

COMPLETING THE ANSWER AND COUNTERCLAIM FOR DISSOLUTION OF MARRIAGE (Children)

Use this form to tell the court which items you agree with, and which items you do not agree with in the Complaint that you were served with.

Much of the information needed to complete this form can be found on the Complaint.

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Choose the county using the drop-down list.

Enter the name of the other party.

Enter your full name.

Enter your full name.

Enter your full name.

Enter the case number.

List the paragraph numbers you agree with, and the paragraph numbers you do not agree with, separated by commas.

Enter your current address. **If you cannot give your address** because it is confidential under Nebraska or Federal law, only enter the county and state.

IN THE DISTRICT COURT OF _____ COUNTY, NEBRASKA
Choose the court

Plaintiff

Case No. _____

VS.

Defendant

ANSWER AND COUNTERCLAIM FOR DISSOLUTION OF MARRIAGE (CHILDREN)

ANSWER

COMES NOW, _____, the defendant in the
(your full name)
above-captioned matter, and for the Answer to Plaintiff's Complaint for Dissolution of Marriage, hereby admits, denies, and alleges as follows:

1. Admits Paragraph(s) _____ of the Complaint. (paragraph number(s) with which you agree)

2. Denies Paragraph(s) _____ of the Complaint. (paragraph number(s) with which you disagree)

COUNTERCLAIM

I, _____, the defendant in the
(your full name)
above-captioned action, without assistance of an attorney, hereby state and allege as follows:

1. I live at _____
(your street address; if confidential under Nebraska or Federal law, enter county and state only and provide an alternative address for mailing of notice)
in _____

Enter answer and state where you live

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Enter the other party's address.

Enter the county in Nebraska where either you or the other party is living.

Enter when and where you were married.

List the number of children you and the other party have whose custody or welfare may be affected by this divorce, their names, and their years of birth.

Check the box that applies.

2. My spouse's address is _____
(spouse's street address)
in _____
(city, county and state where spouse lives)

3. Either my spouse or I have lived in the state of Nebraska for more than one year prior to the filing of the Complaint, with the bona fide intention of making this state our permanent home.

4. At the time this action was filed, either my spouse or I was living in _____ County, Nebraska.
(county where complaint filed)

5. We were lawfully married on _____, in _____
(date of marriage)
(city and state of marriage)

6. Neither my spouse nor I am a party to any other pending actions for divorce, separation, or dissolution of marriage in this state or in any other state.

7. My spouse is not a member of the Armed Forces of the United States or its allies.

8. My marriage is irretrievably broken.

9. My spouse and I have _____ child(ren) whose custody or welfare may be affected by this divorce.
(number of children)
Their names and years of birth are:

_____	_____
(name of child)	(child's year of birth)
_____	_____
(name of child)	(child's year of birth)
_____	_____
(name of child)	(child's year of birth)
_____	_____
(name of child)	(child's year of birth)

10. ☐ I am ☐ Both parents are fit and proper person(s) to have the care, custody, and control of our minor child(ren) subject to the other party's right of parenting time.

If the children lived with anyone else in the last 5 years use the lines to provide the information requested.

11. The following information is provided because of the requirements of the Uniform Child Custody Jurisdiction and Enforcement Act:

(a) For the last five years, the child(ren)'s addresses and the persons they have lived with are:

First line: DATES: ADDRESS:
Second line: NAME and CURRENT ADDRESS OF PERSON(S)
WITH WHOM THE CHILDREN HAVE LIVED:

(b) Check the box that applies:

☐ I have not been a party or a witness in any other proceeding concerning the custody of or parenting time with the child(ren).

OR

☐ I have been a party or a witness in another proceeding concerning the custody of or parenting time with the child(ren), as follows:

(name of court)

(case number)

(date of child custody determination, if any)

Check the box that applies. If you check the second box, complete the case information.

Check the box that applies. If you check the second box, complete the case information.

(c) Check the box that applies:

☐ I know of no other actions or proceedings that could affect this action. This includes actions or proceedings about domestic violence, protection orders, termination of parental rights, and adoptions.

OR

☐ There is currently a proceeding which could affect this action.

