

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT _____

In the Matter of the Dissolution)
of the Marriage of)
_____ and)
_____)
Husband and Wife.)

CASE NO. _____

**PETITION FOR DISSOLUTION
OF MARRIAGE (WITH CHILDREN)**

We consent to the court's jurisdiction and request a decree of dissolution of marriage. Our marriage has broken down and we no longer want to be married. We agree this petition is the entire agreement between us. We understand that only the agreements written in this petition and its attachments are enforceable.

I. INFORMATION ABOUT PETITIONERS

Has either spouse filed an action for legal separation before filing this action? Yes No
If yes, please list the case number, date, and place of filing:

A. Husband

1. Date of birth: _____ Place of birth: _____
(city) (state)
2. Length of Alaska residence: _____
3. Home phone: _____ Cell phone: _____
4. Residence address: _____
(street address) (city) (state) (ZIP)
5. Mailing address: _____
(box or street number) (city) (state) (ZIP)
6. Occupation: _____ Work phone: _____
7. Most recent employer: _____ Phone: _____
8. Employer's address: _____
9. Driver's license number: _____

B. Wife

1. Date of birth: _____ Place of birth: _____
(city) (state)
2. Length of Alaska residence: _____
3. Home phone: _____ Cell phone: _____
4. Residence address: _____
(street address) (city) (state) (ZIP)
5. Mailing address: _____
(box or street number) (city) (state) (ZIP)
6. Occupation: _____ Work phone: _____
7. Most recent employer: _____ Phone: _____
8. Employer's address: _____
9. Driver's license number: _____

Husband's Signature

Wife's Signature

C. Date and Place of Marriage. Date of marriage: _____ / _____ / _____
(month) (day) (year)

Place of marriage: _____
(city) (state)

D. Health Care and Health Insurance

Does either spouse need medical care or treatment? Yes No

If yes, state which spouse and describe the care or treatment needed:

Is either spouse covered by health insurance (by an employer or otherwise) Yes No

If yes, state which spouse and the amount paid for the insurance by the spouse or spouses:

E. Domestic Violence

Has either spouse been involved in any of the following during the marriage:

1. a criminal charge of a crime involving domestic violence,
2. a domestic violence protective order under AS 18.66.100-18.66.180,
3. injunctive relief against domestic violence under former AS 25.35.010 or 25.35.020, or
4. a domestic violence protective order issued in another jurisdiction and filed with the court in this state under AS 18.66.140?

Yes No If yes, describe below:

Has there been any domestic violence during the marriage (whether or not the police were involved or anything was filed in court)? Yes No

F. Has either spouse received advice from an attorney about a divorce or dissolution?

Yes No If yes, state which spouse(s): _____

Is either spouse represented by an attorney? Yes No

If yes, state which spouse(s): _____

Husband's Signature

Wife's Signature

II. FINANCIAL INFORMATION

Each party must attach a copy of his or her most recent federal tax return and at least two of his or her most recent paystubs. If work is seasonal, show yearly income. If income or deductions will change after the dissolution, file documents showing expected income and deductions. The following income and deductions are monthly yearly.

A. Gross Income (Do not list ATAP or SSI below.)	<u>Husband</u>	<u>Wife</u>
Gross wages	\$ _____	\$ _____
Value of employer-provided housing/food/etc.	\$ _____	\$ _____
Unemployment compensation	\$ _____	\$ _____
Permanent fund dividend	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
TOTAL INCOME	\$ _____	\$ _____

B. Deductions Allowable Under Civil Rule 90.3		
Federal, state and local income tax	\$ _____	\$ _____
Social security tax (FICA) or self-employment tax	\$ _____	\$ _____
Medicare tax	\$ _____	\$ _____
Employment security tax	\$ _____	\$ _____
Mandatory retirement contributions	\$ _____	\$ _____
Mandatory union dues	\$ _____	\$ _____
Voluntary retirement contributions if plan earnings are tax-free or tax-deferred, up to 7.5% of gross wages and self-employment income when combined with mandatory contributions	\$ _____	\$ _____
Other mandatory deductions (specify):		
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
Child support/alimony ordered in other court or administrative cases and actually paid	\$ _____	\$ _____
Other support provided directly for children from previous relationships who live with this parent (calculated per Civil Rule 90.3)	\$ _____	\$ _____
Work-related child care for children of this marriage (if it will continue after dissolution)	\$ _____	\$ _____
TOTAL DEDUCTIONS	\$ _____	\$ _____

C. Net Income		
TOTAL INCOME from section A	\$ _____	\$ _____
TOTAL DEDUCTIONS from section B	\$ _____	\$ _____
Subtract deductions from income to get		
NET INCOME	\$ _____	\$ _____

Husband's Signature

Wife's Signature

D. Adjusted Annual Income

Husband

Wife

1. If the above figures are based on monthly information, multiply NET INCOME from section C by 12 to get

ADJUSTED ANNUAL INCOME	\$ _____	\$ _____
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2. If the above figures are based on yearly information, repeat the NET INCOME amount from section C to show

ADJUSTED ANNUAL INCOME	\$ _____	\$ _____
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This figure will be used to calculate child support on page 9.

