

## MAINE JUDICIAL BRANCH

### MOTION TO ENFORCE: What to do with these Court Forms

#### Here are a few tips for filling out the forms:

- Always use full legal names, not nicknames.
- Type or print neatly.
  - Fillable versions of the forms are available on our website at: [https://www.courts.maine.gov/fees\\_forms/forms](https://www.courts.maine.gov/fees_forms/forms).
- You will file each form with the Court. Before you do that, make copies of your completed forms—one for yourself and one copy for each of the other parties. You will need to find a place to make copies (like a library). The court clerk cannot make copies for you.

#### **STEP ONE: Fill out the Forms**

##### **Family Matter Summary Sheet (FM-002)**

This form is required for the clerk to start an action. In order to fill out this form you need to enter contact information for yourself and for any other party.

##### **Motion to Enforce (FM-070)**

The section at the top of the form is called the "caption." Look at the caption on your original Court Order and copy the court location, docket number and names of Plaintiff and Defendant. (This information stays the same. If you were the defendant before, you are still the defendant, even though you are the one filing the motion to enforce.) If you can't find your original order, you can obtain a copy from the clerk. If you are trying to change the amount of child support only, check that box that reads "Child Support Only" under the words "Motion to Enforce." Complete pages 1 through 3 as instructed. You must sign page 4 this form in front of a notary public. You can find a notary at a bank, a legal services office, through your town office, or at the court clerk's office.

##### **Social Security Number Disclosure Form (CV-CR-FM-PC-200)**

You are required by both State and Federal law to provide your social security number along with your children's social security numbers. This information is collected on the Social Security Number Disclosure form, which will be placed in a confidential envelope in the court file. This form is included in your packet.

##### **Child Support Affidavit (FM-050) (if child support is an issue)**

Fill out the "caption" the same way that you did on the complaint form. Fill out the rest of the form to the best of your knowledge. Note that you list last year's earned income and this year's expected earned income separately under #1. Also note that you list other income under #2 and fringe benefits under #3. You may have to look at your records, if you have them, to get financial information. You must sign this form in front of a notary public. After the responding party gets your Motion to Enforce, the Court will ask the responding party to fill out the same financial form and send you a copy. The court may also require you to complete a Child Support Worksheet (form FM-040), which is available on the Maine Judicial Branch website at [www.courts.maine.gov](http://www.courts.maine.gov).

**ADA Notice:** The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation, contact the Court Access Coordinator, [accessibility@courts.maine.gov](mailto:accessibility@courts.maine.gov), or a court clerk.

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### Notice Regarding Electronic Service (CR-CV-FM-255)

This packet contains two copies of this form. You have the choice to allow the opposing party to serve documents on you by email. To do this, you must complete one of the copies of the Notice Regarding Electronic Service (CR-CV-FM-255) and include that in the packet of forms that you serve on the opposing party. Make sure to also include the second blank copy of this form in the packet of forms that you serve on the opposing party. If the opposing party wants to allow you to serve documents by email, the opposing party must complete the form and send it back to you. Do not file this form with the court.

**PLEASE NOTE: Receiving filings by email in your case is completely optional.** If you wish to receive paper filings in your case, you do not have to complete this form. However, if you do complete the form, you do not need to file it with the court.

### STEP TWO: Serve the Forms

Now you must give copies to the defendant. This is called "serving" the court papers. Court rules say you can do this in one of three ways: (1) You can mail the papers, asking the other party to agree to "service;" (2) you can send the papers by certified mail; or (3) you can pay a sheriff to give the copies to the other party. You must file proof of service with the court.

#### **Service by Mail**

Mail or hand-deliver these papers to the other party:

- Copy of Motion to Enforce
- Copy of Child Support Affidavit (if child support is an issue)
- Two copies of Acknowledgment of Receipt of Summons and Complaint (after you have filled in the "caption" on both copies)
- Blank copy of the Notice Regarding Electronic Service (CR-CV-FM-255)
- Completed copy of the Notice Regarding Electronic Service (CR-CV-FM-255) (only if you want to agree to email receipt of documents filed by the opposing party in your case)
- Stamped, self-addressed envelope

The Acknowledgment of Receipt form asks the other party to sign it, showing he/she got the papers, and to return the form to you within 20 days. If you get the signed Acknowledgment back within 20 days, go on to Step 3. If not, then you will need to serve the papers another way.

