include Income (Gross wages, housing, unemployment, Alaska PFD), Deductions (Federal/state/local tax, social security, Medicare, etc.), and Total Income/Deductions.

1 Other common examples of income are self-employment and rental income, "gig" work, Alaska Native dividends, disability (VA, SSDI, worker's comp), investment earnings, and pensions. This is not a full list.
2 Put employer or military provided COLA, and military BAH and BAS, on this line.
3 Only if plan earnings are tax-free or tax-deferred. When added to mandatory retirement contributions, this deduction cannot be more than 7.5% of total income.
4 "Prior children" are children from a different relationship born or adopted before the children in this case. For more information, see "Prior Child Deduction Chart" (https://ak-courts.info/pcdchart).
5 This deduction cannot be more than 10% of total income.
6 "Eligible beneficiaries" are the other parent in this case and all children that you and the other parent have together. If there are additional beneficiaries of the policy, divide the premium by total number of beneficiaries, then multiply that number by eligible beneficiaries. The maximum deduction is \$1200 per year (\$100 per month).

<b>C. Adjusted Annual Income</b>	<b>PARENT A</b>	<b>PARENT B</b>
1. If TOTAL INCOME from section A is <b>monthly</b> , multiply by 12 and write the amount here. If <b>yearly</b> , repeat the amount from section A here:	_____	_____
2. If TOTAL DEDUCTIONS from section B are <b>monthly</b> , multiply by 12 and write the amount here. If <b>yearly</b> , repeat the amount from section B here:	_____	_____
3. Subtract line 2 from line 1 to get NET INCOME:	_____	_____
4. If line 3 is <b>more</b> than \$138,000, write \$138,000 here. If not, repeat line 3 here:	_____	_____
5. If TOTAL INCOME from line 1 is \$30,000 or <b>less</b> , subtract \$7,500 from line 1 and write the amount here. If line 1 is <b>more</b> than \$30,000, then repeat line 4 here:	_____	_____
6. Compare the amounts on lines 4 and 5. Write the <b>smaller</b> amount of those two lines here:	_____	_____
<b>D. Multiply Adjusted Annual Income from line C.6 by:</b>		
.20 for one child,		
.27 for two children,	x _____	x _____
.33 for three children, and		
.03 more for each additional child		
TOTAL	_____	_____

**ANNUAL CHILD SUPPORT** \_\_\_\_\_

(Amount from TOTAL line in paragraph D **or** \$600, whichever is **larger**.)

**E. Monthly Child Support Payment** [Types of custody are defined in Civil Rule 90.3(f). Check **one** only.]

1. Primary Custody. The children will stay with one parent for 70% (256) or more of their overnights during the year. Take the Annual Child Support amount of the parent who does **not** have the children most of the year and divide by 12: \$ \_\_\_\_\_  
to be paid each month by  Parent A.  Parent B.

2. Shared Custody. [Attach form DR-306.]  
The children will stay with each parent at least 30% (110) of the overnights during the year. Child support payment (line 10 of DR-306): \$ \_\_\_\_\_  
to be paid by  Parent A.  Parent B.

3. Divided Custody. [Attach for DR-307.]  
Each parent will have primary custody of one or more of the children, and the parents will not share custody of any of the children.  
Child support payment (section 6 of DR-307): \$ \_\_\_\_\_  
to be paid by  Parent A.  Parent B.

4. Hybrid Custody. [Attach form DR-308.]  
The parents share custody of at least one child, and one or both parents have primary custody of a different child or children.  
Child support payment (section 8 of DR-308): \$ \_\_\_\_\_  
to be paid by  Parent A.  Parent B.

**F. Health Care Coverage for the Children**

1. Health Insurance

- a. Are the children eligible for services through any of the following?  
 Parent A's employer or union  Parent B's employer or union  
 Indian Health Service  TriCare (Military)  Denali KidCare (Medicaid)
- b. Do the children have other health insurance or care available?  Yes  No  
Describe: \_\_\_\_\_
- c. Health insurance for the children  is being  will be purchased by:  
 Parent A at a monthly cost to Parent A of \$ \_\_\_\_\_ \*  
 Parent B at a monthly cost to Parent B of \$ \_\_\_\_\_ \*  
through the above person's  employer  union  \_\_\_\_\_  
whose name and address is: \_\_\_\_\_

The cost will be divided between the parents  equally.  unequally, because:  
\_\_\_\_\_  
\_\_\_\_\_

\* List only the cost to insure the children involved in this case. If there is no extra cost to the parent to include children in the parent's own coverage, none of the cost can be included as part of child support. For more info, see "Children's Health Insurance Costs" ([ak-courts.info/cshealthinsurance](http://ak-courts.info/cshealthinsurance)).

