STATE OF HAWAII FAMILY COURT CIRCUIT	AFFIDAVIT OF PLAINTIFF (FOR UNCONTESTED DIVORCE)	CASE NUMBER FC-D NO.

_____ PLAINTIFF (Your Full Name) VS. _____ DEFENDANT (Your Spouse's Full Name)	This document is prepared by ☐ Plaintiff ☐ Atty. for Plaintiff _____ Name _____ _____ Address _____ City, State, Zip _____ Phone

STATE OF HAWAII

CITY AND COUNTY OF _____

Plaintiff in the above-entitled action, being first duly sworn on oath, deposes and says that:

1. Plaintiff's full name and address is:
_____
_____
_____
_____

2. Legal Representation:
2a. ☐ Plaintiff is representing him/herself.
2b. ☐ Plaintiff is represented by the attorney named above.

3. Service of process on Defendant was made by:
3a. ☐ Personal Service: A Proof of Service or Affidavit of Service has been filed showing that the Defendant was personally served with the Complaint and Summons on _____(Mo/Day/Yr) by a person authorized to serve of legal documents.
3b. ☐ Certified or Registered Mail: The Complaint and Summons was served upon Defendant by certified or registered mail. A Statement of Mailing or Affidavit of Mailing and an original return receipt signed by the Defendant on _____(Mo/Day/Yr) have been filed. Plaintiff recognizes Defendant's signature on the return receipt.
3c. ☐ Appearance and Waiver: Defendant acknowledged receipt of a filed copy of the Complaint and Summons and signed an Appearance and Waiver on _____(Mo/Day/Yr). Plaintiff recognizes Defendant's signature on the Appearance and Waiver.
3d. ☐ Publication: The Affidavit of Publication was filed on _____(Mo/Day/Yr).

4. ☐ **Default.**
4a. ☐ More than twenty (20) days have passed since the service of the Complaint and Summons on the 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 Complaint was served.
4b. ☐ An order granting the Motion for Entry of Default was filed on _____(Mo/Day/Yr).

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5. Jurisdiction: (Check all that apply)
   5a. ☐ Plaintiff had been domiciled or physically present on the Island of _____ for a continuous period of at least 3 months prior to the filing of the Complaint for Divorce.
   5b. ☐ Plaintiff had been domiciled or physically in the State of Hawaii for a continuous period of at least 6 months prior to the filing of the Complaint for Divorce.
   5c. ☐ Defendant has been domiciled or physically present in the State of Hawaii for a continuous period of at least 6 months prior to the filing of the Complaint for Divorce.

6. Defendant resides in (city, state) _____.

7. The parties were married on _____(Mo/Day/Yr).

8. The parties last lived together in (city, state) _____, on _____(Mo/Day/Yr).

9. Plaintiff believes that the marriage is irretrievably broken because:

   _____
   _____

10. Financial Statements:

   10a. Plaintiff signed Income and Expense and Asset and Debt Statements on _____(Mo/Day/Yr). To the best of Plaintiff's knowledge there have been no substantial changes in Plaintiff's financial circumstances since that date.

   10b. ☐ Defendant signed Income and Expense and Asset and Debt Statements on _____(Mo/Day/Yr) Plaintiff recognizes Defendant's signature on said documents.

   10c ☐ Defendant's Income and Expense Statement and Asset and Debt Statement are not filed because:

   _____
   _____

11. Plaintiff has carefully reviewed the proposed decree and agrees to the alimony, division of property and other provisions as provided in the proposed decree.

12. Plaintiff signed the proposed decree. ☐ Plaintiff recognizes Defendant's signature on the decree.

13. Wife wishes to resume the use of her ☐ birth surname ☐ former married name and be known as:
   _____.

14. Husband wishes to resume the use of his ☐ birth surname ☐ former married name and be known as:
   _____.

15. Language Comprehension:
   15a. ☐ Plaintiff fully understands the English language.
   15b. ☐ Although Plaintiff does not fully understand 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.

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18. Pregnancy:
    18a. ☐ Wife is not pregnant.
    18b. ☐ Wife is pregnant and her expected date of delivery is _____(Mo/Day/Yr). Husband ☐ is ☐ is not the father of said child.

19. Child(ren):
    19a. ☐ Plaintiff and Defendant have no children together.
    19b. ☐ The parties have _____ children together. The complete name and birthdate of each are listed as follows from the oldest to the youngest child (including adult child(ren)).

Name	Date of Birth
_____	_____(Mo/Day/Yr)
_____	_____(Mo/Day/Yr)
_____	_____(Mo/Day/Yr)
_____	_____(Mo/Day/Yr)
_____	_____(Mo/Day/Yr)
_____	_____(Mo/Day/Yr)

    19c. ☐ There is/are child(ren) conceived during the marriage fathered by someone other than husband. Their name(s) and date of birth is/are listed as follows:

Name	Date of Birth	Judgement of Paternity Entered
_____	_____(Mo/Day/Yr)	☐ Yes ☐ No
_____	_____(Mo/Day/Yr)	☐ Yes ☐ No

20. Prior or Pending Custody Proceedings:
    20a. ☐ I have not participated in any capacity in any law suit or proceeding in any state concerning custody of any of the minor children 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 children of the Plaintiff and Defendant together.
    20b. ☐ Prior court case involving the subject children:
    Case Name: _____
    Case Number: _____
    Location of Court: _____
    Date Filed: (Mo/Day/Yr) _____
    Date Concluded: (Mo/Day/Yr) _____
    Type of Case: _____
    20c. ☐ Other court case involving the subject children which is still pending:
    Case Name: _____
    Case Number: _____
    Location of Court: _____
    Date Filed: (Mo/Day/Yr) _____
    Date Concluded: (Mo/Day/Yr) _____
    Type of Case: _____

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21. ☐ Plaintiff agrees to the custody arrangement and child support amounts as provided in the proposed 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 proposed child support is consistent with the Child Support Guidelines Worksheet.
    22b. ☐ Proposed child support varies from the Child Support Guidelines Worksheet because of the following exceptional circumstances: _____
    _____
    _____
    _____
    _____
    _____

23. Kids First:
    23a. ☐ I attended the Kids First II Program (Wednesday Night) on _____(Mo/Day/Yr).
    23b. ☐ I was excused by Judge _____ from attending the Kids First II Program.

24. ☐ Other: _____
    _____
    _____
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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 complete to eh best of his/her knowledge and belief.

PLAINTIFF'S SIGNATURE

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE: IN _____, Hawaii	NOTARY PUBLIC'S SIGNATURE STATE OF HAWAII	MY COMMISSION EXPIRES:

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