E. Monthly Expenses

Husband

Wife

Housing and utilities	\$ _____	\$ _____
Food	\$ _____	\$ _____
Transportation	\$ _____	\$ _____
Medical	\$ _____	\$ _____
Other _____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

TOTAL EXPENSES	\$ _____	\$ _____
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III. PROPERTY AND DEBT INFORMATION, AND AGREEMENT OF PETITIONERS

Below is a list of our assets and debts, and our agreement about dividing our assets and debts. **We believe the division below is fair and just.**

A. Assets

[Describe your property and its value. Then check the boxes showing whether it was acquired during the marriage, who possesses it now, and to whom you want it awarded.]

1. Do you have a written community property agreement or a community property trust under Alaska law (AS 34.77)? Yes No Be sure to include community property in the lists below.

	Value	Acquired During Marriage		Currently Possessed By			To Be Awarded To		
		yes	no	H	W	JT	H	W	JT
2. Real Property (land and buildings) provide street address or legal description	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								

[Note: An award of real property to the parties jointly does not convey a right of survivorship. Consult an attorney if you have concerns about your right of survivorship. AS 13.12.804(a)(2)]

Husband's Signature

Wife's Signature

3. Motor Vehicles (include make, model, and license or registration number, and/or vehicle identification number for each vehicle, mobile home, ATV, boat, snow machine, etc.)

	Value	Acquired During Marriage		Currently Possessed By			To Be Awarded To		
		yes	no	H	W	JT	H	W	JT
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								

4. Other Property (household furnishings, appliances, jewelry, computers, guns, tools, bank accounts, etc. For bank, credit union or other financial institution accounts, you may list the last 3 digits of the account number and the name of the issuing institution.)

	Value	Acquired During Marriage		Currently Possessed By			To Be Awarded To		
		yes	no	H	W	JT	H	W	JT
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								

5. Retirement Benefits.

- Neither spouse earned retirement or military pension benefits during the marriage.
- One or both of us earned retirement or military pension benefits during our marriage. We agree that we will each keep our own retirement and pension benefits.
- Our agreement about the distribution of retirement or military pension benefits is attached. If the agreement is not accepted by the retirement plan administrator as a qualified domestic relations order (QDRO), we agree that the court, upon motion by a party, may make any necessary changes. If changes are necessary, we agree that the effective date of the order will remain the date of our original dissolution decree.

A copy of the present value statement from the plan administrator for each retirement account is attached. [Note: An account statement is not the same as a present value statement. You should consult an attorney if you have concerns about the valuation of pension benefits.]

6. Title Transfer. All transactions necessary to make any transfers required by the above agreements (such as refinancing mortgages or loans, and signing quitclaim deeds) will be completed by _____ (date).

Husband's Signature

Wife's Signature

B. Debts

[List to whom each debt is owed and the amount that is owed. Then check the boxes showing whether the debt was incurred during the marriage, who now owes the debt, and who you agree will be responsible for paying it. Include ALL debts that are currently owed (mortgages, car loans, credit cards, etc.) For credit card, bank card, or debit card accounts, you may list the last 4 digits of the account number and the name of the issuing institution. Note: Even though you agree which spouse is responsible to pay a debt that is in both of your names, the bank or other creditor may still hold the other spouse responsible for the debt if payments are not made.]

