

2006 COMPLAINT FOR DIVORCE, LEGAL SEPARATION, ANNULMENT WITH CHILDREN CHECKLIST

**1. Case Caption**

Approved

Rejected

- |                          |                          |                            |
|--------------------------|--------------------------|----------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Parties' names             |
| <input type="checkbox"/> | <input type="checkbox"/> | Parties' addresses         |
| <input type="checkbox"/> | <input type="checkbox"/> | Parties' telephone numbers |

**2. Statement of Marriage**

Approved

Rejected

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | A statement of the date the parties were married. |
|--------------------------|--------------------------|---|

**3. Identification of Children**

Approved

Rejected

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | A statement of the names and dates of birth of all children born of the marriage. |
|--------------------------|--------------------------|---|

**4. Counsel Identification**

Approved

Rejected

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Counsel for Plaintiff provided their name, Supreme Court Registration Number, address and telephone number. |
|--------------------------|--------------------------|---|

**5. Signatures on Complaint**

Approved

Rejected

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | If Plaintiff is represented by counsel, the complaint was signed by counsel.       |
| <input type="checkbox"/> | <input type="checkbox"/> | If Plaintiff is not represented by counsel, the complaint was signed by Plaintiff. |

**6. Allocation of Parental Rights and Responsibilities**

**a. Parenting Order**

Approved

Rejected

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | The complaint provides a parenting order.   |
| <input type="checkbox"/> | <input type="checkbox"/> | The parenting order provides a specific schedule of parenting time or sets forth the established parenting time schedule.   |
| <input type="checkbox"/> | <input type="checkbox"/> | An <i>ex parte</i> order for residential parent status must include the length of time the parties have been living separate and apart.   |
| <input type="checkbox"/> | <input type="checkbox"/> | If a filing party wishes to restrict or deny parenting time, then an <i>ex-parte</i> order must include an affidavit setting forth the reasons for the request and the request must be approved by a hearing officer. |
| <input type="checkbox"/> | <input type="checkbox"/> | If a hearing officer grants the <i>ex parte</i> order to restrict or deny parenting time, then a notice of the restriction and notice of an emergency hearing must be served upon the restricted party.               |
| <input type="checkbox"/> | <input type="checkbox"/> | The notice of emergency hearing shall include the name of the hearing officer, and the date and time of hearing.  |
| <input type="checkbox"/> | <input type="checkbox"/> | The notice shall include a Certificate of Service signed by counsel or the Plaintiff, if unrepresented by counsel.  |

**b. Child Support Order**

Approved

Rejected

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | If the parties are living separate and apart, the complaint shall contain an order for child support.   |
| <input type="checkbox"/> | <input type="checkbox"/> | If the parties are living separate and apart and the complaint does not contain an order for child support and the income of the other party is unknown, but the place of employment is known, then the complaint shall contain a statement that the income information is being obtained through subpoena <i>duces tecum</i> . |

Effective 1/06

- If the parties are living separate and apart and the complaint does not contain an order for child support and the income of the other party and place of employment are unknown, then the complaint must include a statement that the information necessary to complete a child support computation worksheet cannot be obtained through reasonable means.
- The order for child support shall contain an effective date.
- If the child support order deviates from the child support guidelines, then the complaint shall state the reason for the deviation.
- If the child support order deviates from the child support guidelines, then the complaint shall include a Form C-16 Notice to Case Management signed by a hearing officer approving the requested deviation.

**c. Health Insurance Coverage**

Approved

Rejected

- The complaint shall include an order for health insurance coverage
- The complaint shall include an order that the parties are to maintain all current health insurance policies.

**7. Payment of Marital Debts**

Approved

Rejected

- If the parties are living together, then the complaint shall contain an order for the payment of marital debts.

**8. Restraining Order**

Approved

Rejected

- An affidavit setting forth the reasons for the requested is provided.
- The restraining order complies with the mandatory language\

**MANDATORY LANGUAGE IS DEFICIENT BECAUSE:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**9. Number of Copies**

Approved

Rejected

- Two copies of the complaint were provided.

**10. Required Documents to be submitted with Complaint**

Approved

Rejected

- A Family Information Sheet (DR Form 729) was provided
- Notice to Attend Mandatory Education Class (DR Form 628) was attached
- The Guidelines for Parents Living in Different Homes (Form DR 803) was attached
- An original IV-D application for child support services was attached
- A statement of whether or not the defendant is in the military service
- A signed and notarized, Information for Parenting Proceeding Affidavit was attached
- If a child support order is issued, a child support computation worksheet signed by the preparer was attached