2. Health Care Expenses Not Covered by Insurance

Should uninsured health care expenses of the children (up to \$5,000 per calendar year) be shared equally by the parents?  Yes  No, because:  
\_\_\_\_\_  
\_\_\_\_\_

**G. Monthly Child Support Payment (after adjusting for health insurance costs)**

["Obligor" is the parent who owes support. "Obligee" is the parent who receives support.]

- |   |            |
|---|------------|
| 1. Monthly Child Support Payment from paragraph E above:  | \$ _____   |
| 2. If <u>obligor</u> is buying health insurance for the children, <u>subtract</u> 50% (or _____%) of the monthly insurance payment. | - \$ _____ |
| 3. If <u>obligee</u> is buying health insurance for the child(ren), <u>add</u> 50% (or _____%) of the monthly insurance payment.    | + \$ _____ |
| 4. NET MONTHLY CHILD SUPPORT PAYMENT  | \$ _____   |

**H. Seasonal Income.** Is obligor's income seasonal?  Yes  No

[If yes, you can ask the court for unequal monthly payments under Civil Rule 90.3(c)(5).]

**\*You MUST sign on the next page.\***

### **Signature Instructions**

If you are filing this form together with the other parent, you must **both** sign below. If you are filing this alone, you only need to fill out the first signature section. Sign in front of a notary. A court clerk can provide this notary service for you for free. Bring a photo ID with you for the notarization. If you do not have access to a notary or court clerk, attach *Self-Certification (No Notary Available)*, form TF-835.

I swear or affirm that everything I wrote in this affidavit and any attachments is true to the best of my knowledge and belief.

_____ Date	_____ Signature	_____ Print or Type Name
Subscribed and sworn to or affirmed before me in _____ on _____		
(SEAL)		_____ Court clerk, notary public, or other person authorized to administer oaths. My commission expires: _____

I swear or affirm that everything I wrote in this affidavit and any attachments is true to the best of my knowledge and belief.

_____ Date	_____ Signature	_____ Print or Type Name
Subscribed and sworn to or affirmed before me in _____ on _____		
(SEAL)		_____ Court clerk, notary public, or other person authorized to administer oaths. My commission expires: _____

### **Service Instructions**

You must give a copy of this form (and everything attached to it) to every party in the case. This is called "service." If you are filing this form together with the other parent, you do not need to serve each other.

**Use TrueFiling to serve the other party if:**

- Both you and the other party are using TrueFiling.
- You are using TrueFiling and the other party gave their email address to the court.

**Use the Certificate of Service below if:**

- The other party is not using TrueFiling and did not give their email address to the court.
- TrueFiling is not available - check TrueFiling availability at <https://ak-courts.info/tfcourts>
- You are exempt from using TrueFiling.

Certificate of Service

I certify on \_\_\_\_\_ at \_\_\_\_\_ [date/time] I gave a copy of this document **and** any attachments to the other parent by:

mail  hand-delivery  TrueFiling.  email. [You can only use email if the other parent provided an email address to the court.]

Signature: \_\_\_\_\_

**Clerk: This form is CONFIDENTIAL and must be kept in a confidential envelope or file.**

## Information Sheet

Case Number: \_\_\_\_\_ Court Location: \_\_\_\_\_

- I am not filling out the following three paragraphs because an Information Sheet providing all this information has already been filed in this case and I agree the information is correct.

1. Full Name of Party A/Parent A: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Social Security No.\* \_\_\_\_\_

2. Full Name of Party B/Parent B: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Social Security No.\* \_\_\_\_\_

3. Children Involved in This Case:

<u>Full Name of Child</u>	<u>Date of Birth</u>	<u>Social Security Number*</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I certify that the above information is correct.

[If you are filing an uncontested case together with the other party, **both** must sign below.]

\_\_\_\_\_  
Date Signature of Party 1 Print or Type Name of Party 1

\_\_\_\_\_  
Date Signature of Party 2 Print or Type Name of Party 2

\* Disclosure of social security numbers is mandatory under AS 25.24.210(f), AS 18.50.280(a) and 42 USC 666(a)(13). The numbers may be used to insure compliance with the child support order.

