

MAINE JUDICIAL BRANCH

Plaintiff

DISTRICT COURT

Location (Town):

Docket No.:

V.

Defendant

COMPLAINT FOR JUDICIAL SEPARATION

- With minor children No minor children
Title to real estate is involved

19-A M.R.S. §§ 851-852, 1501-1510, 1653, 1843, 2001-2011

PLEASE NOTE: If either party wishes to keep an address confidential, that party may complete an Affidavit for Confidential Address (FM-057). This form is available at the Clerk's Office or at www.courts.maine.gov.

1. Plaintiff was lawfully married to defendant in (town) (county) (state), on (mm/dd/yyyy).

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

Please write "confidential" in the space above if you are filing an Affidavit for Confidential Address (FM-057).

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

OR

Residence of the defendant is unknown and the plaintiff has used reasonable efforts and cannot locate the defendant.

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

- Plaintiff has lived apart from the defendant for a period in excess of 60 continuous days; or
Plaintiff desires to live apart from the defendant for a period in excess of 60 continuous days.

5. Neither plaintiff nor defendant has filed for judicial separation, divorce, or annulment from the other before this complaint;

OR

A complaint for divorce, judicial separation, or annulment was filed before in (court name, town and state of court): Docket No.:

That case: Was dismissed on (date mm/dd/yyyy): Is still pending.

6. The parties have personal property, AND

- Either or both parties has/have an interest in real estate, (file and exchange form FM-056).
Neither party has an interest in real estate.

IF THIS CASE DOES NOT INVOLVE MINOR CHILDREN, PLEASE SKIP TO NUMBER 14.

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7. Plaintiff and defendant are the parents of the following child(ren):

Table with 3 columns: Full name, Date of Birth (mm/dd/yyyy), Present Address(es) (do not list if confidential to other party). Includes 6 horizontal lines for data entry.

8. List below where and with whom the child(ren) have lived within the past 5 years, in order from the most recent, 19-A M.R.S. § 1753 (attach an additional page if more space is needed):

Table with 4 columns: Name of person child(ren) lived with, Present address of the person that child(ren) lived with (do not list if confidential to the other party), Dates lived with that person (mm/yy) – (mm/yy), Town/State where child(ren) lived with that person. Includes 6 horizontal lines for data entry.

9. Other possible parents (check one)

- Input boxes for: The child(ren) do not have any other acknowledged, adjudicated, intended, de facto, or presumed parents. OR The child(ren) do not have any other acknowledged, adjudicated, intended, de facto, or presumed parents.

Quick Reference Guide:

Definitions for: acknowledged parent, adjudicated parent, presumed parent, biological parent, de facto parent, intended parent. Includes references to 19-A M.R.S. sections.

10. No one other than the plaintiff or defendant has physical custody of the child(ren), or claims to have custody or visitation rights with respect to the child(ren) except as follows:

Two horizontal lines for text entry.

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11. Plaintiff has not been involved in any way in, and has no information about, another court case in Maine or in any other state concerning custody of the minor child(ren) except as follows:

- Protection from Abuse (provide docket number):
Probate matter (provide docket number):
Other (describe what kind of case and provide docket number):

12. If you are asking that the court change the child(ren)'s names, please explain why there is good cause to do so (19-A M.R.S. § 1843(3)). If this does not apply, please leave blank:

Blank lines for explanation of name change.

13. No public assistance benefits (MaineCare or TANF) have ever been received for the child(ren).

OR

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

AND

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

14. PLAINTIFF REQUESTS that a judicial separation be granted and that the Court (check all that apply):

- Set apart the non-marital property to each party and divide the marital property (file and exchange form FM-043);
Order that spousal support be paid to plaintiff by defendant (file and exchange form FM-043);
Award reasonable attorney fees to plaintiff's attorney (file and exchange form FM-043); and

If the parties have minor children:

Determine parental rights and responsibilities for the minor child(ren) pursuant to 19-A M.R.S. §1653, including child support (file and exchange FM-050); and/or

Change the child(ren)'s names as follows:

- A. The child's name is ... I ask that the child's name be changed to ...
B. The child's name is ... I ask that the child's name be changed to ...
C. The child's name is ... I ask that the child's name be changed to ...
D. The child's name is ... I ask that the child's name be changed to ...
E. The child's name is ... I ask that the child's name be changed to ...
F. The child's name is ... I ask that the child's name be changed to ...

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I hereby declare that the above statements are true to the best of my knowledge and belief. I understand that these statements are made for use as evidence in court and that I am subject to prosecution for perjury punishable by up to 5 years in prison and a fine of up to \$5,000.00 for giving false information to the court.

Date (mm/dd/yyyy): \_\_\_\_\_

▶ \_\_\_\_\_

Plaintiff's Signature

Plaintiff's Attorney: \_\_\_\_\_

Plaintiff: \_\_\_\_\_

Maine Bar No.: \_\_\_\_\_

Address is confidential (if so, leave blank below)

Mailing Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Home phone: \_\_\_\_\_

Phone: \_\_\_\_\_

Cell phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

STATE OF MAINE

\_\_\_\_\_ County

Personally appeared the above named plaintiff, \_\_\_\_\_, and made oath that the foregoing statements are true under penalty of perjury.

Before me,

Date (mm/dd/yyyy): \_\_\_\_\_

\_\_\_\_\_

Attorney at Law  Notary Public  Clerk

**PLEASE NOTE: Each defendant has 21 days after being served with this complaint to file an answer with the court. In addition, each defendant must provide copies of all filings to every other party.**

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