

You must use black ink to fill out this form.

Your Name: _____

Mailing Address: _____

Telephone: _____ Message phone: _____

Email: _____

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 (You – biological Father))
v.)
_____)
Defendant 1 (the mother))
_____)
Defendant 2 (the current father))
_____)

Your Case No. _____

COMPLAINT by BIOLOGICAL FATHER TO DISESTABLISH CURRENT FATHER and ESTABLISH SELF of MINOR CHILDREN

1. Who are the people involved in this case?

I am the plaintiff and believe that I am the biological father of the following child(ren). I would like to disestablish Defendant 2, remove him from the birth certificate and establish myself and be added to the birth certificate.

Name of minor child(ren)	Date of Birth

Defendant 1 is the mother. Defendant 2 is current legal father of the child(ren).

2. Where does everyone live?

I am a resident of Alaska other _____.

The child(ren) live in Alaska other _____.

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✓ **YOU MUST** attach a *Child Custody Jurisdiction Affidavit*, [DR-150](#).

Defendant 1/ Mother lives in Alaska other _____.

Defendant 2/current legal father lives in Alaska other _____.

If I do not live in Alaska, I am submitting to the jurisdiction of this court because the defendants live in Alaska, it is the most convenient forum and in the child(ren)'s best interests.

3. What is/was the marital status between you and the mother?

I was married to her when she got pregnant or gave birth.

I married her after the child(ren) was(were) born and we are now married.

I was divorced from her on _____ by the court in _____.

I am not currently, nor have I ever been married to her.

Other: _____

4. What is/was the marital status between the mother and Defendant 2?

They were married when she got pregnant or gave birth.

They were married after the child(ren) was(were) born and are now married.

They were divorced from on _____ by the court in _____.

They are not currently, nor ever have been married.

Other: _____

5. Who is on the birth certificate?

No father listed Me, the Plaintiff Defendant 2

Other: _____

6. If someone is listed as the father on the birth certificate, how was paternity established?

He was married to the mother when she got pregnant or gave birth.

He signed an *Affidavit* or *Acknowledgement of Paternity*.

The Office of Children's Services (OCS) established paternity.

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The Child Support Services Division (CSSD) established paternity.

Other: _____

7. Comments to help the Judge understand situation: (add sheets if necessary)

8. Why do you believe that Defendant 2 is NOT the child(ren)'s biological father?

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

Other: _____

9. Why do you believe that YOU are the child(ren)'s biological father?

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

Other: _____

10. Do you want the court to order the Defendants to have DNA testing?

No Yes, I have attached:

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

11. Child Support

Has CSSD ordered anyone to pay child support?

No Me Defendant 2 Other _____

Is CSSD in the process of setting up an order? No Yes

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

No Me Defendant 1 Defendant 2 Other _____

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

No Me Defendant 2 Other _____

13. Other: _____

REQUEST FOR RELIEF

WHEREFORE, I REQUEST:

1. That the court enter a *Final Order* that disestablishes Defendant 2 as the legal father of the minor child(ren) in question and terminates any rights of custody or visitation;

2. That the court enter a *Final Order* that establishes Plaintiff as legal/biological father of the minor child(ren) in question;

3. That the Bureau of Vital Statistics be given notice to replace Defendant 2 with Plaintiff on the birth certificate(s) of the minor child(ren).

4. That the court enter a *Final Order* that relieves Defendant 2 of any ongoing child support obligation from the date I filed this *Complaint*;

5. That arrearages be modified as allowed by law.

NOTE: *The general rule is that child support cannot be retroactively modified. This means the court cannot go back and change past due child support amounts. However, depending on how the original obligation was established, the court may be able to set aside some or all of the arrearages. This is a complicated area of law and you should consult an attorney to find out whether something can be done in your case.*

6. Other: _____

7. For such other and further relief as the Court deems fit and proper.

Date

Your Signature (In blue ink if possible)

See next page for list of attachments and service instructions

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Attachments

I have attached the following documents and served them with this Complaint on the Defendants:

- Child Support Guidelines Affidavit, [DR-305](#) [Fill-In PDF] **(Required)**
- Child Custody Jurisdiction Affidavit, [DR-150](#) [Fill-In PDF] **(Required)**
- Confidential Information Sheet, DR- 314 **(Required)**
- 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](#)
- Order for Genetic (DNA) Testing, SHC-1375 [Word](#) | [PDF](#)
- Other: _____

Service Instructions

Copies for the defendants:

After you open the court case, **you must serve each defendant** with a copy of this form and all of its attachments **by certified mail / restricted delivery/ return receipt OR by process server.**

Copies for the Attorney General:

Send a copy to the Attorney General's Office **by first class mail** if you meet 2 requirements: (1) CSSD is collecting child support currently and (2) you are asking to reduce or eliminate past-due child support debt:

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