#### **Service by Certified Mail, Restricted Delivery**

Take these papers to the post office along with an envelope:

- Copy of Motion to Enforce
- Copy of Child Support Affidavit (if child support is an issue)
- Blank copy of the Notice Regarding Electronic Service (CR-CV-FM-255)
- Completed copy of the Notice Regarding Electronic Service (CR-CV-FM-255) (only if you want to agree to email receipt of documents filed by the opposing party in your case)

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Tell the postal clerk that you want to send the papers by certified mail. Make sure you ask for a “Return Receipt” and “Restricted Delivery.” This costs more and involves a few extra steps. Get forms and help from your post office. File with the court clerk the green card you get back from the post office, to prove that the other party got the papers.

### Service by Sheriff

Mail or take to your county sheriff’s office:

- The original and one copy of the Motion to Enforce
- Copy of Child Support Affidavit (if child support is an issue)
- Blank copy of the Notice Regarding Electronic Service (CR-CV-FM-255)
- Completed copy of the Notice Regarding Electronic Service (CR-CV-FM-255) (only if you want to agree to email receipt of documents filed by the opposing party in your case)

In a letter, or in person, ask the sheriff’s office to serve the papers on the other party. Give the other party’s home address. If you think the other party will be hard to find at home, give the other party’s work address. There is a charge for this service - please contact the sheriff’s office for the county where the other party lives for information on costs of service. **The deputy who “serves” the papers will complete page 5 of the motion and return the original to you.**

### **STEP THREE: File the Forms**

Within 20 days after serving the other party, file these forms with the court:

- Summary Sheet**
- Motion**
- SSN Disclosure Form**
- Child Support Affidavit** (if child support is an issue)
- Return of Service on page 5 of the Motion to Enforce indicating method of service** (the deputy's signature is also required on this page if the sheriff's office served the papers)
- Acknowledgment of Receipt** (this is required only if you used service by mail)
- Green card you got back from the post office** (this is required only if you used certified mail for service)

**PLEASE NOTE: You must file at least one type of proof of service for each other party to the case.**

The Court charges a fee to file your papers. Later you may be charged a mediation fee (shared by the parties). If you cannot afford the court fees, you may ask the clerk for an Application to Proceed Without Payment of Fees and an Affidavit. Then file the forms with the clerk along with your other papers. A judge will review your financial information and decide whether you qualify for a “fee waiver.” If the waiver is denied, you must pay the filing fee within 7 days. If the waiver is granted, you will not have to pay some or all of the court fees.

### **WHAT IS NEXT?**

Once the court receives a complete filing, the clerk will schedule the first court event with a family law magistrate (for cases with children) or judge (for cases without children). **For more information on this and the rest of the court process, please visit the Family and Children page at the Maine Judicial Branch website listed below or read “A Guide to Family Separation in Maine” that is provided to every party at the start of a case.**

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### Federal Affidavit (FM-052)

If the responding party has not entered an appearance or appeared in court for the Motion to Enforce proceedings at the time of the final hearing, the moving party must file a Federal Affidavit (FM-052) stating under oath that the responding party is not serving in the military or an affidavit signed by the responding party waiving rights conferred by the Service Members Civil Relief Act.

### HELPFUL RESOURCES

**A Guide to Family Separation in Maine:** This guide will help you better understand the court process in family law cases such as divorce and parental rights and responsibilities (PR&R) cases. PR&R cases involve parties who have a child but are not married. You can get a copy of this guide at the court or access it online [www.courts.maine.gov](http://www.courts.maine.gov).

**Maine Judicial Branch website:** The Families and Children page of the website includes information on many different types of family cases. Please visit that page for information on what to expect from the court process and issues that may come up in your case.

**Mediation:** A mediator may be able to help you and the other party or parties reach an agreement on issues relating to your case. Mediation can be arranged through the court or a private mediator.

**Parent education:** A parent education program specifically designed for divorcing or separating parents may help you focus on the needs of your children. The court may order you to attend one of these programs.

**Child Support Table:** These guidelines, by law, are issued by DHHS and are used to help determine child support obligations according to income. This table is available online at: [http://www.courts.maine.gov/fees\\_forms/forms/](http://www.courts.maine.gov/fees_forms/forms/) or from any District Court clerk's office.

For more information about these resources, speak with the court clerk or visit the Maine Judicial Branch website at: [www.courts.maine.gov](http://www.courts.maine.gov).

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## MAINE JUDICIAL BRANCH

## FAMILY AND PROBATE MATTER SUMMARY SHEET

This form is used for entering basic information about the case and the parties into court records. You must complete and file this form with the Clerk when you file your Complaint or Motion.

