

Sample for Reference Purposes Only. Forms have bilingual format for your convenience, but must be completed and filed with the court in English. 表格样本, 仅供参考。 为了提供便利, 表格采用双语格式, 但 向法院提交的表格必须用英语填写。

☐ 如果此表单包含限制性信息, 请勾选此框。



CIRCUIT COURT FOR _____, MARYLAND
马里兰州 _____, 巡回法院

Located at _____ Telephone _____
位置 _____ 电话 _____

Court Address
法院地址

Case No. _____
案件编号 _____

Plaintiff/Counter-Defendant
原告/反诉被告

VS.
诉

Defendant/Counter-Plaintiff
被告/反诉原告

Street Address
街道地址

Street Address
街道地址

City, State, Zip
市、州、邮编

Telephone
电话

City, State, Zip
市、州、邮编

Telephone
电话

E-mail
电子邮件

E-mail
电子邮件

COUNTER-CLAIM FOR ABSOLUTE DIVORCE

绝对离婚反诉

(Family Law § 7-103)

(家庭法第 7-103 条)

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.

如果此文书包含限制性信息(根据法规、规则或法院命令保密), 您必须根据规则第 20-201.1 条(表格 MDJ-008) 随此文书提交有关限制性信息的声明, 并勾选此表格上的限制性信息框。

NOTE: Use this form to initiate a counter-claim to 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.

注意: 使用此表格启动对绝对离婚案的反诉。如果此表格或您提交的任何其他表格包含财务信息或者部分社会保险号或联邦税务识别码等其他机密信息, 请勾选本页上方的“限制性信息”框。仅列出账号/身份证号码的最后四位数字。请访问: mdcourts.gov/divorce。

I, _____, state that:
我, _____, 声明:

Name
姓名

1. The plaintiff/counter-defendant and I were married on _____ in
原告/反诉被告与我于 _____ 在

Date of marriage
结婚日期

_____, _____ in a civil religious ceremony.
结婚, _____ 并举行了 ☐ 民间 ☐ 宗教结婚仪式。

City/County/State where married
结婚城市/县/州

Country where married
结婚国家

2. Check all that apply:
勾选所有适用项:

☐ I have lived in Maryland since _____.
我从 _____ 开始在马里兰州生活。
Month/Year
月/年

☐ My spouse has lived in Maryland since _____.
我的配偶从 _____ 开始在马里兰州生活。
Month/Year
月/年

The grounds, or legal reasons, for divorce occurred in Maryland.
(for a list of grounds see number 13 below)
☐ 离婚的理由或法律原因发生于马里兰州。
(如需获取理由列表, 请参阅下文第 13 项)

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 counter-claim was filed.
☐ 离婚理由发生于马里兰州以外的地方, 我的配偶或我在提交此反诉之日前已成为马里兰州居民至少六 (6) 个月。

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, protective order (domestic violence), paternity, divorce, visitation (child access), CINA, delinquency, termination of parental rights, adoption or other cases:
我知道以下案件, 或者我曾参与(作为当事人、证人等)以下关于我、我的配偶或子女的案件示例包括例如监护权、子女抚养费、监护人、保护令(家庭暴力)、亲子关系、离婚、探视(接触子女)、需要援助的儿童(CINA)、违法行为、父母权利终止、领养等案件或其他案件:

<u>Court</u> 法院	<u>Case No.</u> 案件编号	<u>Kind of Case</u> 案件类型	<u>Year Filed</u> 提交年份	<u>Result/Status/Date of Most Recent Order</u> 最新命令结果/状态/日期

Attach the most recent court order for these cases.
附上这些案件的最近法院令。

4. Children (check one):
子女(勾选一项):
☐ We have no children together (skip to number 10).
我们没有共同的子女(跳至第 10 项)。
☐ My spouse and I are parents of the following child(ren).
我的配偶和我是下列子女的父母。

Case No. _____
案件编号 _____

Name 姓名	Year of birth 出生年份
Name 姓名	Year of birth 出生年份
Name 姓名	Year of birth 出生年份

Name 姓名	Year of birth 出生年份
Name 姓名	Year of birth 出生年份
Name 姓名	Year of birth 出生年份

5. I know of the following people, who are not parties to this case, but have or claim to have rights to physical or legal custody, visitation (child access), or guardianship of the minor child(ren):
我认识下列人员, 他们不是此案当事人, 但享有或主张享有未成年人子女的生活监护权、合法监护权、探视(子女探视)权或监护人权力:

Name 姓名
Name 姓名
Name 姓名

Current Address 现用地址
Current Address 现用地址
Current Address 现用地址

6. The minor child(ren) currently live(s) at _____ with
未成年子女目前生活在 _____ 一起生活的人有

Address 地址
Name 姓名

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:
未成年子女在马里兰州已经生活了至少六 (6) 个月 ☐ 是 ☐ 否。在过去五 (5) 年里, 未成年子女在以下地方与以下人员一起生活:

<u>Time Period</u> 时间段	<u>Address</u> 地址	<u>Name(s) and Current Address of Person(s) with whom Minor Child(ren) Lived</u> 与未成年子女一起生活的人员姓名与现用地址

8. Parenting Plan (Custody and Visitation Agreement) (check one):
子女抚养计划(监护和探视协议) (勾选一项):
My spouse and I have agreed on a parenting plan(s) that we believe is/are in the best interest of the minor

Case No. _____

案件编号 _____

child(ren). **Attach your signed and dated parenting plan agreement.**

- ☐ 我的配偶和我就我们共同认为符合未成年子女最佳利益的教养计划达成了一致意见。请附上您已签名并注明日期的子女抚养计划协议。

My spouse and I have not agreed on a parenting plan(s).

- ☐ 我的配偶和我未就教养计划达成一致意见。

See: Maryland Parenting Plan Instructions (CC-DRIN-109) and Maryland Parenting Plan Tool (CC-DR-109) or visit mdcourts.gov/parentingplans.

请参阅:马里兰州教养计划说明 (CC-DRIN-109) 和马里兰州教养计划工具 (CC-DR-109) 或访问 mdcourts.gov/parentingplans.

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

我拥有的以下权利符合未成年子女的最佳利益 (**每行勾选一个选项**):

☐ joint ☐ primary physical custody (parenting time) of
☐ 共同 ☐ 主要生活监护(教养时间)

Name(s) of child(ren)
子女姓名

☐ joint ☐ sole legal custody (decision-making authority) of
☐ 共同 ☐ 唯一合法监护(决策权)

Name(s) of child(ren)
子女姓名

☐ visitation (child access or parenting time) with
☐ 探视(子女探视或教养时间)

Name(s) of child(ren)
子女姓名

9. Child Support (*check one*):

子女抚养费 (勾选一项):

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

- ☐ 我要求得到未成年子女的子女抚养费 and/或 健康保险。

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) (CC-DR-030); if the combined gross monthly income is more than \$30,000, attach Financial Statement (General) (CC-DR-031).

如果您和您配偶的月收入总和(税前/非实得工资)为 30000 美元或以下, 请附上财务报表(子女抚养费指南)(CC-DR-030);如果月收入总和超过 30000 美元, 请附上财务报表(一般)(CC-DR-031)。

Child support has been established:

- ☐ 子女抚养费已在以下情况中确定:

in a separate court case, Case No. _____ in

County and State

☐ 另外的法院案件, 案件编号 _____, 地点在 _____
县和州

Attach a copy of the most recent order if available.

附上最近命令的副本(如有)。

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

- ☐ 本人现不主张要求对方支付未成年子女的抚养费及/或 健康保险费用, 理由如下:

10. Alimony (select one):

赡养费 (请选择一项):

My spouse and I have a signed and dated written agreement that covers alimony.

☐ 我和我的配偶有一份已签名并注明日期的书面协议, 其中涵盖了赡养费。Attach a copy of the agreement.

It can, but does not have to, include an agreement about marital property.

请附上该协议副本。

其可以, 但并非必须包括有关夫妻共同财产的约定。

I am am not seeking alimony because

我 ☐ 是 ☐ 不是要求得到赡养费, 因为

If you want the court to establish alimony attach a Financial Statement (General) (Form CC-DR-031) if you want alimony. You do not need to attach a financial statement if you and your spouse have a written agreement that covers alimony.

如果您希望获得赡养费并由法院确立赡养费, 请附上《财务报表(通用)》(表格 CC-DR-031)。如果您和您的配偶有一份涵盖赡养费的书面协议, 则您无需附上财务报表。

11. Marital Property:

夫妻财产:

My spouse and I have a signed and dated written agreement about how we will divide marital property.

