

You must use black ink to fill out this form.

Your Name: _____

Mailing Address: _____

Telephone: _____ Message phone: _____

NOTE: If for any reason you do not wish the other party to know your physical address, you still must 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. _____
Defendant.

Your Case No. _____

**ANSWER AND COUNTERCLAIM
To Complaint to Disestablish Paternity**

I, _____, hereby submit my response to
(Print your name here)
plaintiff's complaint to disestablish paternity and state the following:

A. ANSWER

1.

- Agree with the statements in paragraph 1 of the *Complaint*.
- Disagree with the statements in paragraph 1 of the *Complaint*.
- Do not understand the statements in paragraph 1 of the *Complaint* to decide whether I agree or disagree.
- Disagree with this part of the statement in paragraph 1 of the *Complaint*: _____
_____ but agree with the rest.
- There is no paragraph 1 in Plaintiff's *Complaint*.

2.

- Agree with the statements in paragraph 2 of the *Complaint*.
- Disagree with the statements in paragraph 2 of the *Complaint*.

You must use black ink to fill out this form.

Do not understand the statements in paragraph 2 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 2 but of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 2 in Plaintiff's *Complaint*.

3.

Agree with the statements in paragraph 3 of the *Complaint*.

Disagree with the statements in paragraph 3 of the *Complaint*.

Do not understand the statements in paragraph 3 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 3 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 3 in Plaintiff's *Complaint*.

4.

Agree with the statements in paragraph 4 of the *Complaint*.

Disagree with the statements in paragraph 4 of the *Complaint*.

Do not understand the statements in paragraph 4 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 4 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 4 in Plaintiff's *Complaint*.

5.

Agree with the statements in paragraph 5 of the *Complaint*.

Disagree with the statements in paragraph 5 of the *Complaint*.

Do not understand the statements in paragraph 5 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 5 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 5 in Plaintiff's *Complaint*.

6.

Agree with the statements in paragraph 6 of the *Complaint*.

Disagree with the statements in paragraph 6 of the *Complaint*.

You must use black ink to fill out this form.

Do not understand the statements in paragraph 6 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 6 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 6 in Plaintiff's *Complaint*.

7.

Agree with the statements in paragraph 7 of the *Complaint*.

Disagree with the statements in paragraph 7 of the *Complaint*.

Do not understand the statements in paragraph 7 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 7 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 7 in Plaintiff's *Complaint*.

8.

Agree with the statements in paragraph 8 of the *Complaint*.

Disagree with the statements in paragraph 8 of the *Complaint*.

Do not understand the statements in paragraph 8 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 8 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 8 in Plaintiff's *Complaint*.

9.

Agree with the statements in paragraph 9 of the *Complaint*.

Disagree with the statements in paragraph 9 of the *Complaint*.

Do not understand the statements in paragraph 9 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 9 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 9 in Plaintiff's *Complaint*.

10.

Agree with the statements in paragraph 10 of the *Complaint*.

Disagree with the statements in paragraph 10 of the *Complaint*.

You must use black ink to fill out this form.

Do not understand the statements in paragraph 10 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 10 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 10 in Plaintiff's *Complaint*.

11.

Agree with the statements in paragraph 11 of the *Complaint*.

Disagree with the statements in paragraph 11 of the *Complaint*.

Do not understand the statements in paragraph 11 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 11 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 11 in Plaintiff's *Complaint*.

12.

Agree with the statements in paragraph 12 of the *Complaint*.

Disagree with the statements in paragraph 12 of the *Complaint*.

Do not understand the statements in paragraph 12 of the *Complaint* to decide whether I agree or disagree.

Disagree with this part of the statement in paragraph 12 of the *Complaint*: _____
_____ but agree with the rest.

There is no paragraph 12 in Plaintiff's *Complaint*.

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.)*

I further allege the following as my affirmative defense(s):

1.

This Court lacks subject-matter jurisdiction over the minor child(ren) for the following reason(s) *(see attached completed Child Custody Jurisdiction Affidavit)*:

The minor child(ren) of the parties has/have never resided or been present in Alaska.

You must use black ink to fill out this form.

The minor child(ren) of the parties does/do not currently reside in Alaska and have not lived there since _____.

(Date)

The minor child(ren) of the parties has/have lived in Alaska for less than six months.

A court in another state has already exercised jurisdiction over the paternity disestablishment of the minor child(ren).

I have attached to this Answer a *Motion to Dismiss the Complaint to Disestablish Paternity*.

2.

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 me. I want the Alaska court to dismiss this case.

I have attached to this Answer a *Motion to Dismiss*.

3.

The venue of this action is improper. This case should have been filed at the courthouse in _____.