**PLEASE NOTE: You are not required to give a copy of this form to the other party.**

**COURT LOCATION** (where you are filing this action):

**TYPE OF ACTION** (*select one*):

- |   |   |
|---|---|
| <input type="checkbox"/> Divorce – real estate involved                         | <input type="checkbox"/> Divorce – no real estate                   |
| <input type="checkbox"/> Parental Rights & Responsibilities (unmarried parents) | <input type="checkbox"/> Parentage (determining parents of a child) |
| <input type="checkbox"/> Judicial Separation                                    | <input type="checkbox"/> Annulment                                  |
| <input type="checkbox"/> Adoption of a minor                                    | <input type="checkbox"/> Guardianship of a minor                    |
| <input type="checkbox"/> Name change of a minor                                 | <input type="checkbox"/> Registration of foreign judgment or order  |
| <input type="checkbox"/> Other family matter                                    |   |

**TYPE OF FILING** (*select one*):

- Original proceeding       Case transferred from probate court. Original docket number:

- Post-Judgment Motion:      Original docket number: \_\_\_\_\_  
 to Modify     to Enforce     for Contempt     to Terminate Parental Rights  
 Other:

**Plaintiff/Petitioner Information:** (Person starting the action or if post-judgment, name of person who was the plaintiff or petitioner in the original case.)

Name: First	Middle	Last	Maiden	
Mailing Address:		City	State	Zip
Physical Address:		City	State	Zip
Gender:	Date of Birth ( <i>mm/dd/yyyy</i> ):	SS Number Disclosure Required on separate form		
Home Telephone:		Work Telephone:		
Email:				
Attorney's Name:		Bar ID#:		

**Plaintiff/Petitioner Information:** (A second plaintiff or petitioner, or person starting the case, if applicable.)

Name: First	Middle	Last	Maiden	
Mailing Address:		City	State	Zip
Physical Address:		City	State	Zip
Gender:	Date of Birth ( <i>mm/dd/yyyy</i> ):	SS Number Disclosure Required on separate form		

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## MAINE JUDICIAL BRANCH

Home Telephone:	Work Telephone:
Email:	
Attorney's Name:	Bar ID#:

**Defendant/Respondent Information:** (Person being served or if post-judgment, name of person who was the defendant or respondent in the original case.)

Name: First	Middle	Last	Maiden	
Mailing Address:		City	State	Zip
Physical Address:		City	State	Zip
Gender:	Date of Birth (mm/dd/yyyy):	SS Number Disclosure Required on separate form		
Home Telephone:		Work Telephone:		
Email:				
Attorney's Name:		Bar ID#:		

**Defendant/Respondent Information:** (A second defendant or respondent, or person being served, if applicable.)

Name: First	Middle	Last	Maiden	
Mailing Address:		City	State	Zip
Physical Address:		City	State	Zip
Gender:	Date of Birth (mm/dd/yyyy):	SS Number Disclosure Required on separate form		
Home Telephone:		Work Telephone:		
Email:				
Attorney's Name:		Bar ID#:		

**Other Party Information:** (if applicable):

Name: First	Middle	Last	Maiden	
Mailing Address:		City	State	Zip
Physical Address:		City	State	Zip
Gender:	Date of Birth (mm/dd/yyyy):	SS Number Disclosure Required on separate form		
Home Telephone:		Work Telephone:		
Email:				
Attorney's Name:		Bar ID#:		

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**Minor Children** (of above parties):

Full name

Date of Birth  
(mm/dd/yyyy)


Gender

			SS Number Disclosure Required
			SS Number Disclosure Required
			SS Number Disclosure Required
			SS Number Disclosure Required
			SS Number Disclosure Required
			SS Number Disclosure Required

**Parentage Issues** (if any):

<input type="checkbox"/> The child(ren) do not have any other acknowledged, adjudicated, intended, de facto, or presumed parents. <b>OR</b> <input type="checkbox"/> The child(ren) have an acknowledged, adjudicated, intended, de facto, or presumed parent. (You must complete a separate summary sheet for every additional parent that your child has, and all parents must be served with a copy of the Complaint and made a party to your action.)
---

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

 \_\_\_\_\_  
 Signature of  party  party's attorney

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MAINE JUDICIAL BRANCH

\_\_\_\_\_ Plaintiff

DISTRICT COURT

Location (Town): \_\_\_\_\_

V.

Docket No.: \_\_\_\_\_

\_\_\_\_\_ Defendant

\_\_\_\_\_ Other party, if any

MOTION TO ENFORCE

Child Support Only

19-A M.R.S. §§ 951-A, 1501-1510, 1653, 1657, 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](http://www.courts.maine.gov).**

1. I am the  plaintiff  defendant in this case and I now reside in (town) \_\_\_\_\_ (county) \_\_\_\_\_, (state) \_\_\_\_\_.

