

You must use black ink to fill out this form.

Your Name: _____

Mailing Address: _____

Telephone: _____ Message phone: _____

Email: _____

NOTE: If you do not wish the other party to know your physical address, you must still 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,)	
v.)	
_____)	Your Case No. _____
Defendant.)	
_____)	

**ANSWER AND COUNTERCLAIM
To Divorce Without Children**

I, _____, submit my response to plaintiff's
(Print your name here)

Complaint, and state the following:

A. ANSWER

1.

- I agree with all of the statements in the *Complaint*.
- I agree with the statements in the *Complaint*, except I disagree with statements in paragraph(s) No(s). _____

_____ *(state paragraph number(s) you disagree with).*

- I am not sure if I agree or disagree with the statements in the *Complaint* in paragraph Nos. _____

B. AFFIRMATIVE DEFENSES

(An affirmative defense is facts and arguments that attack the plaintiff's legal right to bring the court case. The affirmative defense might win for the defendant even if everything in the plaintiff's Complaint is true.)

- I have no affirmative defenses. *(Go to Section C.)*

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I state the following affirmative defense(s) (*check below if appropriate*):

1.

I have never resided or been present in the State of Alaska. It is my position that the Alaska court does not have jurisdiction over any of the property or debt of the marital estate. I want the Alaska court to dismiss this case because I will be prejudiced if we are divorced before the property division occurs in another state.

I have attached to this Answer a *Motion to Dismiss* (*find [motion forms](#)*).

2.

The location of this case is not the correct and should have been filed at the courthouse in

City or Town

I have attached to this Answer a *Motion To Change Venue* (*find [motion forms](#)*).

3.

Other _____

C. COUNTERCLAIMS

(A counterclaim is where the defendant states what he/she wants to happen regarding the issues in the case.)

I have no counterclaims. (*Go to Section D.*)

I have stated above that the case should be dismissed because the Alaska court does not have jurisdiction over the marital estate. If this court does not dismiss the case, I submit the following counterclaim(s) without waiving my claim about the court's lack of jurisdiction:

I state the following counterclaim(s):

1. Facts of the Marriage:

Date of marriage: _____ Place of marriage: _____

Date of separation: _____

Plaintiff's date of birth: _____ Defendant's date of birth: _____

2. Restoration of your former name (if applies)

I want my former name restored to: _____
(Print your full former name here.)

3. Children

We have NO minor children together and neither spouse is pregnant.

We have minor children or one spouse is pregnant. (*If pregnant, there are children, or paternity needs to be disestablished for any child(ren) born or conceived during the*

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marriage, this form will NOT work for you. Use Answer & Counterclaim to Divorce With Minor Children, SHC-105 [Word](#) | [PDF](#).

4. Property and debt

4A. 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.

4B. 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 and debt earned or received during the marriage:

- | | |
|---|---|
| <input type="checkbox"/> Home(s) value: \$ _____
<input type="checkbox"/> Mortgage amt: \$ _____ | <input type="checkbox"/> Defendant Retirement Account
<input type="checkbox"/> 401(k) / 403(b) account(s)
<input type="checkbox"/> IRA account(s)
<input type="checkbox"/> Pension – PERS, TRS, FERS, other
<input type="checkbox"/> SBS
<input type="checkbox"/> Military Retirement
<input type="checkbox"/> Other retirement funds |
| <input type="checkbox"/> Raw land value: \$ _____
<input type="checkbox"/> Loan amt: \$ _____ | |
| <input type="checkbox"/> Car / truck: value \$ _____
<input type="checkbox"/> Loan amt: \$ _____ | |
| <input type="checkbox"/> Car / truck: value \$ _____
<input type="checkbox"/> Loan amt: \$ _____ | <input type="checkbox"/> Credit card debt(s) |
| <input type="checkbox"/> Motorcycle _____ | <input type="checkbox"/> Medical bills |
| <input type="checkbox"/> Snow machine | <input type="checkbox"/> Utility bills / cell phone bill |
| <input type="checkbox"/> 4-wheeler | <input type="checkbox"/> Student loans |
| <input type="checkbox"/> Boat | <input type="checkbox"/> Other debt(s): _____ |
| <input type="checkbox"/> Gun(s) | |
| <input type="checkbox"/> Tools | |
| <input type="checkbox"/> Furniture and household goods | |
| <input type="checkbox"/> Bank / credit union account(s) | |
| <input type="checkbox"/> Other property: _____ | |
| <input type="checkbox"/> Plaintiff Retirement Account
<input type="checkbox"/> 401(k) / 403(b) account(s)
<input type="checkbox"/> IRA account(s)
<input type="checkbox"/> Pension – PERS, TRS, FERS, other
<input type="checkbox"/> SBS
<input type="checkbox"/> Military Retirement
<input type="checkbox"/> Other retirement funds | |

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5. **Other:** (For example attorney's fees, spousal support, etc. If you want the court to award you attorney'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 <http://www.courts.alaska.gov/shc/family/motions.htm> for forms.)

REQUEST FOR RELIEF

I REQUEST that the court:

1. end our marriage and issue a *Decree of Divorce*;
 2. enter a *Final Order and Judgment* regarding property and debt as requested in section 4 of this *Answer*;
 3. if requested, restore my former name of _____;
(Print full former name here)
 4. if requested, bifurcate this proceeding because the wife is pregnant and there is a question of paternity. I would like this court to proceed with all matters but the paternity of the unborn child, reserving that issue until the birth. I have attached a *Motion to Bifurcate*, SHC-152.
 5. Other: _____
-
6. For such other and further relief as the Court deems fit and proper.

I have attached the following documents:

- Property & Debt Worksheet**, SHC-1000 [Word](#) | [PDF](#)
 Other _____
-

Date

Your Signature (In blue ink if possible)

Certificate of Service

I certify that on _____ a copy of this *Answer* and all documents attached as indicated above was/were mailed hand delivered to:

Plaintiff _____ Plaintiff's Lawyer _____

Other _____

Your signature: _____

Copies for the plaintiff: You must serve the plaintiff with a copy of this form and all of its attachments by first class US mail or hand delivery (if there is no court ordered restriction on contact like a domestic violence protective order). **Fill out the Certificate of Service above.**