

STATE OF MAINE

SUPERIOR COURT

DISTRICT COURT

_____, ss

Location _____

Docket No. _____

Docket No. _____

Plaintiff

v.

Defendant

**ANSWER AND
COUNTERCLAIM
FOR DIVORCE**

- Title to Real Estate is Involved
- Children Involved

ANSWER

1. Defendant admits paragraphs # _____ of Plaintiff's complaint for divorce.

2. Defendant denies paragraphs # _____ of Plaintiff's complaint for divorce.

3. In further answer to Plaintiff's complaint Defendant states:

COUNTERCLAIM

1. Defendant was lawfully married to the Plaintiff in (town) _____, (county) _____, (state) _____, on _____ (mo/date/yr).

2. Plaintiff now resides in (town) _____, (county) _____, (state) _____.

3. Defendant now resides in (town) _____, (county) _____, (state) _____.

4. The Court has jurisdiction because: (check all of the statements that apply)

- A. Defendant resided in Maine in good faith for six months before filing this Complaint;
- B. Defendant is a resident of Maine and the parties were married in Maine;
- C. Defendant is a resident of Maine and the parties resided in Maine when the grounds for divorce arose; and
- D. Plaintiff is a resident of Maine.

5. Neither party has filed for divorce or annulment from the other before the filing of Plaintiff's complaint in this case except:

A complaint for divorce or annulment was filed before in (*court name, town and state of court*) _____,
docket no. _____.

That case:

- was dismissed on _____, or
- is still pending.

6. The parties have personal property, **AND**

- Either or both parties has an interest in real estate,

OR

- Neither party has an interest in real estate.

7. Defendant hereby states that the grounds for divorce in this case is that irreconcilable marital difference exist between the parties.

8. Defendant and Plaintiff are the parents of the following child(ren):

<i>Name</i>	<i>Date of Birth</i>	<i>Present Address</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

A. The children have lived in the following places at the following times in the **past 5 years**:

<i>Name and present address of person child(ren) lived with</i>	<i>Dates child(ren) lived with that person</i>	<i>Town and State where child(ren) lived with that person</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Defendant has not been involved in any way in, and has no information about, another court case in any state concerning the custody of the child(ren) except as follows:

- Protection from Abuse
- Protective Custody
- Other (*describe what kind of case*) _____

9. (Check all boxes that apply)

No public assistance benefits have ever been received for the child(ren).

OR

Public assistance benefits have been, are now, or will be received for the child(ren).

AND

Defendant has sent a copy of this answer and counterclaim to the Department of Human Services at the following address: *Support Enforcement Division, Central Office Supervisor, State House Station 11, Augusta, ME 04333-0011*. (A copy must be sent when the child(ren) have been, are now, or will be receiving public assistance benefits).

The Department of Human Services **has** issued a child support order regarding the child(ren). (*If such an order has issued, a copy of the order must be attached to this Complaint*).

The Department of Human Services **has** been contacted to set up, review, change, or enforce a child support order regarding the child(ren).

WHEREFORE, DEFENDANT REQUESTS that a divorce be granted and that the Court; (**check all boxes that apply**)

Determine parental rights and responsibilities regarding the minor child(ren), including child support;

Set apart the non-marital property to each party and divide marital property;

Order alimony be paid to the Defendant by the Plaintiff;

Award reasonable attorney's fees to Defendant's Attorney; and

Change Defendant's name to _____.

Date: _____

(Defendant's signature)

Name: _____

Address: _____

Telephone: _____

STATE OF MAINE

_____ County

Personally appeared the above named Defendant, _____,
and made Oath that the foregoing statements are true.

Before me,

Date: _____

Attorney at Law/Notary Public/Deputy Clerk