

## 1. SUMMONS WITH NOTICE (Form UD-1):

This form is used when commencing an action for divorce without a Verified Complaint. **The Notice of Automatic Orders, Notice of Guideline Maintenance if the divorce was commenced on or after 1/25/16, and Child Support Standards Chart if applicable must, and the Notice Concerning Continuation of Health Care Coverage should, be served with the Summons with Notice. Note: if your action was commenced before January 25, 2016, the Maintenance Guidelines Law will not apply.**

Field 1: Put the index number in the space provided.

Field 2: Print the county in which you are bringing this action. Because the law has recently changed, you must choose a county where you or your spouse or a minor child of the marriage resides, unless any of those addresses is not a matter of public record or subject to an existing confidentiality order.

Field 3: Print the date the summons was filed.

Field 4: The same as field 2.

Field 5: Print the Plaintiff's name.

Field 6: The basis of venue is why this case may be heard in the county you have brought the action. Because the law has recently changed, the basis of venue must be CPLR 515.

Field 7: Provide the addresses of Plaintiff and Defendant on the lines provided.

Field 8: Print Defendant's name.

Field 9: Check the appropriate box.

Field 10: Print the date you prepared the summons.

Field 11: Check the appropriate box.

Field 12: List your attorney's address and telephone number. If you do not have an attorney, list your name, address and telephone number.

Field 13: Fill in the appropriate subdivision number and the grounds for divorce as indicated at the bottom of the form (see pages 3-5 in this booklet). Check with your local clerk's office if you need additional information on where to learn about the grounds for divorce.

**Field 14: “Ancillary” or Other Relief:** If you are asking for *other relief in addition to your request for a divorce*, this other relief must be listed in this section as “ancillary relief.” Examples include but are not limited to custody, visitation, child support, equitable distribution of specific property from the marriage, maintenance, counsel and/or experts fees, orders of protection, pension benefits, use of a former last name, exclusive occupancy of the marital residence, and a request for transfer of title to the marital residence (whether a house, cooperative apartment or condominium apartment). If there are unemancipated children of the marriage (see the definition on page 7), child support must be listed in this section. You should also list any presently existing court orders (including the docket /case/index number) that you wish to be continued. (Note: when minor children of the marriage reside in New York State, custody must be determined). You should also list any stipulations or agreements that you have made in writing with the Defendant that you wish to become a part of the judgment. If you are waiving the distribution of marital property or if marital property is being distributed pursuant to an agreement/stipulation, check the appropriate box. If you are not seeking maintenance as described in the Notice of Guideline Maintenance *other than what was already agreed to in a written agreement/stipulation*, or if you seek maintenance as described in the Notice of Guideline Maintenance, check the appropriate box. If you would be the party with greater income, you should leave both boxes blank. Note: do not check these boxes if your action was commenced before January 25, 2016 because the Maintenance Guidelines Law will not apply. If your action was commenced before that date, and if you seek maintenance, instead include your request on the Lines for “Ancillary” or Other Relief at Field 14 together with your reasons. The court will decide your request in its discretion after considering certain factors. If you are not requesting “Ancillary” or Other Relief, check the appropriate box.

**Important Note:** *If you do not ask for a type of “Ancillary” or Other Relief in this section, you may be giving up your rights to things you may be entitled to.*