**Please write “confidential” in the space above if you are filing an Affidavit for Confidential Address.**

2.  The other party now resides in (town) \_\_\_\_\_, (county) \_\_\_\_\_ (state) \_\_\_\_\_.

**OR**

Residence of the other party is unknown and I have used reasonable efforts and cannot locate the other party.

3. The other party is failing or refusing to obey the Court’s Judgment or Order in this case, dated (mm/dd/yyyy) \_\_\_\_\_, concerning the following issues (check all that apply):

- Child support;
  - Spousal support (alimony);
  - Primary residential care of the minor child(ren);
  - Rights of contact or visitation with the minor child(ren);
  - Distribution of property;
  - Responsibility for debts; and/or
  - Other: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**IF THIS CASE DOES NOT INVOLVE MINOR CHILDREN, PLEASE SKIP TO NUMBER 9.**

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4. Plaintiff and defendant are the parents of the following children:

Full name	Date of birth (mm/dd/yyyy)	Present address(es) (do not list if confidential to other party)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. 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):

Name of person with whom child(ren) lived	Present address of the person that child(ren) lived with (do not list if confidential to other party)	Dates lived with that person (mm/yy) – (mm/yy)	Town/State where child(ren) lived with that person
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6. 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: \_\_\_\_\_

7. 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): \_\_\_\_\_

8.  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 motion.)

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9. The other party is failing or refusing to obey the Court’s Judgment or Order in the following ways (attach an additional piece of paper, signed under oath, if necessary):

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

10. WHEREFORE, I ask the Court to find that the other party has failed or refused to obey the Court’s Judgment or Order and enter an order requiring the other party to:

- Permanently stop disobeying the Judgment or Order in this case;
Obey and comply with the Judgment or Order by requiring the party to do the following: \_\_\_\_\_

Other (be specific about the any other relief you are requesting): \_\_\_\_\_

Pay my costs in this case, including reasonable attorney fees

I also ask the Court to grant such other relief as it deems just and proper.

I swear under penalty of perjury that the above statements are true and correct. 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 if I give false information to the court.

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

Signature of plaintiff defendant

Attorney: \_\_\_\_\_

Name: \_\_\_\_\_

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

Address is confidential (if so, leave blank below)

\_\_\_\_\_

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

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_

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

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

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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

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**MAINE JUDICIAL BRANCH**

\_\_\_\_\_ Plaintiff

DISTRICT COURT

Location (Town): \_\_\_\_\_

v.

Docket No.: \_\_\_\_\_

\_\_\_\_\_ Defendant

\_\_\_\_\_ Other party, if any

**IMPORTANT WARNING TO RESPONDING PARTY**

If you oppose this motion, you may file with the court a response with any supporting affidavits or other documents no later than 21 days after you have been served with this motion. In addition, you must also send a copy of all filings to all other parties or their attorneys, if any.

**NOTICE TO BOTH PARTIES**

If this motion involves minor children, you are required to attend a case management conference at the court. Within two weeks after the moving party files with the Court proof of service of the motion to modify and child support affidavit, the Court will notify you of the date and time of the conference. The notice will be sent by regular mail.

You have the right to appear and be heard at all court events (trial, hearing, conference, mediation, etc.). If you fail to appear at any or all court events without good cause, action may be taken in your case even though you are not there. This means that the Court may, in your absence, enter an interim (temporary) order, or hold a final hearing and enter a final order or judgment regarding any or all of the issues in your case, including but not limited to, paternity or parentage, parental rights and responsibilities for children (decision-making, residence, contact, etc.), child support, spousal support (alimony), attorney fees, and distribution of marital and non-marital property (debt, real estate, vehicles, personal property, pension and retirement accounts, etc.). The Court also has the option to dismiss any pleading that you have filed if you do not appear in Court. It is your own responsibility to be sure that the Court has your correct mailing address. Any change of address must be in writing and delivered to the Clerk's office by hand or regular mail.

The District Court is located at:

\_\_\_\_\_

**STATE OF MAINE**

County of \_\_\_\_\_, ss.

