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**SUPREME COURT OF THE STATE OF NEW YORK**

Index No.: \_\_\_\_\_

**COUNTY OF STEUBEN COUNTY**

-----X  
Jane Doe

Plaintiff,

-against-

John Doe

Defendant.  
-----X

Date Summons filed: \_\_\_\_\_

Plaintiff designates  
Steuben County  
as the place of trial

*The basis of venue is:*  
Plaintiff's Residence

**SUMMONS**

*Plaintiff resides at:*  
1234 Main St.  
Anywhere, New York 12345

**ACTION FOR A DIVORCE**

*To the above named Defendant:*

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer on Jane Doe, the Plaintiff, within twenty (20) days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or within thirty (30) days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated \_\_\_\_\_

Jane Doe, Plaintiff  
Address:  
1234 Main St.  
Anywhere, New York 12345  
Phone No.: (222) 555-7777

(Form UD-1a)

**SUPREME COURT OF THE STATE OF NEW YORK**

**COUNTY OF STEUBEN COUNTY**

-----X  
Jane Doe

Plaintiff,

-against-

John Doe

Defendant.  
-----X

Index No.: \_\_\_\_\_

**VERIFIED COMPLAINT**

**ACTION FOR DIVORCE**

Plaintiff herein complaining of the Defendant, John Doe, alleges:

**FIRST:** The Plaintiff and Defendant are over the age of 18 years.

**SECOND:** I, Plaintiff, have lived in New York State for a continuous period in excess of one year and my spouse and I were married in New York State.

**THIRD:** The Plaintiff and the Defendant were married on the date of 1/1/2003 in Anycity in Steuben, New York.

**FOURTH:** There is 1 child of the marriage under the age of twenty-one (21), namely:

Name and Social Security Number  
John Doe Jr (876-54-3210)

Date of Birth  
6/1/2003

Address  
123 Main St.  
Anycity, NY 12345

The Plaintiff's address is 1234 Main St., Anywhere, New York 12345 and social security number is 123-45-6789.

The Defendant's address is 123 Main St, Anycity, New York 12345 and social security number is 987-65-4321.

The parties are covered by the following group health plans:

Plaintiff  
Group Health Plan: Big Health Group  
Address: 987 South St

Identification Number: 123456789  
Plan Administrator: James Smith  
Type of Coverage: Health

Defendant  
Group Health Plan: Erie Insurance  
Address: 654 East Main St  
Ithaca, New York 12345

Identification Number: 982548956  
Plan Administrator: Sally Burke  
Type of Coverage: Health

**FIFTH:** The grounds for divorce are \*Conversion (i.e. Separation Agreement, plus

Voluntary Separation for at least one year).

**SIXTH:** There is no judgment in any court for a divorce in favor of either party and against the other and no other matrimonial action for divorce between the parties is pending in any court of competent jurisdiction.

**SEVENTH:** The marriage was performed by a clergyman, minister or by a leader of the Society for Ethical Culture.

To the best of my knowledge I have taken all steps solely within my power to remove any barrier to the Defendant's marriage.

WHEREFORE, Plaintiff demands judgment against the Defendant as follows: A judgment dissolving the marriage between the parties and any other relief the court deems fitting and proper.

Dated \_\_\_\_\_

Plaintiff: \_\_\_\_\_

Address:

1234 Main St.

Anywhere, New York 12345

Phone: (222) 555-7777

STATE OF NEW YORK, COUNTY OF STEUBEN COUNTY ss:

I am the Plaintiff in the within action for a divorce. I have read the foregoing complaint and know the contents thereof. The contents are true to my own knowledge except as to matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.

Sworn to before me on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Notary Public

(Form UD-2)

**SUPREME COURT OF THE STATE OF NEW YORK**

**COUNTY OF STEUBEN COUNTY**

-----X  
Jane Doe

Index No.: 123456789

Plaintiff,  
-against-

**AFFIDAVIT OF SERVICE**

John Doe

Defendant.  
-----X

\_\_\_\_\_ being duly sworn, says:

1. I am not a party to the action, I am over 18 years of age and reside at:

\_\_\_\_\_

2. On \_\_\_\_\_, 19 \_\_\_\_, at \_\_\_\_ a.m./p.m. at \_\_\_\_\_

I served the Summons and Verified Complaint on John Doe, the Defendant named, by delivering a true copy of the Summons and Verified Complaint to the Defendant personally.

In Addition I served a copy of the Child Support Standards Chart.

3. The notice required by the Domestic Relations Law, Section 232 -- "ACTION FOR A DIVORCE" -- was legibly printed on the face of the summons served on the Defendant.

