

Instructions for Answer (With or Without Minor Children)

*****This form may be completed by the Defendant in a divorce action*****

An Answer is a written response by the Defendant to the Complaint to protect the Defendant's rights. If the Defendant chooses to file an Answer, he/she must file the Answer with the Clerk of Courts and serve it on the Plaintiff within 30 days after Defendant is served with the Summons and Complaint. If an Answer is not filed, the court may grant the Plaintiff everything requested in the Complaint and the judge will enter a decree of divorce in default. **The Defendant is not required to file an Answer if he or she agrees with everything in the Complaint.**

- Complete the top portion of the Answer (the "caption") just as it appears in the Summons and Complaint.
- Answer or complete paragraphs 1-4. **You must respond to each and every paragraph of the Complaint for Divorce. (You must Admit, Deny, Partially Admit or Deny, or state you Do Not Have Enough Information to Answer.)**
- You must date and sign the Answer and provide your address and telephone number.
- Complete the **Verification** portion. **Do not fill out the verification until you are in the presence of a notary public or clerk of court. Make sure to bring identification to show the notary public or clerk of court. A notary public can usually be found at the bank and sometimes at the courthouse.**

WARNING: By signing your name, you are telling the court that you are telling the truth and that you have a good faith reason for your requests. If you are not telling the truth, if you are misleading the court, or if you are serving or filing this document for an improper purpose, the court could find you in contempt or you could be prosecuted for not telling the truth.

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF _____)

IN CIRCUIT COURT
_____ JUDICIAL CIRCUIT

<p>_____, Plaintiff, vs. _____, Defendant</p>	<p>DIV _____</p> <p>ANSWER (WITH OR WITHOUT MINOR CHILDREN)</p>
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Defendant answers the Complaint as follows:

1. I **AGREE** with the following paragraphs of the Complaint for Divorce:

2. I **DISAGREE** with the following paragraphs of the Complaint for Divorce:

3. I either **PARTIALLY Agree or Disagree** with the following paragraphs of the Complaint for Divorce: _____

4. I **DO NOT HAVE ENOUGH INFORMATION** to either agree or disagree with the following paragraphs of the Complaint for Divorce: _____

Dated _____, _____

Defendant's Signature

Print or type name

Street Address

City, State, Zip

Telephone Number

*If you wish to explain your answers to the previous statements please use the space below.
If you do not wish to explain your answers further, omit this page when you submit your **Answer**
to the Clerk of Courts.*

1.

2.

3.

4.

VERIFICATION

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF _____)

Defendant, being first duly sworn, deposes and states that he or she verifies the facts expressed within the Answer are true.

Dated _____, _____.

Defendant's Signature

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public/Clerk of Courts

If Notary, my commission expires: _____

(SEAL)