

Mark this box if this form contains Restricted Information.



CIRCUIT COURT FOR _____, MARYLAND
City/County

Located at _____ Telephone _____
Court Address

Case No. _____

Plaintiff _____

Defendant _____

Street Address _____

VS.

Street Address _____

City, State, Zip _____

Telephone _____

City, State, Zip _____

Telephone _____

E-mail _____

E-mail _____

COMPLAINT FOR ABSOLUTE DIVORCE (Family Law § 7-103)

MDEC counties only: If this submission contains Restricted Information (confidential by statute, rule or court order) you must file a Notice Regarding Restricted Information Pursuant to Rule 20-201.1 (form MDJ-008) with this submission, and check the Restricted Information box on this form.

NOTE: Use this form to initiate an absolute divorce case. Mark the “Restricted Information” box at the top of this or any other form you file that includes financial or other confidential information such as part of a social security or federal tax identification number. Only list the last four digits of account/ID numbers. Visit mdcourts.gov/divorce.

I, _____, state that:
Name

1. The defendant and I were married on _____ in _____,
Date of marriage City/County/State where married
_____ in a civil religious ceremony.
Country where married

2. **Check all that apply:**

- I have lived in Maryland since _____ .
Month/Year
- My spouse has lived in Maryland since _____ .
Month/Year
- The grounds, or legal reasons, for divorce occurred in Maryland.
(for a list of grounds *see number 13 below*)
- The grounds for divorce occurred outside Maryland and either my spouse or I have been a resident of Maryland for at least six (6) months prior to the date this complaint was filed.

3. I know of the following cases, or I have been involved (as a party, witness, etc.) in the following cases about me, my spouse, or the child(ren). Examples include cases such as custody, child support, guardianship, domestic violence/protective order, paternity, divorce, visitation (child access), CINA, delinquency, termination of parental rights, adoption or other cases:

Case No. _____

<u>Court</u>	<u>Case No.</u>	<u>Kind of Case</u>	<u>Year Filed</u>	<u>Result/Status/Date of Child Custody or Guardianship Determination</u>

Attach the most recent court order for these cases.

4. Child(ren) (check one):

- We have no child(ren) together (*skip to number 10*).
- My spouse and I are parents of the following child(ren) together.

Name	Age	Name	Age
Name	Age	Name	Age
Name	Age	Name	Age

5. I know of the following people, who are not parties to this case, who have or claim to have rights to physical or legal custody, visitation (child access), or guardianship of the minor child(ren).

Name	Current Address
Name	Current Address
Name	Current Address

6. The minor child(ren) currently live(s) at _____ with _____

 Name

7. The minor child(ren) has/have lived in Maryland for at least six (6) months yes no. In the past five (5) years, the minor child(ren) has/have lived in the following places with the following persons:

<u>Time Period</u>	<u>Address</u>	<u>Name(s) and Current Address of Person(s) with whom Minor Child(ren) Lived</u>

8. **Parenting Plan (check one):**

- My spouse and I have agreed on a parenting plan(s) that we believe is/are in the best interest of the minor child(ren). **Attach your signed parenting plan agreement.**
- My spouse and I have not agreed on a parenting plan(s).
See: Maryland Parenting Plan Instructions (Form CC-DRIN-109) and Maryland Parenting Plan Tool (Form CC-DR-109) or visit mdcourts.gov/parentingplans.

It is in the best interest of the minor child(ren) that I have (check one selection from each line):

joint primary physical custody (parenting time) of

Name(s) of child(ren)

joint sole legal custody (decision-making authority) of

Name(s) of child(ren)

visitation (child access or parenting time) with

Name(s) of child(ren)

9. **Child Support (check one):**

I am asking for child support and/or health insurance for the minor child(ren).

If you and your spouse’s combined gross monthly income (before taxes/not take home pay) is \$30,000 or less, attach Financial Statement (Child Support Guidelines) (Form CC-DR-030); if the combined gross monthly income is more than \$30,000, attach Financial Statement (General) (Form CC-DR-031).

Child support has been established:

in a separate court case, Case No. _____ in _____
County and State. **Attach a copy of the most recent order if available.**

in the Office of Child Support in _____, Case No. _____
County, State

I am not asking for child support and/or health insurance for the minor child(ren) at this time because

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

Attach a Financial Statement (General) (Form CC-DR-031) if you want alimony.

