

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 (You – the Mother))
v.)
)
)
_____)
Defendant 1 (Current Father))
)
_____)
Defendant 2 (Biological father))
_____)

Your Case No. _____

**COMPLAINT by MOTHER TO DISESTABLISH & ESTABLISH PATERNITY
of MINOR CHILDREN**

1. Who are the people involved in this case?

I am the plaintiff and the mother of the following child(ren):

Name of minor child(ren)	Date of Birth

Defendant 1 is currently the legal father of the above named child(ren). I do not believe that he is the biological father and would like him disestablished and removed from the birth certificate.

I believe Defendant 2 is the biological father of the child(ren), and want him established as legal father and put on the birth certificate.

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2. Where does everyone live?

I am a resident of Alaska other _____.

The child(ren) live in Alaska other _____.

✓ **YOU MUST** attach a *Child Custody Jurisdiction Affidavit*, [DR-150](#).

Current father lives in Alaska other _____.

Biological father lives in Alaska other _____.

If I do not live in Alaska, I am submitting to the jurisdiction of this court because the Defendants live in Alaska, it is the most convenient forum and in the best interests of the child(ren).

3. What is/was the marital status between you and the current father?

I was married to him when I got pregnant or gave birth.

I married him after the child(ren) was(were) born and am now married to him.

I was divorced from him on _____ by the court in _____.

I am not currently, nor have I ever been married to him.

Other: _____.

4. What is/was the marital status between you and the biological father?

I was married to him when I got pregnant or gave birth.

I married him after the child(ren) was(were) born and am now married to him.

I was divorced from him on _____ by the court in _____.

I am not currently, nor have I ever been married to him.

Other: _____.

5. Who is on the birth certificate?

No father listed Current father Biological father

Other: _____.

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6. If someone is listed as father on the birth certificate, how was paternity established?

- He was married to me when I got pregnant or gave birth.
- He signed an *Affidavit or Acknowledgement of Paternity*.
- The Office of Children's Services (OCS) established paternity.
- The Child Support Services Division (CSSD) established paternity.
- Other: _____

7. Comments to help Judge understand situation: (add sheets if necessary)

8. Why do you believe that Defendant 1, the current father, is NOT the child(ren)'s biological father?

- DNA testing has excluded him. The ORIGINAL results are attached.
- Other: _____

9. Why do you believe that Defendant 2 is the child(ren)'s biological father?

- DNA testing has established him. The ORIGINAL results are attached.
- Other: _____

10. Do you want the court to order the Defendants to have DNA testing?

- No Yes, I have attached:
- Motion & Affidavit for Genetic (DNA) Testing, SHC-1370 [Word](#) | [PDF](#)
 - Proposed Order for Genetic (DNA) Testing, SHC-1375 [Word](#) | [PDF](#)

11. Child Support

Has CSSD ordered anyone to pay child support?

- No Me Defendant 1 Defendant 2 Other _____

Is CSSD in the process of setting up an order? No Yes

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

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No Me Defendant 1 Defendant 2 Other _____

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

No Me Defendant 1 Defendant 2 Other _____

13. Other: _____

REQUEST FOR RELIEF

WHEREFORE, I REQUEST:

1. That the court enter a *Final Order* that disestablishes Defendant 1 as the legal father of the minor child(ren) and terminates any rights of custody or visitation;
2. That the court enter a *Final Order* that establishes Defendant 2 as legal/biological father of the minor child(ren);
3. That the Bureau of Vital Statistics be given notice to replace Defendant 1 with Defendant 2 on the birth certificate(s) of the minor child(ren).
4. That the court enter a *Final Order* that relieves Defendant 1 of any ongoing child support obligation from the date I filed this *Complaint*;
5. That arrearages be modified as allowed by law.
NOTE: *The general rule is that child support cannot be retroactively modified. This means the court cannot go back and change past due child support amounts. However, depending on how the original obligation was established, the court may be able to set aside some or all of the arrearages. This is a complicated area of law and you should consult an attorney to find out whether something can be done in your case.*
6. **Other:** _____

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

Date _____

Your Signature (In blue ink if possible)

See next page for list of attachments and service instructions

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Attachments

I have attached the following documents and served them with this Complaint on the Defendants:

- Child Support Guidelines Affidavit, [DR-305](#) [Fill-In PDF] **(Required)**
- Child Custody Jurisdiction Affidavit, [DR-150](#) [Fill-In PDF] **(Required)**
- Confidential Information Sheet, DR- 314 **(Required)**
- 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](#)
- Order for Genetic (DNA) Testing, SHC-1375 [Word](#) | [PDF](#)
- Other: _____

Service Instructions

Copies for the defendants:

After you open the court case, **you must serve each defendant** with a copy of this form and all of its attachments **by certified mail / restricted delivery/ return receipt OR by process server.**

Copies for the Attorney General:

Send a copy to the Attorney General's Office **by first class mail** if you meet 2 requirements: (1) CSSD is collecting child support currently and (2) you are asking to reduce or eliminate past-due child support debt:

Attorney General's Office
Child Support Section
1031 West Fourth Ave., Ste. 200
Anchorage, AK 99501