

**You must use black ink to fill out this form.**

Plaintiff's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Message phone: \_\_\_\_\_

Defendant's Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Message phone: \_\_\_\_\_

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

AT

\_\_\_\_\_ *City or Town where the Court is located*

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

vs.

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

)  
)  
)  
)  
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)  
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)  
)  
)  
)

Your Case No. \_\_\_\_\_

**JOINT MOTION, AFFIDAVIT and ORDER  
TO BIFURCATE DIVORCE  
For SUBSEQUENT DETERMINATION OF PATERNITY**

We, the plaintiff and the defendant, swear or affirm that the following facts and circumstances are true:

1. The wife is currently pregnant; however there is good cause to believe that the husband is not the father. Because paternity cannot be disestablished on an unborn child, this matter cannot be resolved until after the birth of the child.
2. The estimated date of birth is: \_\_\_\_\_
3. Delaying the final decree of divorce, division of marital property, and/or issuing of a custody, visitation and support order on the living child(ren) would prejudice the parties.
4. These are the specific reasons why we cannot wait for the divorce until after the baby is born:

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

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5. Therefore, I request that the court proceed and enter in a timely manner a final on all matters except paternity of the unborn child.

\_\_\_\_\_  
*Plaintiff's Signature* (In blue ink if possible)

Subscribed and sworn to or affirmed before me at \_\_\_\_\_,  
Alaska on \_\_\_\_\_  
*Date*

\_\_\_\_\_  
Notary Public or other person authorized to administer oaths.  
My commission expires on \_\_\_\_\_

\*\*\*

\_\_\_\_\_  
*Defendant's Signature* (In blue ink if possible)

Subscribed and sworn to or affirmed before me at \_\_\_\_\_,  
Alaska on \_\_\_\_\_  
*Date*

\_\_\_\_\_  
Notary Public or other person authorized to administer oaths.  
My commission expires on \_\_\_\_\_

**Certificate of Service**

I certify that on \_\_\_\_\_ a copy of this Motion, Affidavit and Proposed Order were

mailed  hand delivered to:

Opposing Party \_\_\_\_\_  Opposing Lawyer \_\_\_\_\_

AG \_\_\_\_\_  CI \_\_\_\_\_

Your signature: \_\_\_\_\_

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

AT \_\_\_\_\_  
*City or Town where the Court is located*

|            |   |                     |
|------------|---|---------------------|
| Plaintiff, | ) |                     |
| vs.        | ) |                     |
| Defendant. | ) | Your Case No. _____ |

**ORDER GRANTING BIFURCATION  
and  
SCHEDULING PATERNITY HEARING**

Having considered the Motion, the court finds good cause and no prejudice in proceeding with all aspects of the divorce EXCEPT the paternity determination of the unborn child.

However, because the husband is legally the father of any child conceived during a marriage, the parties MUST return to court to judicially disestablish paternity after the child's birth. A hearing will be set within 60 days of the child's estimated birth.

The estimated date of birth is: \_\_\_\_\_

A HEARING on this matter is set for: \_\_\_\_\_

The court must have PROOF that the husband is not the father, therefore the parties should bring their evidence to the hearing. Evidence the court will consider includes:

- Birth certificate with biological father's name (if he acknowledged at hospital or using VS-16 form)
- Original DNA testing results
- Three-Way Affidavit of Paternity, SHC-151

OTHER: \_\_\_\_\_

IT IS SO ORDERED.

\_\_\_\_\_ Date

\_\_\_\_\_ Superior Court Judge

Copy mailed to each of the following at their addresses of record. (List names if not an agency)

AG  CI

\_\_\_\_\_  
Deputy Clerk/Secretary \_\_\_\_\_ Date \_\_\_\_\_