4. I knew the person so served to be the person described in the summons as the Defendant. My knowledge of the Defendant and how I acquired it is as follows: (select one)

I have known the defendant for \_\_\_\_\_ years and \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I identified the Defendant by a photograph annexed to this affidavit and which was given to me by the Plaintiff

Plaintiff accompanied me and pointed out the Defendant.

I asked the person served if he was the person named in the summons and Defendant admitted being the person so named.

5. Deponent describes the individual served as follows:

Sex                      Height                      Weight                      Age                      Skin Color                      Hair Color

**SUPREME COURT OF THE STATE OF NEW YORK**

**COUNTY OF STEUBEN COUNTY**

-----X  
Jane Doe

Index No.: 123456789

Plaintiff,  
-against-

**AFFIDAVIT OF DEFENDANT  
IN ACTION FOR DIVORCE**

John Doe

Defendant.  
-----X

State of New York, County of Steuben County ss:

John Doe being duly sworn in, says:

I am the Defendant in the within action for divorce, and I am over the age of 18. I reside at \_\_\_\_\_.

1. I admit service of the Summons and Verified Complaint for divorce on \_\_\_\_\_ based upon the following grounds: DRL Section 170(6) living apart one year after execution of a separation agreement.
2. I appear in this action; however, I do not intend to respond to the summons or answer the complaint, and I waive the twenty (20) or thirty (30) day period provided by law to respond to the summons or answer the complaint. I waive the forty (40) day waiting period to place this matter on the calendar, and I hereby consent to this action being placed on the uncontested divorce calendar immediately.
3. I am not a member of the military service of this stat, any other state or this nation

**OR**

I am aware of my rights under the New York State Soldiers' and Sailors' Civil Relief Act; however, I consent that this matter be placed on the Uncontested Matrimonial calendar and waive any rights I may have under the Act.

4a. I waive the service of all further papers in this action except for a copy of the final Judgment of Divorce.

**OR**

b. I request service of the following documents *Note of Issue, Request for Judicial Intervention, Barriers to Remarriage Affidavit, Proposed Judgment of Divorce, Proposed Findings of Facts and Conclusions of Law, Notice of Settlement, Qualified Medical Child Support Order, and any other proposed orders.*

5. I am not seeking equitable distribution *other than what was already agreed to in a written stipulation.* I understand that I may be prevented from further asserting my right to equitable distribution.

6. I will take or have taken all steps solely within my power to remove any barriers to the Plaintiff's remarriage.

7a. I am not the custodial parent of the child(ren) of the marriage.

**OR**

b. I am the custodial parent of the unemancipated child(ren) entitled to receive child support pursuant to DRL Section 236(B)(7)(b),

**AND**

(1) I request child support services through the Support Collection Unit which would authorize collection of the support obligation by the immediate issuance of an income execution for support enforcement.

**OR**

(2) I am in receipt of such services through the Support Collection Unit.

**OR**

(3) I have applied for such services through the Support Collection Unit.

**OR**

(4) I am aware of but decline such services through the Support Collection Unit at this time. I am aware that an income deduction order may be issued pursuant to CPLR Section 5242(c) without other child support enforcement services and that payment of an administrative fee may be required.

\*If (1) or (4) is selected the following information must be included on a separate information sheet (Form UD-8a): Name, date of birth, address and social security number of each party, date and place of marriage, names and dates of birth of the children; and name and address of employer of the payor (non-custodial parent).

Sworn to before me on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Notary Public

(Form UD-7)

**SUPREME COURT OF THE STATE OF NEW YORK**

**COUNTY OF STEUBEN COUNTY**

-----X  
Jane Doe

Plaintiff,

Index No.: 123456789

-against-

**AFFIDAVIT OF PLAINTIFF**

John Doe

Defendant.  
-----X

STATE OF NEW YORK, COUNTY OF STEUBEN COUNTY ss:

Jane Doe being duly sworn, says:

1. I am the Plaintiff in the within action and both the Defendant and I are over the age of 18 years. I reside at 1234 Main St., Anywhere, New York 12345 and my social security number is 123-45-6789.

2. The Defendant resides at 123 Main St, Anycity, New York 12345 and his social security number is 987-65-4321.

3. I, Plaintiff, have lived in New York State for a continuous period in excess of one year and my spouse and I were married in New York State.

4. I married the Defendant on 1/1/2003 in the City of Anycity, County of Steuben, State of New York.

The marriage was performed by a clergyman, minister or by a leader of the Society for Ethical Culture.

