

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,
v. _____
Defendant.

Your Case No. _____

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

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

A. ANSWER

1.

I agree with all of the statements in the *Complaint*. *(If you agree with the Plaintiff about who should be established as the child(ren)'s biological father, skip to No.12.)*

I agree with some of 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.

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

1.

- This Court lacks subject-matter jurisdiction over the minor child(ren) for the following reason(s) *(see attached completed Child Custody Jurisdiction Affidavit, DR-150)*:
 - The minor child(ren) has/have never resided or been present in Alaska.
 - The minor child(ren) does/do not currently reside in Alaska and have not lived there since _____
Date
 - The minor child(ren) has/have not lived in Alaska for the last six months.
 - Another state court has already decided paternity about the minor child(ren).
- I have attached to this Answer a motion titled *Motion to Dismiss the Paternity Claim for Lack of Jurisdiction* *(find [motion forms](#))*.

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 the paternity issue. I want the Alaska court to dismiss this case because I will be prejudiced if that issue is decided in Alaska.
- I have attached to this Answer a motion titled *Motion to Dismiss* *(find [motion forms](#))*.

3.

- 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 titled *Motion To Change Venue* *(find [motion forms](#))*.

4.

- Other _____
-

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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 state the following counterclaim(s):

1. Who are the people involved in this case?

- A. The plaintiff is the mother alleged father other _____
- B. I am the mother alleged father other _____
- C. This case concerns the following child(ren):

Name	Date of Birth

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. Was paternity established already? No Yes I don't know.

if Yes, How?

- A. Plaintiff is the biological mother of the child(ren) and was married to other: _____ at the time of the child(ren)'s birth.

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- B.** I am the biological mother of the child(ren) and was married to other: _____ at the time of the child(ren)'s birth.
- C.** I Plaintiff signed an *Affidavit* or *Acknowledgement of Paternity*.
- D.** Child Support Services Division (CSSD) established paternity. I did did not participate in that proceeding.
- E.** DNA testing.
- F.** Other person: _____ is named the birth certificate.
- G.** I don't know how paternity was established.
- H.** Other: _____
-

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

- Plaintiff me other _____ Nobody
- I don't know

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

- Plaintiff me other _____ I don't know

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

- 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 Plaintiff me I don't know other _____

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

- No Yes I don't know

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

No Plaintiff Me I don't know other _____

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

No Plaintiff me I don't know other _____

12. Do you want to establish a parenting plan with Plaintiff at this time?

No

Yes, I request that a parenting plan be entered in the best interests of the children and that child support be entered in accordance with Civil Rule 90.3. I have attached the following:

Proposed Parenting Plan (for different form options, see <http://courts.alaska.gov/shc/family/shcforms.htm#cust>)

Child Support Guidelines Affidavit, [DR-305](#) [Fill-In PDF]

Motion and Affidavit for Interim Custody & Child Support, SHC-1101 [Word](#) | [PDF](#), Custody Order (one page), SHC-1103 [Word](#) | [PDF](#)

Other _____

13. Other: _____

REQUEST FOR RELIEF

I REQUEST:

1. That a *Final Order* be entered that establishes Plaintiff Defendant as the biological and legal father of the minor child(ren); OR neither as someone else is the biological and legal father of the minor child(ren);

2. That the Bureau of Vital Statistics be given notice to place Plaintiff Defendant on the birth certificate(s) of the minor child(ren); OR neither as someone else is the biological and legal father of the minor child(ren);

3. That a parenting plan and child support be ordered as requested;

4. Other: _____

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

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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*

Service Instructions

Make 2 copies of all documents you will file. Keep 1 copy for your records. Send the other to the plaintiff (or their lawyer if there is one) by regular 1st class U.S. mail or hand delivery and fill out the certificate below.

Certificate of Service

I certify that on (*date*) _____ a copy of this *Answer* and the documents indicated above was/were mailed hand delivered to:

Opposing Party _____ **Other** _____

Opposing Lawyer _____

Your signature: _____