

## **INSTRUCTIONS FOR ANSWER AND COUNTERCLAIM: LEGAL SEPARATION WITHOUT CHILDREN**

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

- Answer and Counterclaim to Complaint for Legal Separation without Children*, form [DR-872](#)
- Information Sheet*, form [DR-314](#)

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. The counterclaim section is where you can tell the judge how you want to divide the marital property and debt and anything else you want to happen in the case.

### **3. 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.

### **4. 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.

**5. 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)