

STATE OF MAINE

DISTRICT COURT

Location _____

Docket No. _____

Plaintiff: _____

v.

**FAMILY MATTER SUMMONS
AND
PRELIMINARY INJUNCTION**

Defendant: _____

Address: _____

TO DEFENDANT:

Plaintiff has started an action against you for one of the following: Divorce, Judicial Separation, Parental Rights and Responsibilities, Paternity or Child Support. If you want to oppose this action, **you must serve a written answer to the Complaint and, if there are minor children, a completed Child Support Affidavit on Plaintiff** within 20 days after the day this Summons, the attached Complaint and any Child Support Affidavit were served on you. To serve your Answer and Affidavit, deliver or mail a copy to Plaintiff's attorney or to Plaintiff, whose name and address appear at the bottom of this page. Within the same 20 days you must also file your original Answer and Affidavit with the court by mailing it to:

Name and address of court:

[Empty box for name and address of court]

PRELIMINARY INJUNCTION

(FOR DIVORCE AND JUDICIAL SEPARATION ACTIONS ONLY)

Pursuant to 19-A M.R.S.A. §§ 852 and 903, it is **ORDERED** that Plaintiff and Defendant shall not:

- (1) sell, transfer, give away, encumber, conceal, or dispose of any property owned individually or jointly by the parties, unless it is done (a) with the written consent of both parties, (b) to purchase the necessities of life, (c) in the usual course of a business owned by either party, or (d) with the permission of the court.
- (2) restrain the personal liberty of the other party or any natural or adopted child of either party; or
- (3) remove the other party or any child of the parties from coverage under any health insurance policy.

WARNING

THIS IS AN OFFICIAL COURT ORDER. IF YOU DISOBEY THIS ORDER THE COURT MAY FIND YOU IN CONTEMPT AND IMPOSE FINES OR OTHER SANCTIONS. THIS ORDER WILL REMAIN IN EFFECT UNTIL THE COURT: (A) REVOKES OR MODIFIES IT; (B) GRANTS A FINAL JUDGMENT OF DIVORCE OR JUDICIAL SEPARATION; OR (C) DISMISSES THE ACTION.

Date: _____

(Attorney for Plaintiff) (Plaintiff)

This Summons (and Injunction) is issued by:

Name: _____

Address: _____

Clerk of the District Court

Phone: (_____) _____

IMPORTANT INFORMATION FOR DEFENDANT

If you do not serve and file an answer to the complaint and, in cases involving minor children, a "child support affidavit," or if you do not appear at court when you are notified to do so, the court may in your absence grant the plaintiff's requests.

If you do not want to serve and file an answer to the complaint, but you do want the court to listen to you on the issues of child support, parental rights, the division of marital property, alimony, or attorney's fees, you must file an "appearance" form and a child support affidavit with the court and appear at all court conferences and hearings. You must give the plaintiff a copy of your completed affidavit and entry of appearance. The "child support affidavit" form and the "appearance" form may be obtained from the court clerk's office.

If you believe you have a defense to plaintiff's complaint or a claim of your own against plaintiff, you should talk to an attorney. The court clerks are not allowed to give you legal advice.

NOTICE TO BOTH PARTIES

In all cases involving minor children, the parties are required to attend a case management conference at the court. Within two weeks after plaintiff files in court proof of service of the summons, complaint 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 must promptly notify the court in writing of your correct address and any changes to your address. If you do not, you may not receive any notices from the court, including notice of the case management conference.

IMPORTANT WARNING: You have the right to appear and be heard at all courts 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 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, contact, visitation, 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 show up. It is your own responsibility to be sure that the Court has your correct address. Any change of address must be in writing and delivered to the Clerks office by hand or regular mail.

STATE OF MAINE

County of _____, ss.

On _____ (date), I served the Complaint, Summons and Preliminary Injunction, and Child Support Affidavit upon Defendant by delivering a copy of same at the following address:

- to the above-named Defendant in hand.
- to _____ (name), a person of suitable age and discretion who was then residing at Defendant's usual residence.
- to _____ (name), who is authorized to receive service for Defendant.
- by (describe other manner of service): _____

Costs of Service:

Service: \$ _____
Travel \$ _____
Postage \$ _____
Other \$ _____
Total \$ _____

Signature of person making service

Title

Or, Service was completed by one of the following options:

- Acknowledgment Form (attached)
- Green Card, Return Receipt (attached)
- Alternative Service (attached)