Owed To	Amount	Incurred During Marriage		Currently Owed By			To Be Paid By		
		yes	no	H	W	JT	H	W	JT
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								
_____	\$ _____								

IV. SPOUSAL MAINTENANCE (ALIMONY) AGREEMENT

\$ _____ per month to be paid by Husband Wife, beginning _____ until _____ or until the recipient dies or remarries. If child support payments will be made through CSSD, you may also have spousal maintenance payments made through CSSD. Do you want spousal maintenance payments to be made through CSSD? Yes No

V. CHILD CUSTODY JURISDICTION INFORMATION

A. The following are children under age 19 born of the marriage or adopted by the petitioners:

(1) Child's Name		Place of Birth		Birthdate
		Sex	Marital Status	School Grade
Present Address (since ____ / ____ / ____)			Who Has Custody	Relationship
Prior Residences for past 5 years (dates)	City & State	Person child lived with (Name & Current Address)		Relationship
to				
to				
to				

Husband's Signature

Wife's Signature

(2) Child's Name		Place of Birth		Birthdate
		Sex	Marital Status	School Grade
Present Address (since ____ / ____ / ____)			Who Has Custody	Relationship
Prior Residences for past 5 years (dates)	City & State	Person child lived with (Name & Current Address)		Relationship
to				
to				
to				

(3) Child's Name		Place of Birth		Birthdate
		Sex	Marital Status	School Grade
Present Address (since ____ / ____ / ____)			Who Has Custody	Relationship
Prior Residences for past 5 years (dates)	City & State	Person child lived with (Name & Current Address)		Relationship
to				
to				
to				

(4) Child's Name		Place of Birth		Birthdate
		Sex	Marital Status	School Grade
Present Address (since ____ / ____ / ____)			Who Has Custody	Relationship
Prior Residences for past 5 years (dates)	City & State	Person child lived with (Name & Current Address)		Relationship
to				
to				
to				

Husband's Signature

Wife's Signature

- B. Has either the husband or the wife participated as a party, a witness, or in another capacity in another proceeding concerning the custody of any of the above children or visitation with them? Yes No If yes, describe the previous child custody determination:
 Name of Court _____ Case Number _____ Date _____
 Court's Decision _____
- C. Does either the husband or the wife know of a proceeding that could affect this dissolution case (such as a proceeding relating to domestic violence, protective orders, termination of parental rights, adoption or enforcement of a court order)? Yes No
 If yes, describe: Name of Court _____ Case Number _____
 Nature of Proceeding _____
- D. Does either the husband or the wife know of any person not a party to this dissolution case who has physical custody of any of the above children or claims to have the right to physical custody, legal custody, or visitation? Yes No
 If yes, list each person's name and address, and what the person claims:

- E. Is the wife pregnant? Yes No
 If yes, include arrangements for this child in the following sections.
- F. Is paternity disputed regarding any child? Yes No
 Has paternity been disestablished for any child born during the marriage? Yes No
 If you answer yes to either of these questions, there may be additional requirements.

NOTE: You both have a continuing duty to inform the court of any other court proceeding in this state or any other state concerning any of the children listed

VI. CHILD CUSTODY AGREEMENT

<u>Name of Child</u>	<u>Physical Custody Awarded To</u>	<u>Legal Custody Awarded To</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

If you agreed to a shared physical custody arrangement, you must specify the custody schedule. You may use the model parenting form (DR-475) or describe the schedule below:

_____ Husband's Signature _____ Wife's Signature

VII. VISITATION AGREEMENT

A. Visitation Rights of Parents

- We agree _____ will have the following specific visitation rights:
 - summer vacation: _____
 - holidays: _____
 - weekends: _____
 - other: _____

[If you want child support reduced, you must specify dates as explained in section V, page 11, of the Instructions.]

- Our agreement concerning visitation is contained in the attached Model Parenting Agreement (form DR-475).
- We do not want to state specific visitation times here. We agree that we will be able to amicably decide on reasonable visitation times.

B. Visitation Rights of Other Persons (Grandparents, Etc.)

Names of Other Persons: _____
 Describe visitation agreement: _____

VIII. CHILD SUPPORT (Civil Rule 90.3) [Note: You cannot usually waive child support.]

A. Child Support Calculation

	<u>Husband</u>	<u>Wife</u>
1. a. Adjusted Annual Income (from II.D. on page 4)	\$ _____	\$ _____
b. If line 1.a. is more than \$105,000, write \$105,000 here. Otherwise, repeat amount on line 1.a.:	_____	_____
2. Multiply line 1.b. by:		
.20 for one child;		
.27 for two children;	x _____	x _____
.33 for three children; and		
.03 for each additional child		
TOTAL	_____	_____

ANNUAL CHILD SUPPORT	\$ _____	\$ _____
(amount from "TOTAL" line above or \$600, whichever is larger.)		