To the best of my knowledge I have taken all steps solely within my power to remove any barrier to the Defendant's marriage.

5. There is 1 child of the marriage:

<u>Name and Social Security Number</u>	<u>Date of Birth</u>
John Doe Jr (876-54-3210)	6/1/2003

The present address of each child and all other places where each child has lived within the last five (5) years is as follows:

<u>Child</u>	<u>Present Address</u>
John Doe Jr	123 Main St. Anycity, Ny 12345



**REQUEST FOR JUDICIAL INTERVENTION**

**UNCONTESTED DIVORCE**

**SUPREME COURT OF THE STATE OF NEW YORK**

**COUNTY OF STEUBEN COUNTY**

-----X  
Jane Doe

Plaintiff,  
-against-

John Doe

Defendant.  
-----X

\_\_\_\_\_  
FOR CLERK USE ONLY

\_\_\_\_\_  
IAS ENTRY DATE

\_\_\_\_\_  
JUDGE ASSIGNED

\_\_\_\_\_  
RJI DATE

\_\_\_\_\_  
RJI NUMBER

NATURE OF JUDICIAL INTERVENTION - EX PARTE APPLICATION FOR THE DISSOLUTION OF MARRIAGE

**ATTORNEY(S) FOR PLAINTIFF:**

Name	Address	Phone No.
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**ATTORNEY(S) FOR DEFENDANT:**

Name	Address	Phone No.
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Parties appearing without an attorney should enter information in the space provided above the attorneys

**RELATED CASES: If none, write "NONE" below)**

<u>Title</u>	<u>Index#</u>	<u>Court</u>	<u>Nature of Relationship</u>
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I affirm under penalty of perjury that, to my knowledge, other than as noted above, there are and have been no related actions or proceedings, nor has a request for judicial intervention previously

At the *Matrimonial/IAS* Part \_\_\_\_\_  
of New York State Supreme Court at  
the Courthouse, Steuben County  
County, on \_\_\_\_\_

Present:  
Hon. *Justice/Referee*

**SUPREME COURT OF THE STATE OF NEW YORK**

**COUNTY OF STEUBEN COUNTY**

-----X  
Jane Doe

Plaintiff,

-against-

John Doe

Defendant.  
-----X

Index No.: 123456789

Calendar No.: 65432

**FINDINGS OF FACT AND**

**CONCLUSIONS OF LAW**

The issues of this action have been submitted to me as one of the *Justices/Referee* of this Court at Part \_\_\_\_\_ hereof, held in and for the County of Steuben County on \_\_\_\_\_, and having considered the allegations and proofs of the respective parties, and due deliberation having been had thereon.

NOW, after reading and considering the papers submitted, I do hereby make the following findings of essential facts which I deem established by the evidence and reach the following conclusions of law.

**FINDINGS OF FACT**

**FIRST:** Plaintiff and Defendant were both eighteen (18) years of age or over when this action was commenced.

**SECOND:** I, Plaintiff, have lived in New York State for a continuous period in excess of one year and my spouse and I were married in New York State.

**THIRD:** The Plaintiff and Defendant were married on the date of 1/1/2003 in the city of Anycity, County of Steuben, State of New York; in a religious ceremony.

**FOURTH:** That no decree, judgment or order of divorce, annulment or dissolution of marriage has been granted to either party against the other in any Court of competent jurisdiction of this state or any other state, territory or country, and that there is no other action pending for divorce by either party against the other in any Court.

**FIFTH:** That this action was commenced by filing the Summons and Verified Complaint with the County Clerk on September 9, 2003. Defendant was served personally with the above stated pleading on September 9, 2003. Defendant appeared and waived his right to answer.

**SIXTH:** That Defendant is not in the military service of the United States of America, the

State of New York, or any other state.

**SEVENTH:** There is 1 child of the marriage. Their name(s), social security number(s), address(es) and date(s) of birth are:

<u>Name and Social Security Number</u>	<u>Date of Birth</u>	<u>Present Address</u>
John Doe Jr (876-54-3210)	6/1/2003	123 Main St. Anycity, NY 12345

**EIGHTH:** The grounds for divorce that are alleged in the Verified Complaint were proved as follows:

**Living Separate and Apart Pursuant to a Separation Agreement (DRL Section 170(6)):**

(a) That the Plaintiff and Defendant entered into a written agreement of separation, which the subscribed and acknowledge on January 1, 2003, in the form required to entitle a deed to be recorded; and

(b) that the agreement was filed in the Office of the Clerk of the County of Steuben County, wherein Plaintiff resided; and

(c) that the parties have lived separate and apart for a period of one year or longer after the execution of said agreement; and

(d) that the Plaintiff has substantially complied with all terms and conditions of such agreement.

