

<p style="text-align: center;">_____ Plaintiff</p> <p style="text-align: center;">vs</p> <p style="text-align: center;">_____ Defendant</p>	<p>FILE NO: _____</p> <p style="text-align: center;">COMPLAINT (PATERNITY ACTION)</p>
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1. Father’s full legal name is _____ and his date of birth is _____.
2. Father is a resident of _____ County, State of _____.
3. Mother’s full legal name is _____ and her date of birth is _____.
4. Mother is a resident of _____ County, State of _____.
5. Mother’s full maiden name on the child(ren)’s birth certificate(s) is _____.
6. Is Father an active duty member of the armed forces? Yes _____ No _____
7. Is Mother an active duty member of the armed forces? Yes _____ No _____
8. Father and Mother were never married, but have _____ child(ren) born or adopted to them:

<u>Name of Child on Birth Cert.:</u>	<u>Date of Birth:</u>	<u>City, County, and State of Birth:</u>
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9. Father is the biological father of the above-named child(ren) as he has (*place an “X” next to all the statement(s) that apply*):

_____ Father has signed an Affidavit of Paternity agreeing he is the biological father of the above named child(ren) and the Affidavit complies with SDCL 25-8-50; **(attach a copy of the affidavit to this Complaint)**

_____ Submitted to a DNA test performed by a testing laboratory and with certified documentation that complies with SDCL 25-8-7.1 to 25-8-7.3, inclusive, verifying that he is the child(ren)'s biological father (**attach a copy of the documentation to this Complaint**);

_____ Father is listed as the natural father on the child(ren)'s birth certificate; and/or

_____ Father does not contest that he is the biological father of the above-named child(ren).

10. During the past five years the child(ren) have lived with the following persons at the times and places indicated below:

<u>Name of Person Living With:</u>	<u>County/State:</u>	<u>Dates:</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. There have / have not (*circle one*) been prior court proceedings regarding the parentage, custody, or support of the child(ren). If so, that action took place in _____ County, State of _____ in the year _____. **Attach all orders in those proceedings.**

12. Other than the parties, no one has ever had legal custody of any of these child(ren) except _____ (*if not applicable, write "none"*). **Attach all orders regarding custody of minor child(ren).**

13. In regards to custody, the Plaintiff alleges it would be in the best interests of the child(ren) as follows: (*Check one of the following*)

- Both parties are fit and proper persons to share the joint legal custody of the child(ren), with Plaintiff / Defendant (*circle one*) having primary physical custody, subject to reasonable visitation rights with Plaintiff / Defendant (*circle one*); or
- Plaintiff / Defendant (*circle one*) is the fit and proper person to have sole legal and physical custody of the minor child(ren), subject to visitation with the Plaintiff / Defendant (*circle one*) as follows: _____
_____; or

- Both parties are fit and proper persons to share the joint legal and physical custody of the minor child(ren), with the parents sharing the duties and responsibilities of parenting the child(ren), the child(ren) residing no less than 180 nights per calendar year in each parent's home and the parents dividing the expenses of the child(ren) in proportion to their incomes; or

Other _____

_____.

14. In regard to child support matters, including but not limited to daycare and health insurance, the Plaintiff requests the following:

- Child support has never been established and needs to be established in this action.
- Child support matters have been established and we do not wish to modify. ***Attach the current order regarding support of the minor child(ren).***

WHEREFORE, Plaintiff prays for Judgment as follows:

1. That Father be determined to be the legal father of the minor child(ren);
2. That legal and physical custody of the minor child(ren) as well as the parenting plan / visitation be established as requested herein;
3. That child support be established as requested herein; and
4. For such other and further relief as may be equitable and just.

Dated this _____ day of _____, 20_____.

Plaintiff's Signature

Print Name

Mailing Address

City, State, Zip

Telephone Number

