

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
 (Print name of person filing) )  
 )  
vs. )  
 )  
Defendant: \_\_\_\_\_ )  
 (Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

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**ANSWER AND COUNTERCLAIM  
TO COMPLAINT FOR DIVORCE (WITH CHILDREN)**

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The Defendant sets forth the following as the answers and responses to Plaintiff's *Complaint for Divorce (with Children)*:

1. Defendant admits the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that are accurate statements)  
of Plaintiff's *Complaint for Divorce*.
2. Defendant denies the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that you believe are not accurate)  
of Plaintiff's *Complaint for Divorce*.
3. Defendant does not have information sufficient to either admit or deny the allegations in Paragraphs \_\_\_\_\_.

**WHEREFORE**, Defendant respectfully requests that the court find generally in his or her favor and against the Plaintiff, that Plaintiff take nothing by way of his or her *Complaint for Divorce*, and for such other and further relief as the court deems just and proper.

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**COUNTERCLAIM**

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**DEFENDANT**, sets forth the following as the counterclaim to Plaintiff's *Complaint for Divorce (with Children)*:

1.  Plaintiff  Defendant is a resident of \_\_\_\_\_ County, Wyoming, where the Complaint was filed. The  Plaintiff  Defendant has lived in the State of Wyoming for at least sixty (60) days immediately prior to the filing of the Complaint; **OR**  If not, the

marriage took place in Wyoming and the  Plaintiff  Defendant has lived in Wyoming from the time of the marriage until the filing of the Complaint.) W.S. § 20-2-104 and 20-2-107(a).

2. Plaintiff and Defendant were married to each other on \_\_\_\_\_ in \_\_\_\_\_  
(Date of Marriage)

\_\_\_\_\_  
(City, County and State where marriage took place)

3. The Plaintiff and Defendant separated on \_\_\_\_\_.  
(Date of Separation)

4. Irreconcilable differences exist in the marriage and Defendant is the aggrieved party in this case and should be granted a divorce from the Plaintiff.

5. The Plaintiff and I are the natural or adoptive parents of the following minor child(ren):

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

**Child's residence for the past 5 years:**

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
_____/_____ _____/present*		
_____/____		
_____/____		
_____/____		
_____/____		
_____/____		

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

**Child's residence for the past 5 years:**

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
____/____/____ ____/____ ____/____ ____/____ ____/____ ____/____ ____/____ ____/____		
____/____		
____/____		
____/____		
____/____		
____/____		

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

**Child's residence for the past 5 years:**

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
____/____/____ ____/____ ____/____ ____/____ ____/____ ____/____ ____/____ ____/____		
____/____		
____/____		
____/____		
____/____		
____/____		

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

**Child's residence for the past 5 years:**

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
_____/_____/present*		
_____/_____		
_____/_____		
_____/_____		
_____/_____		
_____/_____		

Attach a separate sheet if necessary

6. That the child(ren) named in the *Complaint for Divorce*  have  have not been in the State of Wyoming for a period of six (6) months or more immediately before filing of the *Complaint*. (If not, seek the advice of a lawyer before filing.)

7.  I have not participated as a party or a witness or in any other capacity in any other court case concerning the custody of the minor child(ren), and no other court proceedings concerning the minor child(ren) (including proceedings for enforcement, domestic violence, protective orders, termination of parental rights or adoptions) are currently pending in the State of Wyoming or in any other state; OR

I have participated as a party or witness or in another capacity in another court proceeding concerning the custody, allocation of decision-making, or visitation/parenting time of the child(ren) listed in the *Complaint for Divorce* as follows: (Please be specific and include the case number, court, state and nature of case, date of child-custody determination, if any, and the initials of the child(ren) involved) \_\_\_\_\_

8.  I know of no person not a party to these proceedings who has physical custody of the minor child(ren) or who claims to have custody or visitation rights with respect to the minor child(ren); OR

The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren): \_\_\_\_\_

(List Names and Addresses)

9. To the best of Defendant's knowledge,

Neither party is pregnant, **OR**

The  Plaintiff  Defendant is pregnant [If pregnant, consult an attorney. Your divorce may not be able to be final until after the baby is born.]; and

The baby is due on or about \_\_\_\_\_ (date), (and, check one space below):

The Plaintiff and Defendant are the biological parents of the child, **OR**

Plaintiff is not the biological parent of the child, **OR**

Defendant is not the biological parent of the child.

10.  Plaintiff **OR**  Defendant is a fit and proper person to have the primary care, custody and control over the minor child(ren) subject to the other parent's right of reasonable visitation; **OR**

Both parties are fit and proper persons to share custody and control over the minor child(ren).

11.  Plaintiff **OR**  Defendant is capable of paying child support in an amount determined by the Wyoming Child Support Guidelines.

12. The Court should order that  Plaintiff **OR**  Defendant **OR**  Both Parents provide medical insurance for the minor child(ren) if it can be obtained through an employer or if it is otherwise reasonably available and that  Plaintiff **OR**  Defendant **OR**  Both Parents be liable to pay any medical expenses, including any deductible or co-pay, not covered by insurance coverage.

13. The parties have accumulated certain property and debts during the course of their marriage which should be equitably divided by the Court.

14. The Court should award the  Plaintiff **OR**  Defendant spousal support/alimony in a reasonable amount to be determined by the Court based on the  Plaintiff's  Defendant's need and the  Plaintiff's  Defendant's ability to pay as follows:

Plaintiff's  Defendant's need: \_\_\_\_\_  
(use additional paper if necessary)

Plaintiff's  Defendant's ability to pay: \_\_\_\_\_  
(use additional paper if necessary);

**OR**

Neither party shall be awarded spousal support/alimony.

15. The  Plaintiff's  Defendant's previous name may be restored if he or she desires.

**WHEREFORE**, the Defendant respectfully requests that the Court:

1. Grant the Defendant a divorce from the Plaintiff and dissolve the marriage;
2. Award:
  - a.  The parties joint legal custody and  Plaintiff or  Defendant to have physical custody; **OR**
  - b.  The parties joint legal and joint physical custody; **OR**
  - c.  Plaintiff or  Defendant to have sole legal and physical custody; **OR**
  - d.  Other (Please describe desired legal and physical custody arrangement in detail) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Order that the  Plaintiff OR  Defendant pay child support in an amount determined by the court using the Wyoming Child Support Guidelines;
4. Order that the  Plaintiff OR  Defendant OR  Both parents provide medical support for the minor child(ren);
5. Order a just and equitable division of the marital property and debts;
6. Order that:  
 No party is entitled to spousal support; **OR**  
 Reasonable spousal support should be paid by  Plaintiff OR  Defendant as the circumstances and facts may require;
7. Order that the  Plaintiff  Defendant resume his or her previous name at the conclusion of this lawsuit if he or she wishes; and
8. Order such other and further relief as the Court deems just and equitable.

STATE OF WYOMING )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The Defendant, \_\_\_\_\_, under the penalty of perjury, verifies that she/he has read the *Counterclaim*, knows the contents of the *Counterclaim*, and that the statements in the *Counterclaim* are true to the best of her/his own knowledge.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone Number: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
Notarial Officer

My Commission Expires:

### **CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Plaintiff/Plaintiff's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

-----Fill in, if applicable-----

Pursuant to Rule 102(a)(1)(B) of the Wyoming Uniform Rules of District Court the following attorney has participated in the preparation of this pleading but said attorney is NOT deemed to have entered an appearance in this matter:

\_\_\_\_\_  
Attorney's Name

Attorney's Address/Telephone:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_