**SHARED CUSTODY CHILD SUPPORT CALCULATION**

Case Number: \_\_\_\_\_

Parent A (Plaintiff/Co-Petitioner): \_\_\_\_\_

Parent B (Defendant/Co-Petitioner): \_\_\_\_\_

Instructions: Attach this form to [DR-305](#), *Child Support Guidelines Affidavit* or to [DR-105](#), *Petition for Dissolution of Marriage*, to explain the child support calculation if the parents will have "shared physical custody" per Civil Rule 90.3(f). "Shared physical custody" means that all of the children will stay with each parent at least 30% (110) of the overnights during the year.

	<b>PARENT A</b>	<b>PARENT B</b>
1. Adjusted annual income (from line C.6 on form DR-305 <b>or</b> from page 4, line C.6 on form DR-105):	\$ _____	\$ _____
2. Multiply line 1 by: .20 for one child .27 for two children .33 for three children and add .03 for each additional child Annual Child Support (if less than \$600, write "\$600" here):	x _____ \$ _____	x _____ \$ _____
3. Percentage of time each parent will have physical custody:	_____ %	_____ %
4. Percentage of time the <b>other</b> parent will have physical custody:	_____ %	_____ %
5. Multiply line 2 and line 4:	\$ _____	\$ _____
6. Compare amounts in line 5. <b>The higher amount is the parent who will pay support.</b> Subtract the smaller amount from the larger and write the difference in the column of the parent who will pay support (the other parent's line will be blank):	\$ _____	\$ _____
7. Multiply line 6 by 1.5 (one line will be blank):	\$ _____	\$ _____
8. <b>Annual Child Support.</b> For the parent who will pay support, fill in the smaller of line 2 or line 7:	\$ _____	\$ _____
9. Number of payments per year: _____ [This number is almost always 12, once for every month. See Civil Rule 90.3(b)(1)(D) ( <a href="https://ak-courts.info/civrules">https://ak-courts.info/civrules</a> ) for exceptions.] Months when child support will <b>not</b> be paid: _____		
10. Divide line 8 by line 9 to get Monthly Child Support Payment: \$ _____ to be paid by <input type="checkbox"/> Parent A. <input type="checkbox"/> Parent B. <b>Write this amount on either:</b> • form <a href="#">DR-305</a> , page 2, line E.2. <b>or</b> • form <a href="#">DR-105</a> , page 11, line A.3.b		

\_\_\_\_\_  
Parent A's Signature

\_\_\_\_\_  
Parent B's Signature

\_\_\_\_\_  
Type or Print Parent A's Name

\_\_\_\_\_  
Type or Print Parent B's Name

**Notice to Court Clerk**  
If this application is filed with the court, send the application along with a copy of the child support order to CSED.

**APPLICATION FOR CHILD SUPPORT ENFORCEMENT DIVISION (CSED) SERVICES**

Court Case No. \_\_\_\_\_

I am voluntarily applying for the services of the Child Support Enforcement Division (CSED). I understand that CSED will take all actions necessary to enforce the child support order for the children named below. I agree that CSED can enforce the medical support order. I understand that I must provide all the information that CSED needs to enforce the support order.

**My Full Name:** \_\_\_\_\_ Birthdate: \_\_\_\_\_

Previous Names Used: \_\_\_\_\_

**My Contact Information:**

Mailing Address (include city/state/ZIP): \_\_\_\_\_

Phone: \_\_\_\_\_  cell  work  other Phone: \_\_\_\_\_  cell  work  other

Email: \_\_\_\_\_

Employer Information: \_\_\_\_\_

**Other Parent's Name:** \_\_\_\_\_ Birthdate: \_\_\_\_\_

Previous Names Used: \_\_\_\_\_

**Other Parent's Contact Information:**

Mailing Address (include city/state/ZIP): \_\_\_\_\_

Phone: \_\_\_\_\_  cell  work  other Phone: \_\_\_\_\_  cell  work  other

Email: \_\_\_\_\_

Employer Information: \_\_\_\_\_

.....  
I am the children's  Parent.  Legal Guardian.  Non-Parent Custodian.

<u>Child's Name</u>	<u>Birthdate</u>	<u>Child's Name</u>	<u>Birthdate</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

A child support order is currently in effect:  
Date of order: \_\_\_\_\_ Court case number: \_\_\_\_\_  
Court location (city and state): \_\_\_\_\_  
Parents' names on order: \_\_\_\_\_  
Date of marriage (if applicable): \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_ Applicant's Signature

AS 25.27.265(b) requires parties in child support proceedings to give CSED their social security numbers and other specified information. Your social security number may be used to make sure that you follow the child support order. **You must provide your social security number on form [DR-314, Information Sheet](#). This form will be kept confidential.**

**Visit CSED's website at [www.childsupport.alaska.gov](http://www.childsupport.alaska.gov) for more information.**