Husband's Signature

Wife's Signature

3. Monthly Child Support Payment (before calculating health insurance adjustment).
 Child support will be paid as stated below. The first payment will be made no later than _____ . Payments after that will be made no later than the 1st day of each month thereafter. [See definitions of types of custody in Civil Rule 90.3(f).]
- a. Primary Custody. One parent has primary physical custody. Divide Annual Child Support amount from line 2 above for the non-custodial parent by 12 = \$ _____ to be paid each month by the mother father.
- b. Shared Custody. The child(ren) will reside with each parent for a period specified in writing of at least 30% of the year. [Attach form DR-306 to show calculations.] Monthly child support payment (from line 10 of DR-306) to be paid each month except _____ = \$ _____ to be paid by the mother father.
- c. Divided Custody. Each parent will have primary physical custody of one or more of the children and the parents will not share physical custody of any of the children. [Attach form DR-307 to show your calculations.] Monthly child support payment (from line 7 of DR-307) = \$ _____ to be paid by the mother father.
- d. Hybrid Custody. One parent has primary physical custody of one or more of the children and the parents will share physical custody of at least one child of the relationship. [Attach form DR-308 to show your calculations.] Monthly child support payment (from line 8 of DR-308) = \$ _____ to be paid by the mother father.

4. Health Care Coverage.

a. Health Insurance.

- (1) Does the father have health insurance available for the child(ren) at reasonable cost through his employer, union, or otherwise? Yes No
- (2) Does the mother have health insurance available for the child(ren) at reasonable cost through her employer, union, or otherwise? Yes No
- (3) Are the children eligible for services through the Indian Health Service?
 Yes No
- (4) Do the children have other health insurance or care available? Yes No
 Describe: _____

If the answer to (3) and (4) is no, one of the parents must agree to provide insurance for the child(ren) if such insurance is available at a reasonable cost. The cost of the children's insurance must be divided equally by the parents unless the court orders a different division for good cause.

 Husband's Signature

 Wife's Signature

AGREEMENT: Health insurance for the child(ren) will be purchased by the:

- father at a monthly cost to father of \$ _____ *
 - mother at a monthly cost to mother of \$ _____ *
- through the above person's employer union _____
 whose name and address are _____

The cost of health insurance for the child(ren) will be divided between the parties
 equally _____ Explain reason for unequal division:

[*List only the cost to insure the children involved in this case. If there is no extra cost to the parent to include the children in the parent's insurance coverage, you cannot deduct any cost for the children's health insurance. The parent must submit documentation from the health insurance provider (employer, union, etc.) showing separately the cost of health insurance for the parent and the parent's dependents. See Civil Rule 90.3(d) for further explanation.]

- b. Health Care Expenses Not Covered by Insurance (including medical, dental, vision and mental health counseling expenses).

We agree that the children's reasonable health care expenses not covered by insurance will be paid as follows (unless the expenses are over \$5,000 in a calendar year):

- Father will pay half and mother will pay half.
 - Father will pay _____ and mother will pay _____.
- Explain reason for not sharing these uncovered expenses equally:

If the uncovered expenses are over \$5,000 in a calendar year, the parties will pay based on their relative financial circumstances when the expense occurs.

We agree that each of us will reimburse the other for our share of uncovered health care expenses within 30 days after we are given the bill, proof of payment and, if applicable, a health insurance statement (EOB) showing what part of the cost is uncovered. We understand that the bills and other materials must be sent to the other parent for reimbursement within a reasonable time.

5. Monthly Child Support Payment (after adding or deducting health insurance costs).

- a. Monthly Child Support Payment from paragraph 3 above (on page 10) \$ _____
- b. If obligor is buying health insurance for the child(ren), subtract 50% (or _____%) of the monthly insurance payment. - \$ _____
(The "obligor" is the parent paying child support.)
- c. If obligee is buying health insurance for the child(ren), add 50% (or _____%) of the monthly insurance payment. + \$ _____
(The "obligee" is the parent receiving child support.)

d. Net Monthly Child Support Payment	\$ _____
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Husband's Signature

Wife's Signature

6. Request for Different Child Support Amount.

The "Net Monthly Child Support Payment" amount in paragraph 5.d. above was calculated according to the usual formula in Civil Rule 90.3(a) or (b) of the Child Support Guidelines. However, we believe that the following unusual circumstances make it obviously unfair to apply the usual formula in our case:

[Agreement of the parents to waive child support is usually not enough justification.]

