

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY COURT
Domestic Relations Branch**

PRINT YOUR NAME

STREET ADDRESS

CITY, STATE AND ZIP CODE

DRB

☐ **SUBSTITUTE ADDRESS:** CHECK BOX IF
YOU HAVE WRITTEN SOMEONE ELSE'S ADDRESS
BECAUSE YOU FEAR HARASSMENT OR HARM.

JUDGE: _____

PLAINTIFF,

v.

PRINT YOUR SPOUSE'S NAME

STREET ADDRESS

CITY, STATE AND ZIP CODE

DEFENDANT.

COMPLAINT FOR LEGAL SEPARATION
Action Involving Child Support ☐ yes ☐ no

I, _____, am the Plaintiff in this case and state that
PRINT YOUR NAME

1. This Court is the proper place to decide my request for legal separation and related issues because: [CHECK ALL THAT APPLY]

☐ I have been a resident of the District of Columbia for more than six months immediately before filing this Complaint.

☐ My spouse has been a resident of the District of Columbia for more than six months immediately before filing this Complaint.

2. My spouse and I were married [CHECK ONE]

☐ by ceremony on _____, in _____.
DATE CITY AND STATE

☐ by common law on or about _____, in _____.
DATE CITY AND STATE

3. My spouse and I separated on or about _____.
DATE

4. I state the following about the separation: [CHECK ALL THAT APPLY]

☐ The separation has been **mutual and voluntary, and without cohabitation.**

☐ The separation has continued without interruption or cohabitation for a period of **one year or more** immediately before filing this Complaint.

5. I state the following with regard to my married name: [CHECK ONE]

☐ I did not change my name when I married my spouse.

☐ I changed my name when I married my spouse. I do not wish to return to a former name.

☐ I changed my name when I married my spouse and I now wish to return to my birth name or another legal name I used before my marriage. I have no illegal or fraudulent reason for making this request. The former name I want restored is:

PRINT NAME YOU WOULD LIKE THE COURT TO RESTORE

Marital Property & Marital Debt

6. I state the following about property from my marriage: [CHECK ONE]

☐ My spouse and I have no marital property.

☐ My spouse and I have an agreement resolving all of our marital property issues and I am not asking the Court to divide or distribute any marital property.

☐ My spouse and I have a written agreement resolving all of our marital property issues and I am not asking the Court to divide or distribute any marital property.

☐ My spouse and I have marital property that I am asking the Court to divide or distribute, and I have completed and attached the additional information required on Attachment A, which I incorporate into this Complaint.

☐ I am not sure if my spouse and I have marital property.

7. I state the following about debt from my marriage: [CHECK ONE]

☐ My spouse and I have no marital debt.

☐ My spouse and I have an agreement resolving all of our marital debt issues and I am not asking the Court to assign responsibility for any marital debt.

☐ My spouse and I have a written agreement resolving all of our marital debt issues and I am not asking the Court to assign responsibility for any marital debt.

☐ My spouse and I have marital debt that I am asking the Court to assign responsibility for, and I have completed and attached the additional information required on Attachment A, which I incorporate into this Complaint.

☐ I am not sure if my spouse and I have marital debt.

Alimony

8. I state the following about my need for alimony from my spouse: [CHECK ONE]

☐ I need permanent and/or temporary alimony from my spouse and I believe my spouse has the ability to pay alimony to me.

☐ I do not want my spouse to pay alimony to me.

Custody

9. I state the following about our child(ren) who are under the age of 18: [CHECK ONE]

☐ My spouse and I do not have any children together (through birth or adoption) who are under the age of 18.

☐ My spouse and I do have children together (through birth or adoption) who are under the age of 18, but I am not asking the court to decide custody at this time.

☐ My spouse and I do have children together (through birth or adoption) who are under the age of 18, and we have a written agreement about custody; I am not asking the court to decide custody at this time.

☐ My spouse and I do have children together (through birth or adoption) who are under the age of 18, and I am asking the court to decide custody. I have completed and attached the additional information required on Attachment B, which I incorporate into this Complaint.

Child Support

10. I state the following about my request for child support: [CHECK ONE]

☐ My spouse and I do not have any children together (through birth or adoption), or our children together are over the age of 21 years and are not adult disabled children.

☐ My spouse and I do have children together (through birth or adoption) who are under the age of 21 or who are adult disabled children, but I am not asking the Court to award child support at this time.

☐ My spouse and I do have children together (through birth or adoption) who are under the age of 21 or who are adult disabled children, and we have an agreement regarding child support; that agreement is consistent with the Child Support Guideline of the District of Columbia and/or it is fair and just.

☐ My spouse and I do have children together (through birth or adoption) who are under the age of 21 or who are adult disabled children, and I am asking the Court to award child support, *and* I have completed and attached the additional information required on Attachment C, which I incorporate into this Complaint.

Attachments

11. I have included the following attachment(s): [CHECK ALL THAT APPLY]

- ☐ No attachments
- ☐ Attachment A (Marital Property and/or Marital Debt)
- ☐ Attachment B (Child Custody)
- ☐ Attachment C (Child Support)

12. I do ☐ / do *not* ☐ know of any proceedings in the District of Columbia or in any state or territory involving the same claim or subject matter as this case. Please list state, court, and docket number for cases involving the same claim or subject matter.