On (mm/dd/yyyy) \_\_\_\_\_, I served the Motion to Enforce upon the respondent by delivering a copy of the same at the following address: \_\_\_\_\_

to the above-named respondent in hand.

to \_\_\_\_\_ (name), a person of suitable age and discretion who was then residing at respondent's usual residence.

to \_\_\_\_\_ (name), who is authorized to receive service for the respondent.

by (describe other manner of service): \_\_\_\_\_

**COST OF SERVICE:**

Service \$ \_\_\_\_\_

Travel \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Other \$ \_\_\_\_\_

\_\_\_\_\_  
Signature of person making service

\_\_\_\_\_  
Title

**OR**

I, the  plaintiff  defendant, have completed service by:

Certified Mail, Restricted Delivery, Return Receipt;  Acceptance of Service;  Signed Acknowledgment Form

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MAINE JUDICIAL BRANCH

Plaintiff(s)

"X" the court for filing:

Superior Court  District Court

Unified Criminal Docket

County: \_\_\_\_\_

Court Location (Town) \_\_\_\_\_

Docket No.: \_\_\_\_\_

V.

Defendant(s)

SOCIAL SECURITY NUMBER  
CONFIDENTIAL DISCLOSURE FORM

My Social Security account number is \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_.

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



Plaintiff  Defendant

**Family Matter Cases Only (divorce, separation, parental rights & responsibilities)**

1. If this case is a Family Matter case, the child(ren) involved must also have their Social Security Number disclosed:

Child's Name	Social Security Number

2.  A Protective Custody case is currently pending. The Court/Docket Number:

**PLEASE NOTE: This form is confidential and shall not be disclosed unless ordered by the court.**

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Complete the caption that applies to your case:

 \_\_\_\_\_ Plaintiff/Petitioner

V.

\_\_\_\_\_ Defendant/Respondent

\_\_\_\_\_ Other Party

"X" the court for filing:

 Superior Court  District Court Unified Criminal Docket Supreme Judicial Court

County: \_\_\_\_\_

Location (Town): \_\_\_\_\_

Docket No.: \_\_\_\_\_

OR

 IN RE: \_\_\_\_\_**NOTICE REGARDING ELECTRONIC SERVICE****NOTICE TO PARTIES:** All parties who are represented by an attorney are subject to the requirements of Electronic Service under Rule 5 of the Maine Rules of Civil Procedure, and Rule 49(d) of the Maine Rules of Unified Criminal Procedure.**OPT IN:** *If you do not have an attorney*, papers that must be served on you by other parties in this case will be sent to you through the regular mail to your address of record. But **you have a choice** to allow other parties to serve you by sending documents electronically to your designated email address.**PLEASE NOTE:** Any electronic service that you opt into applies only to papers served on you by other parties. It does not apply to documents that are sent to you by the court or documents that you file with the court.**Even if you opt in to allow service by email, you can only send documents to the other parties by email if (1) they also opt in by completing this form, and (2) you can scan and create .pdf files of documents.****If you choose not to opt in, you do not need to do anything.** If you would like to receive papers electronically, you must meet the requirements set forth below. Check the appropriate box(es), sign, and mail or email the form to all other parties in the case. Do not file this form with the Court. **Electronic Receipt:** I choose to OPT IN to allow other parties to email me documents in this case. I have reviewed and meet all of the following electronic receipt requirements:

- I have a trusted email account and I have daily access to this account;
- I understand that **I will receive time-sensitive documents** through this email address including documents that may require me to take action in this case;
- This email account has available electronic storage of at least 1 gigabyte;
- This email account accepts emails with attachments of up to 10 megabytes; and
- I will be able to maintain this email account throughout this case.

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



\_\_\_\_\_  
 Signature of Self-Represented Party  
 (You do not have to print and sign this form. Typing your name above after /s/ will be accepted as an electronic signature.)

Print name: \_\_\_\_\_

Print email address: \_\_\_\_\_

**ADA Notice:** The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, [accessibility@courts.maine.gov](mailto:accessibility@courts.maine.gov), or a court clerk.**Language Services:** For language assistance and interpreters, contact a court clerk or [interpreters@courts.maine.gov](mailto:interpreters@courts.maine.gov).

Complete the caption that applies to your case:

 \_\_\_\_\_ Plaintiff/Petitioner

V.

\_\_\_\_\_ Defendant/Respondent

\_\_\_\_\_ Other Party

"X" the court for filing:

 Superior Court  District Court Unified Criminal Docket Supreme Judicial Court

County: \_\_\_\_\_

Location (Town): \_\_\_\_\_

Docket No.: \_\_\_\_\_

OR

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 Signature of Self-Represented Party  
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**MAINE JUDICIAL BRANCH**

Plaintiff

*"X" the court for filing:*

Superior Court  District Court

County: \_\_\_\_\_

Location (Town): \_\_\_\_\_

Docket No.: \_\_\_\_\_

V.