**NINTH:** A sworn statement pursuant to DRL 253 that Plaintiff has taken all steps within his or her power to remove all barriers to Defendants remarriage following the divorce was served on the Defendant.

**TENTH:** The Plaintiff's address is 1234 Main St., Anywhere, New York 12345, and social security number 123-45-6789. The Defendant's address is 123 Main St, Anycity, New York 12345, and social security number is 987-65-4321.

The parties are covered by the following group health plans:

Plaintiff  
Group Health Plan: Big Health Group  
Address: 987 South St  
  
Identification Number: 123456789  
Plan Administrator: James Smith  
Type of Coverage: Health

Defendant  
Group Health Plan: Erie Insurance  
Address: 654 East Main St  
Ithaca, New York 12345  
Identification Number: 982548956  
Plan Administrator: Sally Burke  
Type of Coverage: Health

The Court has determined that the [ ] *Plaintiff* OR [ ] *Defendant* shall be the legally responsible relative and that the unemancipated child shall be enrolled in *his/her* group health plan as specified above until the age of 21 years.

**ELEVENTH:** The \_\_\_\_\_ Court entered the following order(s) under Index No(s)/Docket No(s):

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At the *Matrimonial/IAS* Part \_\_\_\_\_  
of New York State Supreme Court at  
the Courthouse, Steuben County  
County, on \_\_\_\_\_

Present:  
Hon. *Justice/Referee*

**SUPREME COURT OF THE STATE OF NEW YORK**

**COUNTY OF STEUBEN COUNTY**

-----X  
Jane Doe

Plaintiff,

-against-

John Doe

Defendant.

-----X

Index No.: 123456789

Calendar No.: 65432

Social Security No.: 123-45-6789

**JUDGMENT OF DIVORCE**

This action was submitted to [ ] *the referee* OR [ ] *this court* for consideration this  
day of \_\_\_\_\_.

The Defendant was served personally inside the State of New York.

Plaintiff presented a Summons and Verified Complaint and Affidavit of Plaintiff  
constituting facts of the matter.

The Defendant has appeared and waived his right to answer.

The Court accepted proof on non-military status.

The Plaintiff's address is 1234 Main St., Anywhere, New York 12345, and social security  
number 123-45-6789. The Defendant's address is 123 Main St, Anycity, New York 12345, and  
social security number is 987-65-4321.

Now on motion of Jane Doe, Plaintiff, it is:

**ORDERED AND ADJUDGED** that the Referee's Report, if any, is hereby confirmed; and  
it is further

**ORDERED AND ADJUDGED** that the marriage between Jane Doe, plaintiff, and John  
Doe, defendant, is hereby dissolved by reason that the parties having lived separate and apart  
pursuant to a Separation Agreement dated January 1, 2003 in compliance with the provisions of  
DRL Section 170(6); and it is further

**ORDERED AND ADJUDGED** that the Settlement Agreement entered into between the  
parties on the January 1, 2003, a copy of which is on file with this Court and incorporated herein  
by reference, shall survive and shall not be merged into this judgment, and the parties are hereby  
directed to comply with all legally enforceable terms and conditions of said agreement as if such  
terms and conditions were set forth in their entirety herein, and this Court retains jurisdiction of

this matter concurrently with the e Family Court for purposes of specifically enforcing such of the provisions of said Agreement as are capable of specific enforcement to the extent permitted by law with regard to maintenance, child support, custody, and or visitation, and of making such further judgment as it finds appropriate under the circumstances existing at the time application for that purpose is made to it, or both; and it is further

**ORDERED AND ADJUDGED** that all future matters concerning child support are hereby referred tot he appropriate Family Court. All future matters concerning custody, visitation, maintenance, the interpretation, enforcement and/or modification of this Judgment of Divorce shall be retained by this court for (2) years from the date of signing of this judgment. Thereafter, all matters shall be referred to the appropriate family court except equitable distributions.

**ORDERED AND ADJUDGED** that both parties are authorized to resume the use of any former surname, and it is further

**ORDERED AND ADJUDGED** that Plaintiff is authorized to resume use for the prior surname Jane Sara Rowe

**ORDERED AND ADJUDGED** that Defendant shall be served with a copy of this judgment, with notice of entry, by the Plaintiff within \_\_\_\_\_ days of such entry.

Dated \_\_\_\_\_

ENTER:

\_\_\_\_\_  
*J.S.C./Referee*

\_\_\_\_\_  
CLERK

(Form UD-11)