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@ujs.state.sd.us.

IMPORTANT NOTICES

The Answer is a written response to the Complaint with Minor Children submitted by the Defendant. 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. If you choose not to file within thirty days of being server, Default Judgment could be entered against you in favor of the Plaintiff.

To complete this form, you will need to:

1. Complete the caption of the Answer.
   a) County (insert county name).
   b) Judicial Circuit (insert circuit number). You may find your judicial circuit number on the Unified Judicial System court finder webpage.
   c) Plaintiff (insert your spouse's name).
   d) Defendant (insert your name).
   e) Enter the case number. If you are not aware of the case number, please contact the Clerk of Court.
2. Complete the remainder of the information on the lines provided throughout the form. Complete the Statement of Mailing and sign and date.
3. Complete a Case Filing Statement (UJS-232) with both your demographic information and your spouse's demographic information. Your social security number and date of birth are required when filing a divorce action with children.
4. File the original copies of each form listed above with the Clerk of Court along with the required $25 filing fee.
   a) If you cannot afford the $25 filing fee, please complete the Motion, Affidavit, and Order to Waive Filing Fee (UJS-022) and submit with the above forms in lieu of the $25.
5. Mail copies of the above documents to the Plaintiff.

STATE OF SOUTH DAKOTA IN CIRCUIT COURT

COUNTY OF_____ _____JUDICIAL CIRCUIT

_____ Plaintiff v. _____ Defendant	Case No.:_____ **ANSWER** **(WITH CHILDREN)** **AND STATEMENT OF MAILING**

The above-named Defendant's Answer to the Complaint with Minor Children as follows:

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

   _____

   _____

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

   _____

   _____

3. 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)

   _____

   _____

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. _____

_____

2. _____

_____

3. _____

_____

4. _____

_____

Dated this____ day of _____, 20____.

_____
Defendant Signature

_____
Defendant Name

_____
Defendant Address

_____
City, State, Zip Code

_____
Phone Number

STATEMENT OF MAILING ANSWER

WITH MINOR CHILDREN

I,_____the above-named Defendant, 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)

I declare under penalty of perjury under the law of South Dakota that the foregoing is true and correct.

*Signed on the*_____*day of* _____ , _____ *at* _____.
(Date) (Month) (Year) (City or other location, and State)

_____
Defendant Signature

_____
Defendant Name

_____
Defendant Address

_____
City, State, Zip Code

_____
Phone Number