Defendant

**ACKNOWLEDGMENT OF RECEIPT OF SUMMONS AND COMPLAINT, POST-JUDGMENT MOTION,  
OR NOTICE OF REGISTRATION OF FOREIGN JUDGMENT**

M.R. Civ. P. 4(c)(1)

**Please sign the acknowledgment below and return this form to the sender** in the enclosed self-addressed stamped envelope so the sender will get it within 20 days from the day it was mailed to you. If you do not do this, you may be required by the Court to pay for the cost of having the sheriff serve the Summons and Complaint, or Post-Judgment Motion, or Notice of Registration of Foreign Judgment on you.

(If you are the party **sending** this document to serve the opposing party, **keep a copy of this form and a copy of the documents you are serving for your records.**)

**STATEMENT**

By signing, dating and returning this form, I state that I received a copy of the Summons and Complaint, the Post-Judgment Motion, or Notice of Registration of Foreign Judgment with accompanying documents and that I understand the applicable statements below.

**AS TO CIVIL CASES,** I understand that if I do not file an answer to the Complaint or an objection to the Motion within the time limits established by statute or court rule and appear at all court conferences and hearings, then a judgment may be entered against me in my absence, and Plaintiff or the moving party may request that other orders be entered against me.

**AS TO INTITIAL FAMILY MATTERS (DIVORCE, PARENTAL RIGHTS AND RESPONSIBILITIES, PARENTAGE, GRANDPARENTS' VISITATION RIGHTS, JUDICIAL SEPARATION, ANNULMENT, AND TERMINATION OF PARENTAL RIGHTS UNDER 19-A M.R.S. § 1658) AND POST-JUDGMENT MOTIONS ARISING FROM THOSE ACTIONS,** I understand that:

- If I was served with a complaint or petition, I may file an answer, counterclaim, or response (forms FM-186, FM-187, FM-229, or FM-225 are available for this at the clerk's office or at [www.courts.maine.gov](http://www.courts.maine.gov)) within 21 days of being served. If I am filing response to a petition for grandparent visitation rights or a complaint for de facto parentage, I must file an affidavit with my response;

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MAINE JUDICIAL BRANCH

- If I was served with a post-judgment motion, I understand that I may file a cross-motion or objection within 21 days of being served, except that I may file a response to a motion to modify only child support within 30 days after being served;
- If I do not want to file an answer, counterclaim, response, cross-motion, or objection, but I do want to be heard on issues applicable to my case including parental rights and responsibilities, child support, spousal support, attorney fees, and the division of marital and non-marital property, I must (1) appear at all court conferences and hearings, and (2) file an Entry of Appearance (form FM-020) if I am not represented by an attorney; and
- If I do not enter an appearance or appear at court, judgment may be entered against me in my absence, and the plaintiff or petitioner may request that other orders be entered against me.

**AS TO NOTICES OF REGISTRATION OF FOREIGN JUDGMENT**, I have read the Notice of Registration (form CV-FM-110) and understand that if I want to contest the validity of the registered foreign judgment, I must request a hearing within the time specified on the Notice of Registration using the Request for Hearing Form (form CV-FM-203). I understand that if I do not contest the validity or enforcement of the registered foreign judgment, the court will confirm and enforce the judgment, including any alleged arrearages, and I will not be able to contest the judgment later.

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

▶ \_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

Attorney for: \_\_\_\_\_

Bar No. (if applicable): \_\_\_\_\_

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

Phone: (        ) \_\_\_\_\_

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

**IMPORTANT WARNING:** You are responsible for notifying the court clerk of any changes to your address and telephone number. If you do not inform the clerk of any changes to either your address or telephone number, it may not be possible for you to get notices of court conferences and hearings.

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MAINE JUDICIAL BRANCH

Plaintiff

"X" the court for filing:

Superior Court  District Court

County: \_\_\_\_\_

Location (Town): \_\_\_\_\_

Docket No.: \_\_\_\_\_

V.

Defendant

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M.R. Civ. P. 4(c)(1)

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MAINE JUDICIAL BRANCH

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

▶ \_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

Attorney for: \_\_\_\_\_

Bar No. (if applicable): \_\_\_\_\_

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

Phone: (        ) \_\_\_\_\_

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

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MAINE JUDICIAL BRANCH

\_\_\_\_\_  
Plaintiff  
V.  
\_\_\_\_\_  
Defendant  
\_\_\_\_\_  
Other Party (if any)

DISTRICT COURT  
Location (Town): \_\_\_\_\_  
Docket No.: \_\_\_\_\_

CHILD SUPPORT AFFIDAVIT  
19-A M.R.S. § 2004(1)(A)

Name: \_\_\_\_\_ Date of birth (mm/dd/yyyy) \_\_\_\_\_  
*(Parent filling out this affidavit)*

SS Number Disclosure required on separate form

1. GROSS INCOME FROM WAGES, SALARY, AND/OR SELF-EMPLOYMENT

Current employment information

Employer name: \_\_\_\_\_  Self-employed  
Employer address: \_\_\_\_\_

**Required (if applicable):** I have attached copies of my recent W-2 form and two (2) pay stubs, or tax return or 1099 form if self-employed.

