

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

\_\_\_\_\_  
Plaintiff,

vs.

\_\_\_\_\_  
Defendant.

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

**FINDINGS OF FACT AND CONCLUSIONS OF LAW  
(DIVORCE WITH CHILDREN AND PROPERTY)**

- Trial in this case was held on \_\_\_\_\_  
 Settlement was placed on the record on \_\_\_\_\_  
 Default hearing in this case was held on \_\_\_\_\_

Plaintiff:  did not appear  appeared in person  appeared remotely  
Plaintiff was represented by  self  attorney \_\_\_\_\_

Defendant:  did not appear  appeared in person  appeared remotely  
Defendant was represented by  self  attorney \_\_\_\_\_

- The record shows the Defendant was served with summons and complaint for divorce, and  
 Default: Defendant did not file an answer or otherwise defend, and the matter proceeded by default.  
 Uncontested: Defendant  joined in signing the complaint  filed an answer and did not contest the facts alleged or prayer for relief in the complaint.  
 Settlement: Defendant filed an answer and the parties settled all issues.  
 Contested: Defendant filed an answer and the parties proceeded to trial.

The court considered testimony and examined any evidence or agreements presented. The court now makes the findings of fact and conclusions of law set forth below.

**FINDINGS OF FACT**

**BACKGROUND**

- Plaintiff  Defendant is a resident of the State of Alaska.
- The parties married in \_\_\_\_\_ on \_\_\_\_\_ and ever since have been married to each other.
- The parties permanently separated on \_\_\_\_\_
- An incompatibility of temperament exists between the parties which makes it impossible for them to remain together as a married couple.
- Plaintiff asks to restore this prior name: \_\_\_\_\_  
 Defendant asks to restore this prior name: \_\_\_\_\_

- 6.  No evidence of domestic violence was offered and the court makes no findings regarding domestic violence.
  - Neither parent has a history of committing domestic violence under AS 25.24.150(g).
  - The  Plaintiff  Defendant has a history of committing domestic violence under AS 25.24.150(g), and the statutory presumption against custody:
    - was overcome.  was not overcome.  does not apply.
  - Both parents have a history of committing domestic violence under AS 25.24.150(g).
7. Other:
- 
- 
- 
- 
- 
- 
- 
- 
- 
- 
- 
- 
- 
- 
- 

**CHILD CUSTODY**

1. The following child(ren) was(were) born to, or adopted by, the parties before and/or during the marriage:
- | <i>Child's Full Name</i> | <i>Date of Birth</i> |
|--------------------------|----------------------|
| <hr/>                    | <hr/>                |
| <hr/>                    | <hr/>                |
| <hr/>                    | <hr/>                |
| <hr/>                    | <hr/>                |

Plaintiff  Defendant is currently pregnant.

2. The court has jurisdiction over the child(ren).
- The child(ren) resided in Alaska for at least six consecutive months immediately before the complaint was filed in this case.
  - When the complaint was filed, there was no other state with greater rights to jurisdiction under the *Uniform Child Custody Jurisdiction and Enforcement Act*.
  - Other \_\_\_\_\_

3. The court considered the statutory factors set forth in AS 25.24.150(c), and AS 25.20.090 if appropriate, and finds that the best interests of the child(ren) will be served by:
- Agreement of the parties set forth separately and incorporated here by reference.
  - Agreement of the parties described below.
  - The court's determination set forth separately and incorporated here by reference.
  - The court's determination described below.
- If announced on the record, the following can be found at  
 Media # \_\_\_\_\_ Beg. Log # \_\_\_\_\_ End Log # \_\_\_\_\_ Date \_\_\_\_\_

4. Decision Making (legal custody):

- Joint: The parents can communicate and make major decisions regarding the child(ren)'s education, healthcare, religious training, and other major decisions.
- Sole: It is difficult for the parents to make joint decisions regarding the children, so
  - Plaintiff  Defendant will make major decisions regarding the child(ren)'s education, healthcare, religious training, and other major decisions. The decision-making parent must inform the other parent about major decisions affecting the child(ren).

Both parents should be listed on all educational and medical records.

Day to Day Decisions: Each parent may make decisions regarding the day-to-day care of the child(ren) while they are with that parent. Either parent may make emergency decisions affecting the children's health and safety and notify the other Plaintiffs soon as possible.

5. Parenting Schedule (physical custody):

- The schedule is set forth separately and incorporated here by reference.
- The regular schedule is set forth below:

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

- The vacation schedule differs from the regular schedule and is set forth below:

---

---

---

---

---

---

---

---

---

---

- The holiday schedule differs from the regular schedule and is set forth below:

---

---

---

---

---

---

---

---

---

---



**CHILD SUPPORT**

1. Child and medical support should

Be ordered in accordance with Alaska Civil Rule 90.3. The parenting time scheduled listed above is:

Primary to plaintiff       Primary to defendant

Shared by parties

\_\_\_\_\_% to plaintiff     \_\_\_\_\_% to defendant

Divided custody

Plaintiff has primary custody of \_\_\_\_\_

Defendant has primary custody of \_\_\_\_\_

Hybrid custody

Plaintiff has primary custody of \_\_\_\_\_

Defendant has primary custody of \_\_\_\_\_

Parties to share physical custody of \_\_\_\_\_

\_\_\_\_\_% to plaintiff       \_\_\_\_\_% to defendant

Vary from the child support award calculated under Civil Rule 90.3 because:

\_\_\_\_\_

If not varied, amount of support that would be required                      \$ \_\_\_\_\_

Estimated value of property awarded instead of support                      \$ \_\_\_\_\_

2. Alaska Permanent Fund Dividend (PFD).

The  Plaintiff  Defendant should timely apply for the child(ren)'s PFD each year. The child(ren)'s PFD funds:

May be spent for the child(ren)'s health education, and welfare.

