

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 must still 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),)
 v.)
)
)
 Defendant (the other parent).)
 _____)

Your Case No. _____

COMPLAINT FOR CUSTODY OF MINOR CHILDREN

I, _____, state that the following facts are true and request
(Print your name here.)
the following relief:

1. Marital History

- We are NOT married to each other, and have never been.
- We are currently married to each other. **(If true, you CANNOT use this form. Use Complaint for Divorce with Minor Children, SHC-101.)**
- We were previously married to each other, but the children at issue were conceived or born AFTER the court entered a divorce or dissolution decree.

Information about Divorce or Dissolution Decree

Location of court (city and state): _____

Case No.: _____ Date of Decree: _____

Other: _____

2. Parent Information

Plaintiff's date of birth: _____ Defendant's date of birth: _____

Defendant's address: _____

Defendant's phone #: _____ Defendant's email: _____

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3. Child(ren)'s Information

3A. Please list all minor children you have had together, including unborn child(ren) if you and the defendant are the parents.

Full Name of Each Child	Date of birth (actual or estimated)

Additional minor child(ren) of this relationship are listed on an attachment.

3B. Has(have) the minor child(ren) lived for the last 6 months continuously in Alaska?

YES **NO** (*NOTE: If the child(ren) have not lived in Alaska for the last 6 months, it is very likely Alaska does not have the authority, or jurisdiction, to make decisions about the child(ren). Please contact an attorney to learn about your options.*)

I have attached the **required** Child Custody Jurisdiction Affidavit, [DR-150](#).

3C. Other Custody Orders

No court has issued a custody order about these children.

The following custody orders have been issued about these children (include domestic violence protective orders, CINA orders, and tribal court orders):

Court Location (city and state)	Case No.	Date of Order	In Effect? (Yes or No)

3D. Does paternity need to be established on any child(ren)? **Yes** **No**

(If the father / other parent is not on the birth certificate, this section will help get him/her listed.)

If paternity needs to be established, complete the following chart. If you have a completed *Three-Way Affidavit to Disestablish and Establish Paternity*, SHC-151 [Word](#) | [PDF](#) or a DNA test, attach it to this *Complaint*.

Child's Name	Date of Birth	Filing an Affidavit of Paternity, SHC-151	DNA Testing Complete	DNA Testing Planned	Birth Certificate w/ Biological Father's/Other Parent's Name

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3E. Do you need the court to order the other parent to do a DNA test?

No Yes. If yes, you will need to file a *Motion & Affidavit for Genetic (DNA) Testing*, SHC-1370 [Word](#) | [PDF](#) and *Order for Genetic (DNA) Testing*, SHC-1375 [Word](#) | [PDF](#).

4. Parenting Plan: *The court wants to know what plan is in the child(ren)'s best interests. The court must decide: (1) how the parents will make decisions about the child(ren), and (2) the child(ren)'s living arrangements and schedule.*

4A. Decision-making: *How will the parents decide matters relating to health, education or religion of the child(ren)?*

- Joint decision-making: *both parents discuss the issues and decide together because they can communicate about the child(ren), even though they may not get along otherwise. Joint decision-making is the most common arrangement.*
- Sole decision-making: *one parent makes decisions about the child(ren) because the parents cannot communicate about the child(ren), or one parent is unfit due to severe mental illness, substance abuse or domestic abuse issues. Both parents usually have access to school and medical records and neither parent can move out of the state with the child(ren) without permission from the court or other parent.*

Because it is in the best interests of the children, I request:

- Joint Decision-making (*the parents share the decision-making about the child(ren)*).
- Sole Decision-making to me other parent (*one parent makes decisions about the child(ren)'s upbringing and does not have to consult with the other parent*).

4B. Living Arrangements *describes the schedule that is in the child(ren)'s best interests.*

Schedule during the week to be with each parent (days and times): _____

Weekends: _____

Summer Vacation: _____

Holidays & Birthdays: _____

Other: _____

You may also attach one of the following forms to show the parenting schedule:

- Weekly Scheduling Chart, SHC-1132 [Word](#) | [PDF](#)
- Custody & Visitation Plan, SHC-1120 [Word](#) | [PDF](#)

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Important information about child support: To calculate child support, you will need to figure out the percentage of time during the year the child(ren) will be with each parent based on the # of overnights. Print out an annual calendar and circle the days each parent will have overnights with the child(ren) and count them up. If you circled 109 overnights or fewer for one parent, you will use a specific calculation for child support (use form [DR-305](#)). If you circled 110 overnights or more for each parent, you will use a different calculation (use forms [DR-305](#), [DR-306](#)). Figure out what percentage of the year the child(ren) will have overnights with each parent (divide the total number of overnights with each parent by 365 and multiply that number by 100). For school age child(ren), include overnights during vacations and in-service days. For links to many school calendars: www.courts.alaska.gov/shc/calendars.pdf. For a one-page annual calendar without school dates, go to www.timeanddate.com/calendar/. You can attach the annual calendar and weekly chart to this *Complaint*. To learn more about child support, see <http://courts.alaska.gov/shc/family/support.htm>.

