

STATE OF MAINE

DISTRICT COURT

Location _____

Docket No. _____

_____ Plaintiff

**ANSWER AND COUNTERCLAIM
FOR DIVORCE**

(no children)

Title to Real Estate Is Involved

19-A M.R.S. § 901; M.R. Civ. P. 10(a), 105(a) & (b)

v.

_____ Defendant

COMES NOW THE DEFENDANT and for his/her Answer and Counterclaim for Divorce states as follows:

1. Defendant admits paragraphs # _____ of Plaintiff's Complaint for Divorce.
2. Defendant denies paragraphs # _____ of Plaintiff's Complaint for Divorce.
3. In further answer to Plaintiff's Complaint Defendant states as follows:

COUNTERCLAIM FOR DIVORCE

1. Defendant was lawfully married to Plaintiff in:

(town) _____, (county) _____,
 (state) _____, on _____ (mo/date/yr.)

2. Defendant now resides in (town) _____, (county) _____, (state).

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

3. Plaintiff now resides in (town) _____, (county) _____, (state) _____,
OR

Residence of the Plaintiff is unknown and the Defendant has used reasonable efforts and cannot locate Plaintiff.

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

- A. Defendant resided in Maine in good faith for six months before filing this complaint;
- B. Defendant is a resident of Maine and the parties were married in Maine;
- C. Defendant is a resident of Maine and the parties resided in Maine when the grounds for divorce arose;

and/or

- D. Plaintiff is a resident of Maine.

5. Neither Plaintiff nor Defendant has filed for divorce or annulment from the other before this complaint, OR
 A complaint for divorce or annulment was filed before in (*court name, town and state of court*)
_____ Docket No. _____
That case: Was dismissed on (*date*) _____
 Is still pending.
6. The parties have personal property, **AND**
 Either party has, or both parties have, an interest in real estate (file and exchange form FM-056), **OR**
 Neither party has an interest in real estate.
7. Plaintiff lists the following grounds for divorce:
 Irreconcilable marital differences exist between the parties.
 Other _____.

DEFENDANT REQUESTS that a divorce be granted and that the court: **(Check all the boxes that apply)**

- Set apart the non-marital property to each property and divide the marital property (file and exchange form FM-043);
 Order that the spousal support be paid to Defendant by Plaintiff (file and exchange form FM-043);
 Award reasonable attorney's fees to Defendant's attorney (file and exchange form FM-043); and
 Change Defendant's name to: _____.

Date: _____ (Defendant's signature) _____
Attorney for Defendant: _____ Defendant: _____
Address: _____ Address: _____
Telephone: _____ Telephone: _____

STATE OF MAINE

_____ County
Personally appeared the above named Defendant, _____, and made
Oath that the foregoing statements are true.

Before me,

Date: _____
_____ Attorney at Law / Notary Public / Deputy Clerk

Plaintiff has 20 days after being served with this complaint (being given a copy) to file an answer with the Court and must provide copies of all filings to the other party.