A. How much did you earn **last year**? \$ \_\_\_\_\_  
B. How much do you **currently earn**?  
Salary and wages (gross pay) \$ \_\_\_\_\_ every  week  biweekly  month  
 other \_\_\_\_\_

(1B) \$ \_\_\_\_\_  
*Put the amount expected this year*

2. OTHER GROSS INCOME

*Do not include TANF, SSI, general assistance, or food stamps.*

*Expected this year*  
Unemployment benefits \$ \_\_\_\_\_  
Workers' compensation \$ \_\_\_\_\_  
Social Security \$ \_\_\_\_\_  
Disability \$ \_\_\_\_\_  
Pension or annuity \$ \_\_\_\_\_

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MAINE JUDICIAL BRANCH

Spousal support (alimony)	\$ _____
Rental or mortgage income	\$ _____
Bonuses	\$ _____
Commissions/tips	\$ _____
Other: _____	\$ _____

Total: (2) \$ \_\_\_\_\_

3. EMPLOYMENT FRINGE BENEFITS

Total value of employment benefits you expect to receive this year that reduce your living expenses (car, housing, cell phone, meals, etc.)

(3) \$ \_\_\_\_\_

4. TOTAL GROSS INCOME EXPECTED THIS YEAR

(4) \$ \_\_\_\_\_

(Add 1B, 2, and 3)

Put here and on line 2 of the Child Support Worksheet

5. YEARLY SUPPORT YOU PAY FOR OTHER CHILDREN

Child support you pay for children who are not involved in this case.

Name of Child	To whom paid	Amount
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

6. HEALTH INSURANCE COST

►  Required (if applicable): I have attached a copy of my health insurance premium sheet.

A. Cost of health insurance for yourself only: \$ \_\_\_\_\_

B. Additional cost you pay for health insurance for the children in this case.

(6B) \$ \_\_\_\_\_

Put this amount on line 9 of the Child Support Worksheet

Amount paid:  weekly  biweekly  monthly  other: \_\_\_\_\_

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MAINE JUDICIAL BRANCH

7. CHILD CARE COSTS

►  **Required (if applicable):** I have attached documentation showing the cost of child care.

Child care costs you pay so you can work or train to work.

(7) \$ \_\_\_\_\_

Put this amount on line 10 of the Child Support Worksheet

Amount paid:  weekly  biweekly  monthly  other: \_\_\_\_\_

8. EXTRAORDINARY MEDICAL EXPENSES

Amount you actually pay for each child's permanent or recurring illness.

Name of Child	To whom paid	Amount
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

(8) \$ \_\_\_\_\_

Put total here and on line 11 of the Child Support Worksheet

Amount paid:  weekly  biweekly  monthly  other: \_\_\_\_\_

9. OTHER CHILDREN IN YOUR HOME

Other children living in your home who are not involved in this case and whom you are legally obligated to support.

Child Name	DOB (mm/dd/yyyy)	Relationship to you
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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MAINE JUDICIAL BRANCH

10. OTHER INFORMATION (check all that apply)

Other benefits received on behalf of the child and amount (such as adoption subsidies):

\_\_\_\_\_

Other facts you think the court should know that may affect the amount of child support ordered:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. ASSETS AND DEBTS

**Current value of your assets:**

Real estate \$ \_\_\_\_\_

Cash/bank accounts \$ \_\_\_\_\_

Retirement plans/IRAs/401(k)s/pensions/annuities \$ \_\_\_\_\_

Other (such as business interest or life insurance) \$ \_\_\_\_\_

**Current balance of your debts:**

Mortgages \$ \_\_\_\_\_ Loans \$ \_\_\_\_\_

Credit Cards \$ \_\_\_\_\_ Other \$ \_\_\_\_\_

I certify that (1) this affidavit lists all of my income, costs, debts, and assets; and (2) if applicable, I have included the required proof of income and costs as one attachment.

I swear under penalty of perjury that the above statements are true and correct. 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 if I give false information to the court.