7. Seasonal Income. Obligor's income is seasonal and obligee agrees that, as long as the total annual amount remains the same, obligor can make higher payments during high income months and lower payments during low income months as follows:

Higher Monthly Amount \$ _____ should be paid in (list months) _____

Lower Monthly Amount \$ _____ should be paid in (list months) _____

8. Travel Expenses. Travel expenses necessary for visitation will be paid as follows:

9. Native Corporation Dividends.

a. The custodian of any Native Corporation dividends paid on behalf of the child(ren) will be _____

b. Except as provided below, the funds will be saved in an account for the child(ren). Both parents will have access to all statements from the account annually.

c. Any taxes owing on any Native Corporation dividends paid on behalf of the child(ren) will be timely paid by (name) _____

d. Any Native Corporation dividends paid on behalf of the children:

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

May be spent only if both parents provide prior written approval.

Other: _____

B. Do you want support to continue while each child is 18 years old as long as the child is (1) unmarried, (2) actively pursuing a high school diploma or equivalent level of technical or vocational training, and (3) living as a dependent with the obligee parent or guardian or a designee of the parent or guardian? Yes No

C. Do you want the assistance of the Child Support Services Division (CSSD) to enforce the support order and keep records of the payments? Yes No

If yes, fill out the attached application for CSSD services. [Note: If the parent with custody of the children is receiving assistance from the Alaska Temporary Assistance Program (ATAP), child support payments must be made to CSSD.]

Husband's Signature

Wife's Signature

D. Immediate Income Withholding

Child support will be withheld from the income of the person paying support and paid through the Child Support Services Division (CSSD) unless one of the following exceptions is approved by the court:

- We made the following alternative arrangement [Note that if you receive ATAP, CSSD must agree to the arrangement]:

Also, the person paying support agrees to keep the other party (or CSSD if CSSD is enforcing the order) informed of his/her current employer and the availability of employment-related health insurance coverage for the child(ren) until the support order is satisfied.

- We believe there is good cause not to require immediate income withholding because it is not in the best interests of the child(ren) for the following reason:

Also, the person paying support agrees to keep the other party (or CSSD if CSSD is enforcing the order) informed of his/her current employer and the availability of employment-related health insurance coverage for the child(ren) until the support order is satisfied.

- The person paying support currently receives social security or other disability compensation that includes regular payments to the child(ren) at least equal to the child support owed each month. Monthly payment to child(ren): \$_____. Source of the payment: _____. [Note: To the extent that these payments to the children do not satisfy the monthly amount owed, the court will order that the remaining amount due be withheld from income.]

E. Federal Taxes

1. Federal Tax Exemptions and Child Tax Credits. We agree as follows:

- _____ will claim the child(ren) every year.
- Every year, mother will claim the following child(ren)_____ and father will claim the following child(ren)_____
- The parents will claim the child(ren) in alternating years with mother father claiming the child(ren) for odd-numbered tax years such as 2015 and 2017, and the other parent claiming them for even-numbered tax years such as 2014 and 2016.
- Other: _____

The parties also agree to 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 agreement regarding the child(ren)'s exemption(s) may be modified without a court order if both parties agree in writing. As required by AS 25.24.232, we also agree that the parent who has physical custody of the child(ren) for a period less than the other parent may not claim the exemption 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.

Husband's Signature

Wife's Signature

2. Other Federal Tax Considerations. We understand that the parent who has physical custody of a child for the greater part of the year, whether or not that parent claims the exemption for the child, may be able to claim other tax benefits such as the Earned Income Credit, Head of Household filing status, and Credit for Dependent (Child) Care Expenses.

F. Permanent Fund Dividend (PFD)

1. We agree that _____ will timely apply for the Alaska PFD on behalf of the child(ren) while they are minors. The parent who claims the federal tax exemption for any child(ren) agrees to timely pay the taxes on the children's PDF.
2. Except as provided below, the child(ren)'s PFD funds will be saved in an account for the child(ren). Both parents will have access to all statements from the account annually.
3. The child(ren)'s PFD funds:
 - May be spent for the child(ren)'s health, education, and welfare.
 - May be spent only if both parents provide prior written approval.
 - Other: _____

IX. RESTORE OR CHANGE NAME

- Restore Name. Petitioner wants a prior name restored as follows (print full names clearly):
- From: _____ To: _____
(wife's current full name) (wife's prior full name)
- From: _____ To: _____
(husband's current full name) (husband's prior full name)

- Change to New Name. [Before checking this box, it is important to read pages 15-17 of the instructions about publication costs and hearing delay.]

Petitioner _____ wants to take and be legally
(current legal name)
 known by a new name, which is _____

The reasons for this request for a change of name are:

Petitioner seeks this name change for personal reasons and not to avoid judgments, debts, obligations, or to defraud any person. The reasons stated are consistent with the public interest.

 Husband's Signature

 Wife's Signature

