

Name _____
(Defendant's name, address, and telephone number)

Address _____

Telephone _____

Defendant, *Pro Se*

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION—FAMILY PART

_____ COUNTY
(County where complaint is filed)

DOCKET NO. FM _____
(Docket number of complaint)

Name: _____ Plaintiff
vs.
Name: _____ Defendant

CIVIL ACTION
**ANSWER AND
COUNTERCLAIM
FOR
DIVORCE/DISSOLUTION
Based on Desertion**

The defendant, _____, residing at

(Defendant's name)

(Defendant's address)

_____ County, State of _____, by way of answer to the

plaintiff's complaint says:

1. I _____ the allegations contained in paragraph 1.
(Admit/deny)
2. I _____ the allegations contained in paragraph 2.
(Admit/deny)
3. I _____ the allegations contained in paragraph 3.
(Admit/deny)
4. I _____ the allegations contained in paragraph 4.
(Admit/deny)

5. I _____ the allegations contained in paragraph 5.
(Admit/deny)
6. I _____ the allegations contained in paragraph 6.
(Admit/deny)
7. I _____ the allegations contained in paragraph 7.
(Admit/deny)
8. I _____ the allegations contained in paragraph 8.
(Admit/deny)

WHEREFORE, defendant demands judgment dismissing plaintiff's complaint together with interests and costs of suit.

COUNTERCLAIM FOR DIVORCE/DISSOLUTION
Based on Desertion

1. The defendant entered into a lawful _____ with the plaintiff,
(Marriage/civil union)
_____, on _____ in a _____
(Plaintiff's name) (Date of the marriage/ civil union) (Civil or religious)
ceremony performed by _____.
(Name of person performing ceremony)

2. The plaintiff deserted the defendant on or about _____,
(Date on which plaintiff deserted you)
ever since which time and for more than 12 consecutive months, plaintiff has willfully and continuously deserted the defendant.

3. At the point at which plaintiff had deserted defendant for 12 consecutive months, defendant was a *bona fide* resident of the State of New Jersey. Since that date, and for more than one year before the date of filing of this counterclaim, defendant has continued to be a *bona fide* resident of this state.

4. At the point at which plaintiff had deserted defendant for 12 consecutive months, defendant lived at _____
(Defendant's address at the time that plaintiff had deserted him/her for 12 months)
City of _____, County of _____, State of New Jersey.

5. The plaintiff, _____, resides at
(Plaintiff's name)

(Plaintiff's address)

6. (Check the appropriate statement below and fill in information where applicable)

___ A. No children were born or adopted during this _____.
(Marriage/civil union)

___ B. The following children were born or adopted during this

(Marriage/civil union)

(Name)

(Birth date)

(Name)

(Birth date)

(Name)

(Birth date)

(Name)

(Birth date)

___ C. An order for child support was entered on _____
(Date of original order)

under docket number _____
(Docket number of child support case)

7. The plaintiff and defendant in the matter within have been parties to the following prior actions:

(List any other court cases where you or your spouse/civil union partner are involved in a lawsuit, such as cases for adoption, bankruptcy, personal injury, child support, custody, domestic violence, etc.)

A. _____
(Caption or title of case) (Docket number)

B. _____
(Caption or title of case) (Docket number)

C. _____
(Caption or title of case) (Docket number)

D. _____
(Caption or title of case) (Docket number)

WHEREFORE, defendant demands judgment:

(Check the appropriate statement below and fill in information where applicable)

___ A. Dissolving the _____ between the parties;
(Marriage/civil union)

___ B. Ordering that all debts and assets be equitably distributed between
the parties;

___ C. Ordering that plaintiff pay child support to defendant;

___ D. Ordering that defendant have physical custody of/be the parent of
primary custody for the minor children;

___ E. Ordering that plaintiff pay alimony to defendant;

___ F. Permitting defendant to assume the use of the name of

(The name that you would like to assume after your divorce/dissolution)

___ G. Granting such further relief as the Court may deem just and equitable.

(Defendant's signature)

(Defendant's name printed) Defendant, *Pro Se*

Dated _____
(Date on which defendant signs this document)

CERTIFICATION OF VERIFICATION AND NON-COLLUSION PURSUANT TO

R. 4:5-1

1. I am the defendant in the foregoing counterclaim.
2. The allegations of the counterclaim are true to the best of my knowledge, information and belief. The counterclaim is made in truth and good faith and without collusion for the causes set forth therein.
3. The matter in controversy in the within action is not the subject of any other action pending in any court or of a pending arbitration proceeding, nor is any such court action or arbitration proceeding presently contemplated. There are no other persons who should be joined in this action at this time.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

(Defendant's signature)

Defendant, *Pro Se*

(Defendant's name printed)

Dated _____
(Date on which defendant signs this document)

The undersigned hereby certifies that this pleading was served within the time permitted by the New Jersey Court Rules.

(Defendant's signature)

Defendant, *Pro Se*

(Defendant's name printed)