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



Signature of  plaintiff  defendant  other party

\_\_\_\_\_  
Name and Bar No. (if applicable)

STATE OF MAINE

\_\_\_\_\_ COUNTY

Personally appeared the above named, \_\_\_\_\_, 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

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MAINE JUDICIAL BRANCH

\_\_\_\_\_  
Plaintiff  
V.  
\_\_\_\_\_  
Defendant

DISTRICT COURT  
Location (Town): \_\_\_\_\_  
Docket No.: \_\_\_\_\_

FEDERAL AFFIDAVIT  
50 U.S.C. § 3911

UNDER OATH and subject to the penalties of perjury, I hereby state on my own knowledge and belief that:

As of the date of this Affidavit, defendant is not in the Military Service of the United States, as defined in the Servicemember’s Civil Relief Act of 2003, (50 U.S.C. § 3911), based on the following facts:

- Defendant resides in Maine in the Town of \_\_\_\_\_; or
- Defendant is employed at (*name of employer*) \_\_\_\_\_  
in Maine in the Town of \_\_\_\_\_; or
- Other facts showing defendant is not in the military \_\_\_\_\_.

AND

this action has been filed in the proper court because:

- Plaintiff resides in Maine in the Town of \_\_\_\_\_; or
- Defendant resides in Maine in the Town of \_\_\_\_\_.

I swear under penalty of perjury that the above statements are true and correct. 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 if I give false information to the court.

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

▶ \_\_\_\_\_  
Signature of  plaintiff  plaintiff’s attorney

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

**NOTICE: This form must be filed if the defendant has failed to answer the complaint or file a notice of appearance.**

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## MAINE JUDICIAL BRANCH

### IMPORTANT INFORMATION REGARDING CASE MANAGEMENT CONFERENCE

Your family case has been scheduled for a case management conference. Trial counsel and parties are required to attend unless:

- A *Certificate in Lieu of Conference* (form FM-054) is filed with the court in advance of the conference date and the court waives the conference. This form, which can be found on the Judicial Branch's website at: [http://www.courts.maine.gov/fees\\_forms/forms](http://www.courts.maine.gov/fees_forms/forms) or from any Maine District Court clerk's office may only be filed when the parties agree on interim arrangements for the children;
- The Case Management Conference is deferred in accordance with M.R. Civ. P. 110A(b)(3)(A)(ii); or
- The parties agree on a modification of an existing judgment or order and file the appropriate paperwork with the court in advance of the conference date.

**PLEASE NOTE: You may be ordered to attend mediation. Please come to the case management conference prepared to pay your portion of the mediation fee.**

The following matters will be discussed at the case management conference, and an order may be entered at that time, or at a subsequent hearing, even if a motion for interim relief has not been filed:

1. Interim arrangements for the children, including residence, parent/child contact, health insurance and child support; interim responsibility for payment of periodic debts; and interim spousal support (if applicable). *You must file form FM-050, Child Support Affidavit. It is due no later than 3 days prior to the case management conference;*
2. Issues in dispute;
3. Deadlines for moving the case to resolution, exchange of information (discovery), and mediation;
4. Payment of fees, including any court mediation fee and attorney fees;
5. Date and time of the next court event. **If one party is defaulted or if the case involves the establishment or enforcement of a child support obligation, a brief hearing may take place on the day of the case management conference;**
6. Referral to a judge. **When parental rights and responsibilities are in dispute, the parties may exercise their right to have a judge determine interim parental rights and responsibilities. To do this, a party must file a written request with the court clerk before or at the time of the case management conference under M.R. Civ. P. 110A(b)(4)(A);**
7. Other matters pertinent to the case including, but not limited to, attendance at a parent education program; genetic testing; a job search; the appointment of a guardian ad litem; and/or a psychological evaluation.

The Magistrate will enter a Case Management Order following the case management conference that will determine the course of the proceedings and may enter other orders, such as an interim order, or an order enforcing a child support obligation.

**WARNING TO PARTIES: If you are the responding party and wish to object to the complaint or motion, a response must be filed within the time limits established by statute or court rule.** Do not wait until the time of the case management conference to state your objections.

**You have the right to appear and be heard at all court events (trial, hearing, conference, mediation). If you fail to appear at any or all court events without good cause, action may be taken on your case even though you are not there.** This means that the Court may, in your absence, enter an interim/temporary order OR hold a final hearing and enter a final default order or judgment regarding any or all of the issues in your case, including but not limited to paternity or parentage, parental rights and responsibilities for children (custody, residence, visitation, etc.), child support, name change, spousal support/alimony, attorney fees, and distribution of marital and non-marital property (debt, real estate, vehicles, pension and retirement accounts, etc.). The Court also may dismiss any pleading that you have filed if you do not show up.

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