

STATE OF VERMONT

SUPERIOR COURT

FAMILY DIVISION

Unit

Case No. _____

Plaintiff Name	v.	Defendant Name
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Plaintiff Information:

Name: _____ Date of Birth: _____
 Street Address: _____ City/State/Zip: _____
 Mailing Address (if different from Street Address): _____
 City/State/Zip: _____ Email Address: _____
 Daytime Phone: _____ Evening Phone: _____
 Attorney Name: _____ Attorney Phone: _____

The Plaintiff is a minor

Defendant Information:

Name: _____ Date of Birth: _____
 Street Address: _____ City/State/Zip: _____
 Mailing Address (if different from Street Address): _____
 City/State/Zip: _____ Email Address: _____
 Daytime Phone: _____ Evening Phone: _____
 Attorney Name: _____ Attorney Phone: _____

The Defendant is a minor

If any party is a minor attach a Supplemental Information Sheet (form 400-00817A)

SUMMONS

THIS SUMMONS IS DIRECTED TO: _____
Name of Defendant

1. PLAINTIFF _____ IS SEEKING A
Name of Plaintiff

DIVORCE **LEGAL SEPARATION** **CIVIL UNION DISSOLUTION**

The Plaintiff's Complaint begins on the next page. Do not throw these papers away. They are official papers that affect your rights.

2. TO PROTECT YOUR RIGHTS, YOU SHOULD REPLY WITHIN 21 DAYS. Your written response is called an Answer. You can get an official court form for an Answer to a Divorce Complaint at any Vermont Family Court or on the Judiciary web site at <http://www.vermontjudiciary.org>.

3. YOU MUST RESPOND TO EACH CLAIM. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you should say so in your Answer.

4. IF YOU DO NOT FILE AN ANSWER OR FILE AN APPEARANCE, THE COURT IS NOT REQUIRED TO NOTIFY YOU OF HEARINGS. If you do not attend the court hearings, the Plaintiff may receive everything requested in the Complaint. You will not get a chance to tell your side of the story.

5. **YOU MUST GIVE OR SEND A COPY OF YOUR ANSWER TO THE PLAINTIFF.** If the Plaintiff has an attorney, you must give or send a copy of your Answer to the Plaintiff’s attorney.
6. **YOU MUST GIVE OR SEND YOUR ORIGINAL ANSWER TO THE COURT at this address:**
7. **LEGAL ASSISTANCE:** You may wish to get help from a lawyer. Even if you cannot get legal help, you must still give the Court a written Answer to protect your rights.

Date

Plaintiff’s Attorney/Court Clerk

COMPLAINT FOR DIVORCE/LEGAL SEPARATION/DISSOLUTION

FACTS

The Plaintiff states that the following facts are true:

1. Residence:

(A) I am now a resident of _____, _____.
County State

I have resided in Vermont for 6 full months, since _____.
(Month/Date/Year)

(B) Defendant is now a resident of _____, _____.
County State

Defendant has resided in Vermont for 6 full months, since _____.
(Month/Date/Year)

2. Marriage:

We were married at _____, _____.
City State

on _____ and are still married.
Month/Date/Year

Civil Union:

Our civil union took place at _____, _____.
City State

on _____ and it has never been dissolved.
Month/Date/Year

3. Grounds for Divorce/Legal Separation/Dissolution: The reason I am asking for a

Divorce Legal Separation Dissolution

Is that:

Six Month Separation: We have or will have lived separate and apart for more than six (6) consecutive months and it is not reasonably probable that we can resume our relationship. The Defendant and I separated on: _____.
Month/Date/Year – this field is required

Other: *(Please explain)* _____

4. Minor Children of the Parties:

We have children of our marriage who are either younger than 18 years old or are 18 years old and still in high school. Include born or adopted children.

Name of Child	Date of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

5. Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Jurisdiction: *(15 V.S.A. § 1071)*

(A) During the last five years the children listed above have lived at the following addresses with the following household members:

(Begin with the child's residence just before this court case started and list all addresses for the past five years.)