☐ 我和我的配偶就夫妻共同财产分割问题有一份已签名并注明日期的书面协议。Attach a copy of the agreement.

It can, but does not have to, include an agreement about alimony.

请附上该协议副本。

其可以, 但并非必须包括有关赡养费的约定。

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

☐ 我的配偶和/或我拥有的以下财产需要划分 (勾选所有适用项):☐ House☐ 住房☐ Pension(s)/Retirement account(s)*☐ 养老金/退休金账户*☐ Motor vehicles☐ 机动车辆☐ Other: _____☐ 其他: _____☐ Furniture☐ 家具☐ Bank account(s) and investment(s)☐ 银行账户和投资***NOTE:*****注意:**

- If you have 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.

如果您或您的配偶有退休计划或养老金计划, 请咨询律师。您可能需要一份“家庭关系证明书”才能将配偶一方福利的婚姻份额转移给另一方。这些命令有时称为适格家庭关系证明书 (QDRO)、可接受处理的法院命令 (COAP) 或适格退休福利法院命令。如果您和您的配偶就如何划分这些福利达成了一致, 则您可以起草并提交一份证明书以供法院批准。每份计划都有必须要满足的特定要求, 以使该证明书有效且被接受。律师可以根据该计划为您提供建议。

- Social Security benefits cannot be divided in a divorce. Contact the Social Security Administration or a lawyer for more information.

在离婚案件中, 社会保障福利不可分割。请联系社会保障管理局或律师了解更多信息。

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

- ☐ 我要求为了未成年子女的利益, 在离婚后最长三 (3) 年里使用并持有住房和/或家庭使用的个人财产。

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

- ☐ 我的配偶和我没有需要由法院判决的夫妻财产。

12. I am requesting to be restored to my former name _____.
我要求恢复曾用的姓名 _____。

Full former name
曾用的全名

(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.)

(如果您目前不要求恢复您的曾用姓名, 您之后可在绝对离婚判决做出后 18 个月内通过提交动议恢复您的曾用姓名。)

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

我的绝对离婚理由 (法律原因) 是 **(您可以勾选一项以上):**

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

- ☐ **双方同意** – 我的配偶和我已经签署了一份书面和解协议, 由此解决赡养费、财产分配 (不动产和个人财产) 和未成年子女或受抚养子女的照顾、监护、(接触/探视子女) 和抚养问题。我们双方均未采取任何行动来撤销 (作废) 此协议。

Attach a copy of your written, signed, and dated agreement (Form CC-DR-116, Marital Settlement Agreement).

请附上您已签名并注明日期的书面协议副本 (表格 CC-DR-116《婚姻和解协议》)。

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).

如果您的协议规定了子女抚养费的支付, 您必须附上已填写完成的子女抚养费指南工作表 (主要生活监护请使用表格 CC-DR-034, 或共同生活监护请使用表格 CC-DR-035) 之副本。

Six (6)-Month Separation – From on or about _____, my spouse and I have lived

Month/Date/Year

separate and apart, without interruption for six (6) months or more before the date of filing of this counter-claim.

Spouses who live under the same roof but pursue separate lives or who are separated in accordance with a court order are considered to live “separate and apart.”

☐ 分居六 (6) 个月 – 在 _____ 月/日/年 或左右, 我和我的配偶开始分居,

在提起本反诉之日前有六 (6) 个月或更长的时间始终保持分居状态。

住在同一房屋但各自生活的配偶或根据法院命令分居的配偶被视为“分居”。

Irreconcilable Differences – Our marriage should be terminated for the following reasons that cannot be resolved:

☐ **分歧不可调和** – 出于以下无法解决的理由, 我们的婚姻关系应当终止:

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

出于以上理由, 我请求 (勾选所有适用项):

an Absolute Divorce.

☐ 绝对离婚。

a change back to my former name, _____.

☐ 恢复我的曾用名, _____。

Full former name
曾用的全名

joint primary physical custody (parenting time) of the minor child(ren).

未成年子女的 ☐ 共同 ☐ 主要生活监护(教养时间)。

joint sole legal custody (decision-making authority) of the minor child(ren).

未成年子女的 ☐ 共同 ☐ 唯一合法监护(决策权)。

visitation (child access or parenting time) with the minor child(ren).

☐ 对未成年子女的探视(子女探视或教养时间)。

child support (attach Form CC-DR-030 or CC-DR-031).

