

## INSTRUCTIONS AND FORMS FOR ANSWER WITH MINOR CHILDREN

These forms are related to specific South Dakota Codified Laws (SDCL) concerning divorce matters. You can find these laws on the South Dakota Legislature website. If you have any legal questions, it is highly recommended that you consult with an attorney. Court staff are unable to provide legal advice or assist with form completion. For specific questions related to the forms, you can also contact the Legal Form Help Line at 1-855-784-0004 or email UJS staff at [ujssrlhelp@uj.s.sd.us](mailto:ujssrlhelp@uj.s.sd.us).

### **IMPORTANT NOTICES**

The Answer is a written response to the Complaint with Minor Children submitted by the Defendant to safeguard their rights. As the Defendant, if you decide to file an Answer, you must submit it to the Clerk of Court and serve it on the Plaintiff within thirty days of receiving the Summons and Complaint.

#### **To complete this form, you will need to:**

- Complete the caption of the Answer.
  - County (insert county name).
  - Judicial Circuit (insert circuit number). You may find your judicial circuit number at the following web address.
    - [https://uj.s.sd.gov/Circuit\\_Court/Default.aspx](https://uj.s.sd.gov/Circuit_Court/Default.aspx)
  - Plaintiff (insert your spouse's name).
  - Defendant (insert your name).
  - Upon filing, the Clerk of Court will assign a unique case number to the Plaintiff. This case number should be included on all subsequent documents after the initial filing. If you are not aware of the case number, please contact the Clerk of Court.
- Complete the remainder of the information on the lines provided throughout the form. Complete the Affidavit of Mailing and sign in front of a notary or Clerk of Court.
- Complete a Case Filing Statement (UJS-232) with both your demographic information and your spouse's demographic information. It is important to know that your social security number and date of birth are required when filing a divorce action with children.
- Complete the Financial Affidavit (UJS-023).
- File the original copies of each of the forms listed above with the Clerk of Court along with the required \$25 filing fee.
- If you cannot afford the \$25 filing fee, please complete the Motion to Waive Filing Fee (UJS-022) and submit with the above forms in lieu of the \$25.
- Mail copies of all the above documents to the Plaintiff.

<p>_____</p> <p>Plaintiff</p> <p style="text-align: center;">v.</p> <p>_____</p> <p>Defendant</p>	<p>Case No.: _____</p> <p style="text-align: center;"><b>ANSWER (WITH MINOR CHILDREN) AND AFFIDAVIT OF MAILING</b></p>
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The above-named Defendant's Answer to the Complaint with Minor Children as follows:

- I **AGREE** with the following paragraphs of the Complaint with Minor Children (list the corresponding paragraph numbers from the Complaint)

\_\_\_\_\_

\_\_\_\_\_

- I **DISAGREE** with the following paragraphs of the Complaint with Minor Children (list the corresponding paragraph numbers from the Complaint)

\_\_\_\_\_

\_\_\_\_\_

- I **PARTIALLY AGREE** or **PARTIALLY DISAGREE** with the following paragraphs of the Complaint with Minor Children (list the corresponding paragraph numbers from the Complaint)

\_\_\_\_\_

\_\_\_\_\_

4. I **DO NOT HAVE ENOUGH INFORMATION** to either agree or disagree with the following paragraphs of the Complaint with Minor Children (list the corresponding paragraph numbers from the Complaint)

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If you wish to explain any of your answers to the previous statements, please use the space below. If you do not wish to explain your answers further, leave the next four paragraphs blank.

1. 

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2. 

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3. 

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4. 

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Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Defendant Signature

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Defendant Name

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Defendant Address

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City, State, Zip Code

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Phone Number

**AFFIDAVIT OF MAILING ANSWER**  
**WITH MINOR CHILDREN**

I, \_\_\_\_\_ (your name) the above-named Defendant  
being sworn, state that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
mailed a true and correct copy of the Answer in an envelope addressed to the  
Plaintiff at:

\_\_\_\_\_  
Plaintiff's Name

\_\_\_\_\_  
Plaintiff's Street Address

\_\_\_\_\_  
Plaintiff's City, State & Zip

And depositing the envelope, with sufficient postage in the United States mail in

\_\_\_\_\_  
*(City and State you Mailed the form from)*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Defendant Signature

\_\_\_\_\_  
Defendant Name

\_\_\_\_\_  
Defendant Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number

Sworn/affirmed before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary/Deputy Clerk/Clerk of Court

My Commission Expires: \_\_\_\_\_