(City or Town)

I have attached to this Answer a *Motion To Change Venue*.

4.

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 Alaska court does not have jurisdiction over me or the minor child(ren) and that the case should be dismissed. 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 further allege the following as my counterclaim(s):

1. Who are the people involved in this case?

A. The plaintiff is the father mother of the following child(ren):

You must use black ink to fill out this form.

Name	Date of Birth

B. I am the mother father of the child(ren).

2. Where do you live?

I am a resident of the State of Alaska other _____.

3. Where do/does the child(ren) live?

The minor child(ren) live in the State of Alaska other _____.
I have attached a *Child Custody Jurisdiction Affidavit*, [DR-150](#).

4. What is/was the marital status between you and the plaintiff?

A. I am not currently, nor have I ever been married to the plaintiff.

B. I am currently or was married to the plaintiff when the child(ren) were conceived or born.

C. Other: _____

5. How was paternity originally established?

A. I was married to the plaintiff at the time of the child(ren)'s birth.

B. I signed an *Affidavit* or *Acknowledgement of Paternity*.

C. The Child Support Services Division (CSSD) established paternity. I
 did did not participate in that proceeding.

D. DNA testing.

E. Other: _____

6. Who is named as the father on the birth certificate?

me _____ Nobody I don't know

7. Who do you believe is the child(ren)'s biological father?

me _____ I don't know

8. Why do you believe that person is the child(ren)'s biological father?

You must use black ink to fill out this form.

DNA testing has established him. The ORIGINAL results are attached.

Other: _____

9. Do you want the court to order DNA testing?

No

Yes, I have attached:

- Motion & Affidavit for Genetic (DNA) Testing, SHC-1370 [Word](#) | [PDF](#), and
- proposed Order for Genetic (DNA) Testing, SHC-1375 [Word](#) | [PDF](#).

10. What about child support?

A. Has CSSD ordered anyone to pay child support?

No Me Defendant Other _____

B. Is CSSD in the process of setting up an order?

No Yes

C. Has the court ordered anyone to pay child support for this child(ren)?

No Me Defendant Other _____

IMPORTANT: If any child support has been ordered, send a copy of this complaint to the Collections and Support Section of the Attorney General's Office. The mailing address is provided at the end of this form.

11. Has anyone applied for public benefits (ATAP, TANF, Food Stamps etc.) to support this child?

No Me Defendant Other _____

IMPORTANT: If there are public benefits, send a copy of this complaint to the Collections and Support Section of the Attorney General's Office. The mailing address is provided at the end of this form.

12. Other: _____

D. REQUEST FOR RELIEF

I REQUEST:

1. That paternity NOT be disestablished as indicated in the *Complaint* and the Plaintiff Defendant should be recognized legally as the biological father of the listed child(ren).

You must use black ink to fill out this form.

- 2. That the Plaintiff's Defendant's name remains on the birth certificate(s) of the minor child(ren) as the legal father.
- 3. That the Plaintiff Defendant pay child support as previously ordered.
- 4. For such other and further relief as the Court deems fit and proper.

Date

Your Signature (In blue ink if possible)

Attachments

I have attached the following documents and served them with this Answer on the Plaintiff:

- Child Custody Jurisdiction Affidavit, [DR-150 \(Required\)](#)
- Child Support Guidelines Affidavit, [DR-305](#) [Fill-In PDF]
- A copy of the CSSD or Court's Child Support Order
- The ORIGINAL DNA testing results
- Motion & Affidavit for Genetic (DNA) Testing, SHC-1370 [Word](#) | [PDF](#)
- proposed Order for Genetic (DNA) Testing, SHC-1375 [Word](#) | [PDF](#)
- Other: _____
- Motion to Dismiss* *Motion Change Venue*

Certificate of Service: I certify that on _____ a copy of this Answer and the documents indicated above was/were mailed hand delivered to:
 Opposing Party _____ Other _____
 Opposing Lawyer _____

Your signature: _____

Copies for CSSD:

If CSSD is collecting child support, in the process of setting up an order, or the child(ren) have benefited from public assistance, send a copy of this form and all of its attachments to the attorneys for the Child Support Services Division by **first class mail**. Look at your court case number to determine which office is handling your case:

Court case numbers beginning with a 1, 2 or 3:
Examples: 1JN-05-8888, 2BE-05-8888 or 3AN-05-8888

Attorney General's Office
Collections and Support Section
1031 West Fourth Ave., Ste 200
Anchorage, AK 99501

Court case numbers beginning with a 4:
Example: or 4FA-05-8888

Attorney General's Office
Collections and Support Section
100 Cushman St., Ste. 400
Fairbanks, AK 99701