

STATE OF VERMONT

SUPERIOR COURT
Unit

FAMILY DIVISION
Case No. _____

Plaintiff Name	V.	Defendant Name
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SUMMONS AND COMPLAINT FOR ANNULMENT

Plaintiff Information:

Name: _____ Date of Birth: _____
Street Address: _____ City/State/Zip: _____
Mailing Address (if different from Street Address): _____
City/State/Zip: _____ Email Address: _____
Daytime Phone: _____ Evening Phone: _____
Attorney Name: _____ Attorney Phone: _____

Defendant Information:

Name: _____ Date of Birth: _____
Street Address: _____ City/State/Zip: _____
Mailing Address (if different from Street Address): _____
City/State/Zip: _____ Email Address: _____
Daytime Phone: _____ Evening Phone: _____
Attorney Name: _____ Attorney Phone: _____

SUMMONS

THIS SUMMONS IS DIRECTED TO: _____
Name of Defendant

1. PLAINTIFF _____ **IS SEEKING AN ANNULMENT.**
Name of Plaintiff

The Plaintiff's Complaint begins on page 3. Do not throw these papers away. They are official papers that affect your rights.

- 2. TO PROTECT YOUR RIGHTS, YOU SHOULD REPLY WITHIN 21 DAYS.** Your written response is called an Answer. You can get an official court form for an Answer to an Annulment Complaint at any Vermont Family Court or on the Judiciary web site at: <http://www.vermontjudiciary.org>
- 3. YOU MUST RESPOND TO EACH CLAIM.** In your Answer, you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything requested in the Complaint, you should say so in your Answer.
- 4. IF YOU DO NOT FILE AN ANSWER OR FILE AN APPEARANCE, THE COURT IS NOT REQUIRED TO NOTIFY YOU OF HEARINGS.** If you do not attend the court hearings, the Plaintiff may receive everything requested in the Complaint. You will not get a chance to tell your side of the story.

5. **YOU MUST GIVE OR SEND A COPY OF YOUR ANSWER TO THE PLAINTIFF.** If the Plaintiff has an attorney, you must give or send a copy of your Answer to the Plaintiff's attorney.
6. **YOU MUST GIVE OR SEND YOUR ORIGINAL ANSWER TO THE COURT at this address:**
7. **LEGAL ASSISTANCE:** You may wish to get help from a lawyer. Even if you cannot get legal help, you must still give the Court a written Answer to protect your rights.

Dated

Signature of Court Clerk

COMPLAINT FOR ANNULMENT

Note: Circumstances under which an annulment can be granted are limited. It is recommended that you seek legal advice before filing. You can obtain information from the Clerk's office or visit our website at www.vermontjudiciary.org.

FACTS

The Plaintiff states that the following facts are true:

1. Residence:

A. I am now a resident of _____, _____.
(County) (State)

☐ I have resided in Vermont for 6 full months.

B. Defendant is now a resident of _____, _____.
(County) (State)

☐ Defendant has resided in Vermont for 6 full months.

2. Marriage:

We were married at _____, _____ on _____ and are still married.
(County) (State) (MM/DD/YYYY)

3. Grounds for Annulment (check all that apply): The reason I am asking for an annulment is that at the time of the marriage:

- ☐ Plaintiff ☐ Defendant was under the age of 16
☐ Plaintiff did not freely consent to the marriage (was forced or tricked)
☐ Plaintiff was mentally incapable or was incompetent to consent to the marriage
☐ Plaintiff ☐ Defendant was physically incapacitated
☐ Plaintiff ☐ Defendant was still legally married to someone else OR
☐ the parties have one of the following relationships:
(a) parent and child (c) grandparent and grandchild
(b) siblings (d) uncle/aunt and niece/nephew

4. Minor Children of the Parties:

A. ☐ We do not have any minor children of our marriage. (If this box is checked, skip to #6.)

B. ☐ We have children of our marriage who are either younger than 18 years old or are 18 years old and still in high school. Include born or adopted children.