Court	Case Number	Case Type

Request for Relief

I RESPECTFULLY REQUEST that the Court grant me a Legal Separation and [CHECK ALL THAT APPLY]

- ☐ Divide marital property and/or assign marital debts in a manner that is equitable, just and reasonable.
- ☐ Award alimony in a manner that is fair and just, including: [CHECK ALL THAT APPLY]
- ☐ temporary alimony
 - ☐ permanent alimony
- ☐ Award custody in the best interests of the child(ren).
- ☐ Hold a hearing on my request for child support within 45 days of filing and issue a Notice of Hearing and Order Directing Appearance (“NOHODA”) to the other parent with the date and time of the hearing.
- ☐ Award child support according to the Child Support Guideline of the District of Columbia and other applicable laws, including: [CHECK ALL THAT APPLY]
- ☐ current child support (support starting today and continuing into the future)
 - ☐ retroactive child support (support for time before today)
 - ☐ medical support
- ☐ Note that we have an agreement. I request that the Court: [CHECK ONE]
- ☐ *include* our agreement as a part of its order.
 - ☐ *not include* our agreement as a part of its order.
- ☐ Restore me to my former name.

I ALSO REQUEST that the Court award any other relief it considers fair and proper.

I declare under penalty of perjury that the foregoing is true and correct.

If this document is to be signed outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, and any territory or insular possession subject to the jurisdiction of the United States, additional requirements must be met prior to signing. See Super. Ct. Dom. Rel. R. 2(c)(1)(B).

SIGN YOUR NAME

DATE

PRINT YOUR NAME

PHONE NUMBER

HOME ADDRESS 1

EMAIL ADDRESS

HOME ADDRESS 2

☐ SUBSTITUTE ADDRESS: CHECK BOX IF YOU
HAVE WRITTEN SOMEONE ELSE'S ADDRESS
BECAUSE YOU FEAR HARASSMENT OR HARM.

Service of Your Complaint: Domestic Relations Rule 4

You start a case by filing papers called a **complaint** at the **Family Court Central Intake Center**. When you file a **complaint**, the Family Court Central Intake Center will give you a **summons**. A **summons** is a paper that you must give to the person you are filing against. The person you file against is called an **opposing party** or other **party**. You must make sure that the **opposing party** gets a copy of the **summons** and your **complaint** and any orders. This is called **service of your complaint**. You cannot give the papers to the **opposing party** yourself; someone else must give them to the **opposing party**. **The chart below gives instructions on how to serve the complaint and summons.**

After you make sure that someone else gives the papers to the other party, you must prove to the Court that you did this. You can prove this to the Court by filing an **Affidavit of Service** form. **You must serve the papers and file an Affidavit of Service form within 60 days after you file your complaint.** If you have questions about serving these documents, go to the **Family Court Self Help Center** at DC Superior Court or visit www.LawHelp.org/DC.

Remember to always keep a copy of the papers for yourself. And, you may need to make more copies to serve the other party in a different way.

Below are the ways you can serve your complaint and summons and prove to the Court that you did it. All of the forms discussed below can be found at the **Family Court Self Help Center** at DC Superior Court or at www.LawHelp.org/DC.

Type of Service	Proof of Service
Have someone who is over 18 years old and not a party to the case (NOT you): <ul style="list-style-type: none">• Hand a copy of the papers to the other party; or• Leave a copy of the papers at the other party's home with a person of suitable age and discretion who lives there (someone who you think is old enough or responsible enough to give the papers to the other party).	<ul style="list-style-type: none">• The person who served the papers must fill out an Affidavit of Service by Individual.• The completed Affidavit must be filed at the Family Court Central Intake Center.
Mail a copy of the papers to the other party by certified mail, return receipt requested. <ul style="list-style-type: none">• Send a copy of the papers to the other party's home.• You can do this yourself at the post office. Someone else can do this for you too.	<ul style="list-style-type: none">• Keep the return receipt ("green card") if it comes back to you;• Fill out an Affidavit of Service by Certified Mail; and• File the completed Affidavit with the return receipt attached at the Family Court Central Intake Center.• Note: If you do not receive a return receipt or it comes back saying your papers cannot be delivered, you will need to serve the papers a different way.

<p>Mail the papers to the other party by first class mail (postage prepaid) and include:</p> <ul style="list-style-type: none"> • An envelope addressed to you with a stamp on it (so that the other party can mail the Court's Notice and Acknowledgement form back to you); and • Two (2) copies of the Court's Notice and Acknowledgment form (one for the other party to keep and one for you). 	<ul style="list-style-type: none"> • The signed Notice and Acknowledgement form is the proof of service. • The other party has 21 days from the date the letter is mailed to sign and return the Notice and Acknowledgement form to you. • If the other party returns the completed form, file the completed Notice and Acknowledgement form at the Family Court Central Intake Center. • Note: If the other party does not return the form, you will need to serve the papers in a different way. If this happens, you can ask the Court to order the other party to pay you back any money you spend serving the papers in another way.
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If you are asking for child support or to establish parentage of a child, the **Family Court Central Intake Center** will issue you a Notice of Hearing and Order Directing Appearance (also called a NOHODA). There are special instructions for serving a NOHODA, these can be found at the Family Court Self Help Center and online at www.ProBono.center/NOHODAIstructions

If you need more than 60 days to serve the papers, you can ask the judge to give you more time. You can ask for more time by filing a **Motion for Additional Time to Serve**. You must ask for more time to serve and a new summons before the first summons expires. If you do not do this, the **Family Court Central Intake Center** may dismiss your **complaint**. You can get a **Motion for Additional Time to Serve** at the **Family Court Self Help Center** at DC Superior Court or visit www.LawHelp.org/DC.

If you tried but were not able to serve the other party or parties using any of the methods above, you can ask the judge to let you serve the parties in a different way by filing a **Motion for Alternative Service**. You can get a **Motion for Alternative Service** at the **Family Court Self Help Center** at DC Superior Court or visit www.LawHelp.org/DC.