Dates <i>(From when to when)</i>	
Address <i>(Include street/city/state)</i>	
Names of all persons living in the household with the child	

Dates <i>(from when to when)</i>	
Address <i>(street/city/state)</i>	
Names of all persons living in the household with the child	

Dates <i>(from when to when)</i>	
Address <i>(street/city/state)</i>	
Names of all persons living in the household with the child	

Add additional pages if needed. If the children have lived at different addresses from each other, provide addresses for each child.

(A) If the current address of any household member listed in the last column is different from the address listed above, please provide a current address for that person in the box or on another page.

(B) Please check the box below if the statement next to it is true. For each box you check, please explain your answer on another page.

- I have participated as a party, witness, or in some other way in a court case about the custody of this child or these children in Vermont or another state.
- I have information about a case concerning this child or these children that is now pending in a Vermont court or a court in another state.
- I have knowledge about a person who is not a party to this case who has physical custody of this child or these children or who claims to have custody of or visitation rights to this child or these children.

6. Financial Information:

I am I am not filing with this Complaint a completed Financial Affidavit (form 400-00813A).

I am I am not filing with this Complaint a completed Financial Affidavit – Property and Assets (form 400-00813B).

If I am not filing these forms now, I understand I will be required to file them with the court at a future date, and must also provide a copy to the other party.

7. Public Assistance:

I receive assistance from the Division of Economic Services.

The Defendant receives public assistance from the Division of Economic Services.

8. Earlier actions for divorce, legal separation, dissolution, annulment:

I have not filed for divorce, legal separation, dissolution or annulment in any court against the Defendant, as far as I know, the Defendant has not filed for divorce, legal separation, dissolution or annulment against me.

I have filed OR the Defendant has filed for divorce, legal separation, dissolution or annulment before the date of the filing of this petition. *(If you check this box, you must fill in the information below. Use an additional page if necessary.)*

Type of Action	Who Filed	Where Filed <i>(Court, County, State)</i>	Year Filed
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Please attach a copy of any Court Order issued in a case listed above.

9. Relief from abuse or protective order proceedings:

I have not filed a complaint for relief from abuse or a request for a protective order against the Defendant AND, as far as I know, the Defendant has not filed such an action against me.

I have filed a complaint for relief from abuse or a request for a protective order against the Defendant OR the Defendant has filed a complaint for relief from abuse or a request for a protective order against me. *(If you check this box, you must complete the information below. Use an additional page if necessary.)*

Type of Action	Who Filed	Where Filed <i>(Court, County, State)</i>	Year Filed
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Please attach a copy of any Court Order issued in a case listed above.

10. Military Service:

The Defendant is in the military service.

The Defendant is not in the military service.

I am in the military service.

I am not in the military service.

REQUEST FOR RELIEF

1. I ask that the Family Court grant me: *(check each box that applies)*

Decree of Divorce

Decree of Legal Separation

Decree of Dissolution

2. **Parental Rights and Responsibilities**

(Note: A party may request joint parental rights and responsibilities at this stage of the case, but the court will not order it if both parties don't agree to it. Parents must be able to work together, communicate well, and cooperate in a joint arrangement.)

Legal parental rights and responsibilities:

Shared jointly

Given solely to:

Myself

Defendant

To be determined

Physical parental rights and responsibilities

Shared jointly

Given solely to:

Myself

Defendant

To be determined

3. **Parent Child Contact for:** Myself Defendant

4. **Child support, medical support and/or maintenance supplement.**

5. **Division of Property (divide our property, assets and debts).**

6. **Spousal Maintenance (Alimony).**

7. **Court costs.**

8. **Attorney fees.**

9. **Name change: I would like to resume my former name of:_____.**

I have attached a written agreement signed by my spouse and myself. I ask that the Court issue an order that includes the provisions of our written agreement. *(In order to qualify for the reduced filing fee, the attached agreement must cover all the issues that the Plaintiff seeks to have the Court resolve.)*

I declare that the above statements are true and accurate to the best of my knowledge and belief. I understand that if the above statements are false, I will be subject to the penalty of perjury or to other sanctions in the discretion of the court.

Date

Signature of Plaintiff

Printed Name