Name of Child

Date of Birth

5. UCCJEA Jurisdiction: Information required under 15 V.S.A. §1071

A. During the last five years, the children listed above have lived at the following addresses with the following household members: *(begin with the child's residence just before this case started and list all addresses for the past 5 years.)*

Address <i>(Street, City, State)</i>	Dates <i>(From when to when)</i>	Name of All Persons Living in the Household with the Child
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

Use an additional page if you need more space. If children have lived at different addresses from each other, please indicate the addresses for each child.

B. If the current address of any household member listed in the last column is different from the address listed above, please provide a current address for that person.

C. Please check the box below if the statement next to it is true. For each box you check, please explain your answer on another page.

- ☐ I have participated as a party, witness, or in some other way in a court case about the custody of this child or these children in Vermont or another state.
- ☐ I have information about a case concerning this child or these children that is now pending in a Vermont court or a court in another state.
- ☐ I have knowledge about a person who is not a party to this case who has physical custody of this child or these children or who claims to have custody of or visitation rights to this child or these children.

6. Property, Assets and Debts: I have listed all of the property, assets and debts that my spouse and I own either together or separately that are known to me, in the Financial Affidavit that I am filing with this Complaint (form 400-00813B).

7. Public Assistance:

- ☐ I receive assistance from the Division of Economic Services.
- ☐ The Defendant receives public assistance from the Division of Economic Services.

8. Earlier actions for divorce, legal separation, dissolution, annulment:

- ☐ I have not filed for divorce, legal separation, dissolution or annulment in any court against the Defendant, as far as I know, the Defendant has not filed for divorce, legal separation, dissolution or annulment against me.
- ☐ I have filed, OR the Defendant has filed for divorce, legal separation, dissolution or annulment before the date of the filing of this petition *(If you check this box, you must fill in the information below. Use an additional page if necessary.)*

Type of Action	Who Filed	Where Filed <i>(Court, County, State)</i>	Year Filed
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>

Please attach a copy of any Court Order issued in a case listed above.

9. Relief from abuse or protective order proceeding:

- ☐ I have not filed a complaint for relief from abuse or a request for a protective order against the Defendant AND, as far as I know, the Defendant has not filed such an action against me.
- ☐ I have filed a complaint for relief from abuse or a request for a protective order against the Defendant OR the Defendant has filed a complaint for relief from abuse or a request for a protective order against me. *(If you check this box, you must fill in the information below. Use an additional page if necessary.)*

Type of Action

Who Filed

Where Filed

Year Filed

(Court, County, State)

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Please attach a copy of any Court Order issued in a case listed above.

10. Military Service:

- ☐ The Defendant is in the military service.
- ☐ The Defendant is not in the military service.
- ☐ I am in the military service.
- ☐ I am not in the military service.

REQUEST FOR RELIEF

- ☐ **1. I ask that the Family Court grant me a decree of Nullity**
- ☐ **2. Parental Rights and Responsibilities**
- Legal parental rights and responsibilities**
- ☐ Shared jointly
- ☐ Given solely to ☐ Myself ☐ Defendant
- Physical parental rights and responsibilities**
- ☐ Shared jointly
- ☐ Given solely to ☐ Myself ☐ Defendant
- ☐ **3. Parent Child Contact for:** ☐ Myself ☐ Defendant
- ☐ **4. Child support, medical support and/or maintenance supplement.**
- ☐ **5. Division of Property (divide our property, assets and debts)**
- ☐ **6. Spousal Maintenance (Alimony)**
- ☐ **7. Court costs**
- ☐ **8. Attorney fees**
- ☐ **9. Name change: I would like to resume my former name of _____.**

I declare that the above statement is true and accurate to the best of my knowledge and belief. I understand that if the above statement is false, I will be subject to the penalty of perjury, or other sanctions in the discretion of the court.

Dated _____

Signature of Plaintiff

Printed Name