11. Marital Property:

My spouse and/or I have the following property that needs to be divided by the court
(check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> House | <input type="checkbox"/> Furniture |
| <input type="checkbox"/> Pension(s)/Retirement account(s)* | <input type="checkbox"/> Bank account(s) and investment(s) |
| <input type="checkbox"/> Motor vehicles | <input type="checkbox"/> Business(es) |
| <input type="checkbox"/> Other: _____ | |

***NOTE:** If you or your spouse has a retirement or pension plan, talk to a lawyer. You may need a “domestic relations order” to transfer the marital portion of benefits from one spouse to the other. These orders are sometimes called qualified domestic relations orders (QDROs), Court Orders Acceptable for Processing (COAP), or qualifying retirement benefit court orders. If you and your spouse agree on how to divide the benefits, you can draft and file an order for the court to approve. Each plan has specific requirements that must be met for the order to be valid and accepted. A lawyer can advise you based on the plan.

I am requesting to have use and possession of the home and/or to have use and possession of the family personal property for the benefit of the minor child(ren) for up to three (3) years from the date of the divorce.

My spouse and I have already reached an agreement about our marital property AND alimony.
Attach a copy of your signed written agreement.

My spouse and I have no marital property that needs to be decided by the court.*

*If you are seeking a divorce on the ground of mutual consent, you must file a written agreement, signed by you and your spouse, stating that you have no marital property that needs to be decided by the court.

12. I am requesting to be restored to my former name _____
Full former name

(If you do not request your former name at this time, you may do so later by filing a motion within 18 months after the judgment of absolute divorce was entered.)

13. My grounds (legal reasons) for absolute divorce are *(you may check more than one)*:

Mutual Consent – My spouse and I have signed a written settlement agreement that states it resolves issues relating to alimony; the distribution of property; and the care, custody, access, and support of minor or dependent child(ren). Neither of us has taken any action to set aside (invalidate) the agreement.

Attach a copy of your written and signed agreement (Form CC-DR-116, Marital Settlement Agreement). If your agreement provides for the payment of child support, you must attach a copy of the completed Child Support Guidelines Worksheet (Form CC-DR-034 for primary physical custody or CC-DR-035 for shared physical custody).

12-Month Separation – From on or about _____, my spouse and I have lived
Month/Date/Year
apart in separate residences, without interruption or sexual intercourse for 12 months or more **before** the date of filing of this complaint.

Adultery – My spouse committed adultery.

Actual Desertion – On or about _____, my spouse deliberately, without just
Month/Date/Year
cause or reason, abandoned and deserted me, with the intention of ending our marriage. This
desertion has continued without interruption for 12 months or more **before** the date of filing of this
complaint and there is no reasonable expectation we will reconcile (get back together).

Constructive Desertion – On or about _____, I left my spouse because their
Month/Date/Year
persistent conduct or cruel and vicious treatment towards me made continuing 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 12 months or
more **before** the date of filing of this complaint, and there is no reasonable expectation we will
reconcile (get back together).

Criminal Conviction or a Felony or Misdemeanor – On or about _____, my
Month/Date/Year
spouse was sentenced to serve at least three (3) years or an indeterminate sentence in a penal
institution and has served 12 or more months of the sentence **before** the date of filing of this
complaint.

Cruelty Against Me and/or my Minor Child(ren) – My spouse’s cruel treatment toward me
and/or my minor child(ren) has made continuing the marriage impossible, and there is no reasonable
expectation that we will reconcile (get back together).

Excessively Vicious Conduct Against Me and/or my Minor Child(ren) – My spouse’s
excessively vicious conduct toward me and/or my minor child(ren) has made continuing the
marriage 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,
Month/Date/Year
hospital, or other similar institution, and has been confined for at least three (3) years **before** the
date this complaint was filed. Two (2) medical professionals competent in psychiatry will testify
that the insanity is incurable and there is no hope of recovery. My spouse or I have lived in
Maryland for at least two (2) years before the filing of 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 (parenting time) of the minor child(ren).
- joint sole legal custody (decision-making authority) of the minor child(ren).
- visitation (child access or parenting time) with the minor child(ren).
- child support (**attach Form CC-DR-030 or CC-DR-031**).
- health insurance for the child(ren).
- alimony (**attach Form CC-DR-031**).

