



CIRCUIT COURT FOR _____, MARYLAND

City/County

Located at _____ Court Address Case No. _____

Name _____ VS. Name _____

Street Address _____ Apt # _____ Street Address _____ Apt # _____

City _____ State _____ Zip Code _____ Area Code _____ Telephone _____ City _____ State _____ Zip Code _____ Area Code _____ Telephone _____

Plaintiff

Defendant

COUNTER-COMPLAINT FOR ABSOLUTE DIVORCE (CC-DR-094)

I, _____, representing myself, file Counter-Complaint against the Plaintiff/Counter-Defendant and in support state that:

1. The Plaintiff/Counter-Defendant and I were married on _____ Month/Day/Year in _____ in a [] civil [] religious ceremony.

2. Check all that apply:

- [] I have lived in Maryland since: _____ Month/Year
[] My spouse has lived in Maryland since: _____ Month/Year

3. Check all that apply: (see paragraph 15)

- [] The grounds for divorce occurred in Maryland.
[] The grounds for divorce occurred outside of Maryland and I or my spouse have been a resident of Maryland for at least six (6) months prior to the date of the filing of this Complaint.

4. Children: (check one)

- [] We have no children together (skip paragraphs 6 through 11) or
[] My spouse and I are the parents of the following child(ren):

Table with 4 columns: Name, Date of Birth, Name, Date of Birth. Three rows for child information.

5. I know of the following related cases concerning the child(ren) or parties (such as domestic violence/protective order, paternity, divorce, custody, visitation [child access], CINA, delinquency, termination of parental rights, adoption or other cases):

Table with 5 columns: Court, Case No., Kind of Case, Year Filed, Results or Status (if you know). Three rows for case information.

6. I know of the following related cases concerning the child(ren) or parties (such as domestic violence/ protective order, paternity, divorce, custody, visitation [child access], CINA, delinquency, termination of parental rights, adoption or other cases):

<u>Court</u>	<u>Case No.</u>	<u>Kind of Case</u>	<u>Year Filed</u>	<u>Result or Status (if you know)</u>
.....
.....

7. I know of the following people, not parties to this case, who have physical custody of, or claim rights of legal custody or physical custody of, or visitation with the child(ren):

..... Name Current Address
..... Name Current Address
..... Name Current Address

8. The child(ren) currently live(s) at:
Address
with
Name

9. The child(ren) have lived in Maryland for at least six (6) months (yes no), and in the following places, with the persons indicated during the last five (5) years:

<u>Time Period</u>	<u>Place</u>	<u>Name(s)/Current Address of Person(s) with whom the Child(ren) Lived</u>
.....
.....

10. It is in the best interest of the child(ren) that I have: **(check all that apply)**

- joint primary physical custody of
Name of Child(ren)
- joint sole legal custody (decision-making) of
Name of Child(ren)
- visitation (child access or parenting time) with
Name of Child(ren)

11. **Child support: (check one)**

- I am seeking to establish child support and/or health insurance for the child(ren). **You must file either a Child Support (short form) Financial Statement (Form CC-DR-030) or General (long form) Financial Statement (Form CC-DR-031).**
- Child support has already been established for the child(ren) separate from this Complaint:
 - in a separate court case, Case No.
 - in the Office of Child Support Enforcement, Case No.
- I am not requesting to establish child support and/or health insurance for the child(ren) at this time because

12. **Alimony:** I am am not seeking alimony because

If you are seeking alimony you must file a General Financial Statement (Form CC-DR-031) with this Complaint.

13. **Marital property:** *(You do not have to complete paragraph 13 if you are not asking the court to make decisions about your property, however, if you choose not to the court may be barred from making decisions about certain property and debts after a divorce has been granted).*

My spouse and/or I have the following property and debts that needs to be divided: ***(check all that apply)*** You must file a General Financial Statement (Form CC-DR-031) with this Complaint.

House(s)

Furniture

Pension(s)/Retirement Account(s)

Bank account(s) and investment(s)

Motor Vehicle(s)

Family Use Personal Property

Debts (attach list)

Other:

I'm requesting to have use and possession of the home and/or other property for the benefit of the children.

