



STATE OF HAWAII FAMILY COURT FIRST CIRCUIT	<b>AFFIDAVIT OF PLAINTIFF</b> (FOR UNCONTESTED CIVIL UNION DIVORCE)	CASE ID/NUMBER
<p>3b. <input type="checkbox"/> <u>Certified or Registered Mail</u>: A filed copy of the <i>Complaint for Civil Union Divorce; Automatic Restraining Order; and Summons to Answer Complaint</i> were served upon Defendant by certified or registered mail. A <i>Statement of Mailing or Affidavit of Mailing</i> and an original return receipt signed by the Defendant on (Month/Day/Year) _____ have been filed. Plaintiff recognizes Defendant's signature on the return receipt.</p> <p>3c. <input type="checkbox"/> <u>Appearance and Waiver</u>: Defendant acknowledged receipt of a filed copy of the <i>Complaint for Civil Union Divorce, Automatic Restraining Order; and Summons to Answer Complaint</i>; and signed an <i>Appearance and Waiver</i> on (Month/Day/Year) _____. Plaintiff recognizes Defendant's signature on the <i>Appearance and Waiver</i>.</p> <p>3d. <input type="checkbox"/> <u>Publication</u>: The <i>Affidavit of Publication</i> was filed on _____. (Month/Day/Year)</p> <p>4. <b><u>Default:</u></b></p> <p>4a. <input type="checkbox"/> More than twenty (20) days have passed since the service of the <i>Complaint for Civil Union Divorce; Automatic Restraining Order; and Summons to Answer Complaint</i> upon Defendant. No responsive pleading has been filed. Neither Plaintiff nor Plaintiff's attorney has received any communication from Defendant or Defendant's attorney concerning this case since the <i>Complaint for Civil Union Divorce; Automatic Restraining Order; and Summons to Answer Complaint</i> was served.</p> <p>4b. <input type="checkbox"/> An order granting the <i>Motion for Entry of Default</i> was filed on _____. (Month/Day/Year)</p> <p>5. <b><u>Jurisdiction:</u></b></p> <p>5a. <input type="checkbox"/> Plaintiff was domiciled on the Island of Oahu, State of Hawaii, at the time of the filing of the <i>Complaint for Civil Union Divorce, Automatic Restraining Order; and Summons to Answer Complaint</i>.</p> <p>5b. <input type="checkbox"/> Plaintiff's civil union was solemnized on the Island of Oahu, State of Hawaii, and neither Plaintiff's and Defendant's resident State recognizes same sex marriage.</p> <p>6. Defendant resides in (City, State) _____.</p> <p>7. The parties <input type="checkbox"/> were married <input type="checkbox"/> entered into a valid civil union on _____ in (Month/Day/Year) _____ (City, State)</p>		



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15. Language Comprehension:

15a.  Plaintiff fully understands the English language.

15b.  Although Plaintiff does not fully comprehend written English, this document has been explained to him/her by \_\_\_\_\_ and based on that explanation Plaintiff understands this document.

16. Plaintiff requests that the court grant this divorce and enter the Decree without his/her appearance in court.

17. Plaintiff has read this document and signs it voluntarily and without coercion and duress and not because he/she was told to sign it.

18. Pregnancy

18a.  I am not pregnant.

18b.  I am pregnant and my expected date of delivery is (Month/Day/Year) \_\_\_\_\_.  
Defendant  is  is not the father of said child.

18c.  Defendant is not pregnant.

18d.  Defendant is pregnant and her expected date of delivery is (Month/Day/Year) \_\_\_\_\_.  
Plaintiff  is  is not the father of said child.

19. Child(ren)

19a.  Plaintiff and Defendant have no children together.

19b.  The parties have \_\_\_child(ren) together. The initials and birth year are listed below from the oldest to the youngest child: (including adult children).

Initials of Oldest to Youngest Child

Year of Birth


19c.  There is/are child(ren) conceived during this marriage or civil union who were fathered by someone other than my spouse. The child(ren)'s initial(s) and birthdate(s) are listed below:

	<u>Year of Birth</u>	<u>Judgment of Paternity entered?</u>	
<u>Child's Initials</u>		<u>Yes</u>	<u>No</u>
_____		[ ]	[ ]
_____		[ ]	[ ]
_____		[ ]	[ ]
_____		[ ]	[ ]
_____		[ ]	[ ]
_____		[ ]	[ ]

20. Prior or Pending Custody Proceedings

20a.  I have not participated in any capacity in any lawsuit or proceeding in any state concerning custody of the minor child(ren) of the Plaintiff and Defendant together. I have no information of any pending custody proceeding or of any person not a party to this proceeding who has physical custody or claims to have custody or visitation rights concerning any minor child(ren) of the Plaintiff and Defendant together.

20b.  Prior court case involving the subject child(ren):

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

Location (City, State) of Court: \_\_\_\_\_

Date (Month/Day/Year) Filed: \_\_\_\_\_

Date (Month/Day/Year) Concluded: \_\_\_\_\_

Type of Case: \_\_\_\_\_

20c.  Other pending court case involving the subject child(ren):

Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

Location (City, State) of Court: \_\_\_\_\_

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Date (Month/Day/Year) Filed: \_\_\_\_\_

Date (Month/Day/Year) Concluded: \_\_\_\_\_

Type of Case: \_\_\_\_\_

21. Plaintiff agrees to the custody arrangement and child support amounts as provided in the proposed *Civil Union Divorce Decree*.

22. Child Support

22a.  Plaintiff believes that the information provided in the completed Child Support Guidelines Worksheet is accurate to the best of the Plaintiff's knowledge and the proposed child support is consistent with the Child Support Guidelines Worksheet.

22b.  The proposed child support varies from the Child Support Guidelines Worksheet because of the following exceptional circumstance(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

23. Kids First

23a.  I attended the Kids First Program on \_\_\_\_\_.  
(Month/Day/Year)

23b.  I was excused by Judge \_\_\_\_\_ from attending the Kids First Program.

24. Other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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<p>Plaintiff declares that he/she understands that his/her signature under oath before a notary public is his/her solemn statement that he/she read this Affidavit and knows and understands the contents and that these statements are true, correct, and completed to the best of his/her knowledge and belief.</p>		
DATE	PLAINTIFF'S SIGNATURE (MUST BE SIGNED BEFORE A NOTARY PUBLIC)	
<p>Document Title: <u>  Affidavit of Plaintiff (for Uncontested Divorce/Civil Union Divorce)  </u></p> <p>Document Date: _____ Number of Pages: <u>  7  </u></p> <p>was subscribed and sworn to before me in the First Circuit, State of Hawaii by: _____</p> <p>Notary Public's Signature: _____</p> <p>Date: _____</p> <p>in the First Circuit, State of Hawaii.</p> <p>Print Notary Public's Name: _____</p> <p>My commission expires on: _____</p> <p style="text-align: right;">(Notary Seal)</p>		



If you need an accommodation for a disability when participating in a court program, service, or activity, please contact the ADA Coordinator as far in advance as possible to allow time to provide an accommodation: Call the ADA Coordinator of the First Circuit Family Court Office at (808) 954-8200, fax (808)954-8308, or send an e-mail to [adarequest@courts.hawaii.gov](mailto:adarequest@courts.hawaii.gov). The ADA Coordinator will work to provide, but cannot guarantee your requested auxiliary aid, service, or accommodation.

*Please call the Family Court Service Center at (808)954-8290 if you have any questions about forms or procedures.*