(name of court)

(case number)

(date of determination, if any)

(d) Check the box that applies:

☐ I do not know the names and addresses of any person(s) other than my spouse and myself who have physical custody of the child(ren) or claim to have custody or parenting time rights with the child(ren).

OR

☐ The following is a list of the names and addresses of persons other than my spouse and myself who have physical custody of the child(ren) or claim to have custody or parenting time rights with the child(ren).

NAME:	ADDRESS:
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Check the box that applies. If you check the second box, list the name and address of anyone other than you or the other party that has physical custody or parenting time rights with the children.

Enter either "I am"
or "My spouse is"
to complete
the statement.

12. _____ able to provide support for the child(ren).
(“I am” or “My spouse is”)

13. During the course of the marriage, my spouse and I have accumulated certain items of property, which should be equitably divided between us.

14. My spouse and I have incurred certain debts and obligations during the marriage, and the liability for payment of these debts and obligations should be equitably divided between us.

15. I wish my former name, _____
(former or maiden name, including first, middle and last names)
to be restored to me.

16. I want this dissolution of marriage proceeding heard by a district court judge.

17. Check the box that applies:

☐ There are no existing restraining orders, protection orders, or criminal no-contact orders regarding either party.

OR

☐ There are one or more existing restraining orders, protection orders, or criminal no-contact orders regarding one or more of the parties. Details are as follows:

(a) Type of order: ☐ restraining; ☐ protection;
☐ criminal no-contact.

(b) Name of court, case number, and date of order for each order:

(name of court, case number and date of each order)

18. A Parenting Plan ☐ has ☐ has not been developed.

19. Child custody, parenting time, or other access, and child support
☐ are ☐ are not contested.

If you are asking for
your former name to
be restored, enter
the first, middle, and
last names. If not
needed, write “N/A”.

Check the box that
applies. If you check
the second box,
also check the box
in front of each type
of current restraining,
protection, or
criminal no-contact
order, and enter the
case information.

Check the box
that completes
the statement.

Check the box
that completes
the statement.

If you are asking for your former name to be restored, enter the first, middle, and last names. If not needed, write "N/A" in the space.

WHEREFORE, I request the court:

A. Dissolve my marriage.

B. Equitably divide the property and debts between my spouse and me.

C. Award custody of the children of this marriage.
(“me” or “my spouse”)

D. Set forth parenting time and each parent’s right of access to the minor child(ren).

E. Award child support according to Nebraska Child Support Guidelines.

F. Restore to me my former name of
(former or maiden name, including first, middle and last names)

G. Grant any further relief that may be just.

SIGN IN FRONT OF NOTARY PUBLIC

I hereby swear, or affirm, under penalty of perjury, that the above information is true

Signature: Date:

Printed Name:
(of defendant)

Street Address/P.O. Box:

City/State/ZIP Code:

Telephone Number:

*Email address:

Nebraska Supreme Court Rule § 2-208 requires individuals who are not attorneys and representing themselves to provide their email address. The court will use the email address to send notices from the court about this case **except** for items that require another type of service as directed by statute or Nebraska Supreme Court Rule.

If you no longer have email capability or if your email or other contact information changes, you must complete a [Change of Contact Information Form](#).

☐ By checking this box, I am letting the court know that I do not have the ability to receive emails. The reason I cannot receive email is:

Enter either "me" or "my spouse" for who you should get custody.

DO NOT sign and date the form until a notary is there to witness. Enter your printed name, your address, telephone number, and your email address.

Read this statement carefully.

If you **CANNOT** receive emails, check the box, and use the lines to explain why you can't.

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VERIFICATION	
State of _____	} ss.
County of _____	
This document was acknowledged before me by _____	
this _____ day of _____, 20_____	
_____, Notary commission expires: _____	
Signature of Judge/Clerk of the Court/Notary Public _____	
Title: _____ Serial Number (if any): _____	
CERTIFICATE OF SERVICE	
I hereby certify that on _____, a true copy of the	
(date)	
foregoing Answer and Counterclaim for Dissolution of Marriage was sent by	
first-class mail, postage prepaid, to my spouse at _____	
(spouse's address, including street address, city, state, and ZIP code)	
_____ (your name)	

The notary will complete this section WHEN they witness you signing the form.

Enter the date you mailed a copy of the Answer and Counterclaim to the other party and the address you mailed it to.