My spouse and I have already reached agreement about our marital property and debts AND alimony **(you must attach a copy of your signed written agreement to this Complaint).**

My spouse and I have no marital property or debts that need to be decided by the court.

14. I am requesting to be restored to my former name
Print Former Full Name

(If you do not request to be restored to your former name at this time, you may do so by a separate request no longer than 18 months after the date the clerk enters a decree (judgment) of absolute divorce.)

15. My grounds for an absolute divorce are: (*you may check more than one*)

- Twelve (12) Month Separation** - From on or about _____, my spouse and I have lived, and remained, separate and apart from each other in separate residences, without interruption, and without sexual intercourse, for a period of 12 months or more **before** the date of filing of this Complaint.
Month/Day/Year
- Adultery** - My spouse committed adultery.
- Actual Desertion** - On or about _____, my spouse deliberately, without just cause or reason, abandoned and deserted me, with the intention of ending our marriage. This desertion has continued without interruption for a period of 12 months or more **before** the date of filing of this Complaint and there is no reasonable expectation that we will reconcile (get back together).
Month/Day/Year
- Constructive Desertion** - I left my spouse because his/her persistent conduct or cruel and vicious treatment towards me made the continuation of our marriage impossible, in order to preserve my health, safety or self-respect. This conduct was the final and deliberate act of my spouse and our separation has continued without interruption for a period of 12 months or more **before** the date of filing of this Complaint, and there is no reasonable expectation that we will reconcile (get back together).
- Criminal Conviction of a Felony or Misdemeanor** - On or about _____, my spouse was sentenced to serve at least three (3) years or an indeterminate sentence in a penal institution and has served at least 12 months of the sentence **before** the date of filing of this Complaint.
Month/Day/Year
- Cruelty/Excessively Vicious Conduct Against Me or my Minor Child(ren)** - My spouse's cruel and excessively vicious conduct toward me and/or my minor child(ren) has made the continuation of the marital relationship impossible, and there is no reasonable expectation that we will reconcile (get back together).
- Insanity** - On or about _____, my spouse was confined to a mental institution, hospital, or other similar institution and has been confined for a period of at least three (3) years **before** the date of filing of this Complaint. Two (2) doctors competent in psychiatry will testify that the insanity is incurable and there is no hope of recovery. My spouse or I have been a resident of Maryland for at least two (2) years before the filing of this Complaint.
Month/Day/Year
- Mutual Consent** - My spouse and I do not have any minor children in common. My spouse and I have a written settlement agreement resolving all issues related to alimony and property, and we will both appear before the court for an absolute divorce hearing.
Attach a copy of your written and signed settlement agreement to this Complaint.

FOR THESE REASONS, I request: (*check all that apply*)

- An Absolute Divorce.
- A change back to my former name:
Full Former Name
- Joint Primary physical custody of the minor child(ren).
- Joint Sole legal custody (decision-making) of the minor child(ren).
- Visitation (child access or parenting time) with the minor child(ren).
- Use and possession of the family home for up to three (3) years from the date of the divorce.
- Use and possession of the family use personal property for up to three (3) years from the date of the divorce.
- Child support (**file Form CC-DR-030 OR CC-DR-031**).
- Health insurance for the child(ren).
- Alimony (**file Form CC-DR-031**).

Property: (*check all that apply*) (*The following requests regarding property require Form CC-DR-033 Joint Statement to be filed no later than 10 days before the final trial date*)

- My share of the property or its value.
- Transfer of family use personal property.
- Transfer of real property jointly owned by the parties located at:.....
.....
from to
- Authorize to purchase from
Name of Party Name of Party
an interest in real property located at
- A monetary award (money) based on marital property.
- Dismiss Plaintiff's Complaint for Absolute Divorce.
- Any other appropriate relief.

I,, solemnly affirm under the penalties of perjury,
Name
that the contents of the foregoing paper are true to the best of my knowledge, information and belief.

.....
Date Signature

.....
Address

.....
E-mail Telephone