Should be saved in an interest-bearing account in both parent's names and both parents should have access to all statements from the account.

Other \_\_\_\_\_

3. Alaska Native Claims Settlement Act (ANCSA) Dividends.

The  Plaintiff  Defendant should timely apply for the child(ren)'s ANCSA dividends.

May be spent for the child(ren)'s health education, and welfare.

Should be saved in an interest-bearing account in both parent's names and both parents should have access to all statements from the account.

Other \_\_\_\_\_

4. Child Tax Credit.

The  Plaintiff  Defendant will claim the child(ren) every year.

Every year, Plaintiff will claim the following child(ren) \_\_\_\_\_ and Defendant will claim the following child(ren) \_\_\_\_\_

The parents will claim the child(ren) in alternating years with:

Plaintiff  Defendant claiming the child(ren) for odd-numbered tax years such as 2019 and 2021, and the other parent claiming them for even-numbered tax years such as 2020 and 2022.

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

The parties will provide each other with a signed IRS Form 8332, if needed, by February 1 so that it may be timely filed with the IRS. This may be modified without a court order if both parties agree in writing. As required by AS 25.24.232. The parent who has physical custody of the child(ren) for a period less than the other parent may not claim the tax

benefits in any tax year if on December 31 of that year the parent was behind in child support payments in an amount more than four times the monthly child support obligation.

5. A child and medical support order should be entered and incorporated here by reference.

6. Other:

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

**PROPERTY ALLOCATION**

1. Assets and debts to be awarded to **plaintiff**

- Plaintiff should retain all assets and debts now in plaintiff's possession and control.
- Plaintiff should be awarded the following property and allocated the following debt:

<i>Assets Awarded to Plaintiff</i>	<i>Value (\$)</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

<i>Debts Allocated to Plaintiff</i>	<i>Value (\$)</i>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total value of assets to plaintiff	_____
<u>Less</u> value of debts to plaintiff	_____
Equals net value to plaintiff	_____

2. Assets and debts to be awarded to **defendant**

- Defendant should retain all assets and debts now in defendant's possession and control.
- Defendant should be awarded the following property and allocated the following debt:

*Assets Awarded to Defendant*

*Value (\$)*

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

*Debts Allocated to Defendant*

*Value (\$)*

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total value of assets to defendant	_____
Less value of debts to defendant	_____
Equals net value to defendant	_____

3. After considering the factors in AS 25.24.160, the court finds that the above property and debt allocation  is fair and equitable  requires the following cash offset in order to be fair and equitable:

- Plaintiff to pay to defendant the amount of \$ \_\_\_\_\_ within \_\_\_\_\_ days
- Defendant to pay to plaintiff the amount of \$ \_\_\_\_\_ within \_\_\_\_\_ days

4. Other:

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

**CONCLUSIONS OF LAW**

- A.  The court has personal jurisdiction over the parties and the child(ren), and subject matter jurisdiction over the marriage, custody, and child support disputes.
- B.  A decree of divorce should be issued forever severing the bonds of matrimony now existing between the parties.
- C.  It is in the child(ren)'s best interest to award custody and visitation as set forth above.
- D.  Child and medical support should be ordered as set forth above. A child support order should be entered without delay.
- E.  Property and debt(s) should be allocated as set forth above, which is fair and equitable.
- F.  The plaintiff's prior name should be restored.  
 The defendant's prior name should be restored.
- G.  Other conclusion(s) of law:

---

---

---

---

---

---

---

---

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Recommended for approval:	
_____	_____
Superior Court Master	Date

\_\_\_\_\_  
 JUDGE OF THE SUPERIOR COURT  
 \_\_\_\_\_  
 Print or Type Name

I certify that on \_\_\_\_\_  
a copy of this document was sent or given to:

Clerk: \_\_\_\_\_



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

\_\_\_\_\_  
 Plaintiff,  
 vs.  
 \_\_\_\_\_  
 Defendant.

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

**DIVORCE DECREE  
AND JUDGMENT**

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:**

- 1.  A divorce decree is entered forever severing the bonds of matrimony now existing between the parties.
- 2.  Decision making and the parenting schedule for the minor child(ren) is ordered as set forth in the *Findings of Fact and Conclusions of Law*.
- 3.  Child and medical support is ordered as set forth in the *Child Support Order* and in the child support section of the *Findings of Fact and Conclusions of Law*.
- 4.  Property and debt(s) are divided as set forth in the *Findings of Fact and Conclusions of Law*.
- 5.  Within \_\_\_\_\_ days, the parties shall divide all property and debt as listed in the *Findings of Fact and Conclusions of Law*. This includes exchanging all property between each other, signing all paperwork needed to transfer property or debt, and anything else needed to divide the property and debt.
- 6.  The  Plaintiff  Defendant is ordered to pay the  Plaintiff  Defendant the amount of \$\_\_\_\_\_ by *(date)* \_\_\_\_\_. If not paid by that date, it becomes a judgment with an interest rate of \_\_\_\_\_% each year.
- 7.  The plaintiff's prior name is restored to \_\_\_\_\_.
- The defendant's prior name is restored to \_\_\_\_\_.
- 8.  Other:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Recommended for approval:	
_____	_____
Superior Court Master	Date

\_\_\_\_\_  
 JUDGE OF THE SUPERIOR COURT

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

I certify that on \_\_\_\_\_  
 a copy of this document was sent or given to:

Clerk: \_\_\_\_\_