☐ 子女抚养费(附上表格 CC-DR-030 或 CC-DR-031)。

health insurance for the child(ren).

☐ 子女的健康保险。

alimony (attach Form CC-DR-031).

☐ 赡养费(附上表格 CC-DR-031)。

Property (check all that apply): (The following requests require a Joint Statement (Form CC-DR-033) to be filed at least ten (10) days before the trial date if you and your spouse are not able to reach a written agreement that resolves all property issues.)

财产 (勾选所有适用项): (如果您和您的配偶无法达成一份书面协议来解决所有财产问题, 则提出以下请求要求在审判日期前至少十 (10) 天提交《联合声明》(表格 CC-DR-033))。

To live in the family home for up to three (3) years from the date of the absolute divorce for the benefit of the minor child(ren).

☐ 为了未成年子女的利益, 自绝对离婚之日起在家庭住房中生活最长三 (3) 年时间。

To have and use the family use personal property for up to three (3) years from the date of the absolute divorce for the benefit of the minor child(ren).

☐ 为了未成年子女的利益, 自绝对离婚之日起拥有并使用家庭使用的个人财产最长三 (3) 年时间。

Case No. _____

案件编号 _____

My share of the property or its value.

☐ 财产或其价值中我的份额。

Transfer of family use personal property.

☐ 转让家庭使用的个人财产。

Transfer of the marital share(s) of pension and/or retirement benefits and authority to draft and submit for court approval a domestic relations order to accomplish the transfer.

☐ 转移养老金和/或退休福利的婚姻份额, 有权起草并交一份家庭关系证明书以供法院批准, 以完成福利转移。

Transfer of the real property jointly owned by the parties located at

☐ 转让双方共同拥有的房地产, 位于

from _____ to _____
由 _____ 转让给 _____
Name Name
姓名 姓名

Authorize _____ to purchase from _____
☐ 授权 _____ 从 _____
Name Name
姓名 姓名

_____ an interest in real property located at _____
_____ 处购买地址如下所示的房地产中利益:
Name Name
姓名 姓名

Address
地址

A monetary award (money) based on marital property.

☐ 以夫妻财产为基础的裁定金额。

Incorporate, but not merge, our written agreement into the judgment of absolute divorce.

☐ 将我们的书面协议并入绝对离婚判决中(但并非合并)。

☒ Any other appropriate relief.

☒ 任何其他合适的救济。

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

本人郑重确认, 据本人所知所信, 此文件内容真实。如有不实甘受伪证罪之罚。

Date
日期

Signature of Defendant/Counter-Plaintiff/Attorney
被告/反诉原告/律师的签名

Attorney Number
Attorney Number

Printed Name
用大写字母填写姓名

Street Address
街道地址

City, State, Zip
市、州、邮政编码

Case No. _____

案件编号 _____

Telephone Number

电话号码

E-mail

电子邮件

Fax

传真

CERTIFICATE OF SERVICE

送达证明

I certify that the following party, parties, or attorney(s) was/were served with a copy of this Counter-Claim for Absolute Divorce as indicated:

兹证明, 已按上述方式向以下一方、多方或律师送达本《绝对离婚反诉状》的副本:

Person served (note if attorney): _____

被送达人 (如系律师请注明): _____

Address of the person served: _____

被送达人地址 _____

Service method: first-class mail on _____ hand delivery on _____

Date

Date

送达方式: ☐ 一类平邮邮寄日期 _____ ☐ 当面送达日期 _____

日期

日期

service on registered user via MDEC system on the effective date of filing.

☐ 于提交生效日期通过 MDEC 系统向注册用户送达

Person served (note if attorney): _____

被送达人 (如系律师请注明): _____

Address of the person served: _____

被送达人地址 _____

Service method: first-class mail on _____ hand delivery on _____

Date

Date

送达方式: ☐ 一类平邮邮寄日期 _____ ☐ 当面送达日期 _____

日期

日期

service on registered user via MDEC system on the effective date of filing.

☐ 于提交生效日期通过 MDEC 系统向注册用户送达

Date

日期

Signature

签名

Attorney Number

代理人编号

For additional person(s) served, please attach completed form CC-DC-128 (Certificate of Service).

若尚有其他需送达主体, 请附上填写完整的 CC-DC-128 号《送达证明书》。