

# INSTRUCTIONS FOR FILLING OUT ANSWER AND COUNTERCLAIM FOR DISSOLUTION OF MARRIAGE (Children)

**NOTE: THE MAJORITY OF THE INFORMATION REQUIRED ON THIS DOCUMENT CAN BE FOUND ON THE COMPLAINT FOR DISSOLUTION OF MARRIAGE WITH WHICH YOU WERE SERVED.**

## HEADING

**Note: The heading on the Answer and Counterclaim should match the heading on the Complaint that you received.**

- Enter the name of the county where the Complaint was filed. This is where you will file the Answer and Counterclaim.
- Enter the name of the plaintiff as it appears on the Complaint.
- Enter your name as it appears on the Complaint. You are the defendant.
- The clerk of the district court assigned a case number when the Complaint was filed. You must include the case number on any papers you file. It is found on the copy of the Complaint that you received.

## BODY OF ANSWER

Enter your full name as it appears on the Complaint in the first paragraph. This paragraph does not have a number.

The numbers below give instructions for completing the paragraphs with the same numbers in the Answer.

Paragraph 1. Enter the paragraph numbers, separated by commas, from the Complaint for Dissolution of Marriage with which you agree.

Paragraph 2. Enter the paragraph numbers, separated by commas, from the Complaint for Dissolution of Marriage with which you disagree.

## BODY OF COUNTERCLAIM

The numbers below give instructions for completing the paragraphs with the same numbers in the Counterclaim.

Enter your full name in the first paragraph. This paragraph does not have a number.

Paragraph 1. Enter your address. NOTE: If your address is confidential under Nebraska or Federal law, enter only the county and state on this line and provide an alternative address for mailing of notices.

Paragraph 2. Enter your spouse's complete address, including street number, city, county, and state.

Paragraph 4. Enter the name of the county where your spouse filed this divorce action. Either you or your spouse must be living in this county at the time of filing the Complaint.

Paragraph 5. Enter the date you were married and the city and state where you were married.

Paragraph 9. Enter the number of child(ren) born to you and your spouse. Then enter the first, middle, and last names of each child and each child's year of birth.

Paragraph 10. Check the appropriate box.

- Paragraph 11. (a) Enter the names, dates, and addresses of person(s) that the child(ren)has/have lived with in the last 5 years.
- (b) Check the appropriate box. IF you HAVE been a party or a witness in another proceeding concerning the custody or parenting time with the child(ren), enter the name of the court, the case number, and the date of the determination.
- (c) Check the appropriate box. IF you DO know of any other actions or proceedings that could affect this action, enter the name of the court, the case number, they type of case, and determination. (This includes actions about domestic violence, protection orders, termination or parental rights and adoptions.)
- (d) Check the appropriate box. IF you DO know of any other person besides the other party in this action who has physical custody of the child(ren) or claims to have custody or parenting time rights, enter their names and addresses.

Paragraph 12. If you are requesting custody of the child(ren), enter "My spouse is." If you are requesting your spouse be awarded custody, enter "I am."

Paragraph 15. If you are requesting that your former name be restored, enter the first, middle, and last names you would like to use. If you are not requesting that your former name be restored to you, cross out this paragraph.

Paragraph 17. Check the appropriate box. IF there ARE existing restraining orders, protection orders, or criminal no-contact orders regarding one or more of the parties, provide the type of case, the name of the court, case number, and the date of each.

Paragraph 18. Check the appropriate box.

Paragraph 19. Check the appropriate box.

## **CLOSING PARAGRAPH**

The letters below give instructions for completing the paragraphs with the same letters on the Counterclaim for Dissolution of Marriage.

Paragraph C. If you are requesting physical custody, enter "me." If you are requesting that your spouse be awarded physical custody, enter "my spouse."

Paragraph F. If you are requesting that your former name be restored, enter the complete former name to be restored including first, middle, and last names. If you are not requesting that your former name be restored to you, cross out this paragraph.

### **SIGNATURE BLOCK:**

- On the first line sign your first, middle, and last names.
- On the next line enter the date that you are signing.
- On the third line enter or print your first, middle and last names.
- On the fourth line enter your full street address/P.O. Box.
- On the fifth line enter your city, state, and ZIP code.
- On the sixth line enter your telephone number, including the area code.
- On the seventh line enter your e-mail address, if any.

### **NOTARY VERIFICATION STATEMENT:**

- Enter the name of the county in which the document is being signed. Enter your first, middle and last names.
- **STOP - DO NOT SIGN UNTIL YOU ARE PRESENT IN FRONT OF A NOTARY.**
- The notary will then complete the remainder.

### **CERTIFICATE OF SERVICE**

- In the first blank, print the date when you mailed the copy of the Answer and Counterclaim for Dissolution of Marriage to your spouse.
- In the second blank, put your spouse's full address, including the street address, city, state and ZIP code.
- Sign your name in the last blank.