4C. Travel: Travel costs for parenting time should be divided as follows:

4D. Safety concerns: *A history of domestic violence can significantly affect the parenting plan in your case. In short, there is a presumption that the parent with a history of committing domestic violence may get only supervised visitation. The presumption may be overcome by meeting specific legal requirements. You are strongly encouraged to discuss the situation with an attorney.*

I am concerned about my safety or my child(ren)'s safety when with the other parent.

Therefore, I request that the other parent's parenting time be restricted as follows: _____

5. Child & Medical Support I have completed and attached the **required** Child Support Guidelines Affidavit, [DR-305](#) [Fill-In PDF].

I am proposing a **shared parenting time schedule** - (child(ren) are with each parent at least 110 overnights/year), so I have also completed and attached a Shared Custody Child Support Calculation, [DR-306](#).

5A. Civil Rule 90.3 Calculation: The Court should enter child support

according to Civil Rule 90.3, or vary from Civil Rule 90.3 because (*note: this is very rare*):

5B. Child Support should be ordered from the date of separation the date of the *Final Decree* other: _____.

5C. Other parent's income: I believe that the other parent

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i. is making approximately \$ _____ per hour year at his/her job as a _____

ii. has a work history of being able to make \$ _____ per hour year as a _____

and this is the court should use this amount to calculate child support if the defendant does not respond to this *Complaint*. I have completed the *Child Support Guidelines Affidavit*, [DR-305](#), using these numbers and will serve the DR-305 with this *Complaint*.

5D. Child Support past the age of 18: I do do not request that child support for each child continue for up to a year after the child turns 18 when the following conditions are met: (1) the child is 18 years old, (2) unmarried, (3) actively pursuing a high school diploma or equivalent level of training, and (4) living as a dependant with a parent.

5E. Has either Child Support Services Division (CSSD), the Alaska court or any other state court or child support agency ordered anyone to pay child support?
 No Yes, Mother Father, or other _____ has been ordered to pay child support. (*Please attach a copy of that order if you have it.*)

If another state ordered child support, please read about registering the out-of-state order at <http://www.courts.alaska.gov/shc/family/shcforeign.htm>.

5F. Has anyone applied for public benefits (ATAP, TANF, Food stamps etc.) to support this child?
 No Yes, who? _____

5G. CSSD Services: I do do not request the assistance of CSSD to enforce the child support order and keep records of the payments. (*If yes, fill out [DR-315](#) and file with Complaint.*)

6. Other Financial Issues

6A. Permanent Fund Dividend: I request that the court designate me other parent as the authorized parent to apply for the minor child(ren)'s PFDs. The PFDs should:
 be placed in a savings account, to which both parents have access to statements
 be spent on the child(ren)'s daily expenses
 other _____

6B. Federal Taxes

i. The court should designate me other parent to claim the child(ren) as a dependent on federal income taxes each year alternating years, starting in year _____.

ii. Each parent shall claim the child(ren) on federal income taxes each year as follows:

child: _____ me other parent

child: _____ me other parent

child: _____ me other parent

child: _____ me other parent

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iii. Other: _____

7. Other: _____

REQUEST FOR RELIEF

I REQUEST that the court:

1. enter a *Final Order* granting the parenting plan set forth in section 4 of this *Complaint*;
2. calculate child support and enter a *Child support Order* as set forth in section 5 of this *Complaint*;
3. if requested, establish paternity for the child(ren) as set forth in section 3 of this *Complaint* and order the birth certificate amended.
4. enter a *Final Order* regarding PFD applications, and federal tax dependency as set forth in section 6 of this *Complaint*.
5. Other: _____
6. For further relief as the Court deems fit and proper.

I have attached the following documents:

- Child Custody Jurisdiction Affidavit, [DR-150](#) – *Required*
- Child Support Guidelines Affidavit, [DR-305](#) – *Required*
- Shared Custody Support Calculation, [DR-306](#) – *Required if you want shared custody*
- Other _____

Date

Your Signature (In blue ink if possible)

Service Instructions

Copies for the defendant:

After you open the court case, **you must serve the defendant** with a copy of this form and all of its attachments **by:**

- **certified mail / restricted delivery/ return receipt, OR**
- **by process server.**

For information about serving the defendant, see: www.courts.alaska.gov/shc/family/serve.htm.

Other Useful Contact Information for Family Law Cases

Alaska Court System’s Family Law Self-Help Center: www.courts.alaska.gov/shc/family/selfhelp.htm
(907) 264-0851 or (866) 279-0851 (toll-free in Alaska but outside Anchorage)