

Filing Fee Paid (\$100.00): [] YES [] NO

**IN THE TRIBAL DISTRICT COURT
OF THE PRAIRIE BAND POTAWATOMI NATION
11444 158TH ROAD, MAYETTA, KS, 66509**

Name of Petitioner/Plaintiff

v

Name of Respondent/Defendant

Case Number: _____

**PETITION FOR DISSOLUTION OF
MARRIAGE WITH CHILDREN**

STATEMENTS MADE TO THE COURT, UNDER OATH:

1. INFORMATION ABOUT ME, THE PETITIONER:

Name: _____

Address: _____

Home Phone # _____ Work Phone # _____

Date of Birth: _____ Social Security Number: _____

I am Native American and an enrolled member of the _____ tribe.

I am not a Native American.

2. INFORMATION ABOUT, MY SPOUSE, THE RESPONDENT:

Name: _____

Address: _____

Home Phone # _____ Work Phone # _____

Date of Birth: _____ Social Security Number: _____

Spouse is a Native American and an enrolled member of the _____ tribe.

Spouse is not a Native American.

3. INFORMATION ABOUT MARRIAGE: Date of Marriage: _____ City & State or Country where married: _____

4. CHILDREN OF THE PARTIES WHO ARE LESS THAN 18 YEARS OLD (attach additional sheet if needed):

i) Child's Name _____

Social Security No. _____ Birthdate: _____

Address: _____

Length of Time at Address: _____

ii) Child's Name _____

Social Security No. _____ Birthdate: _____

Address: _____

Length of Time at Address: _____

iii) Child's Name _____

Social Security No. _____ Birthdate: _____

Address: _____

Length of Time at Address: _____

5. PREGNANCY:

- Wife is not pregnant, **OR**
- Wife is pregnant and the baby is due on _____(date), (and, check one box below):
 - The petitioner and respondent are the parents of the child, **OR**
 - Petitioner is not the parent of the child, **OR** Respondent is not the parent of the child.

6.a. COMMUNITY PROPERTY: (check one box)

- My spouse and I did not acquire any community property during the marriage, **OR**
- My spouse and I acquired community property during our marriage, and we should divide it as follows:

	Petitioner	Respondent	Value
Real Estate Located at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Legal Description: _____			
Household furniture and appliances:	Petitioner	Respondent	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Household furnishings:	Petitioner	Respondent	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Other Items:	Petitioner	Respondent	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Pension/retirement fund/profit Sharing/stock plan/401K:	Petitioner	Respondent	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Motor vehicles:	Petitioner	Respondent	Value
Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model _____			
VIN _____			
Lien Holder _____			
	Petitioner	Respondent	Value
Make _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model _____			
VIN _____			
Lien Holder _____			

6.b. SEPARATE PROPERTY: (check all boxes that apply.)

- I do not have any property that I brought into the marriage or separate property.
- We have separate property. I want this property awarded as described below:

Description of Separate Property	Petitioner	Respondent	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

7.a. COMMUNITY DEBTS: (check one box)

- My spouse and I do not incur any community debts during the marriage, **OR**
- We should divide the responsibility for the debts incurred during the marriage as follows:

Description of debt	Petitioner	Respondent	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

7.b. SEPARATE DEBTS: (check one box)

- My spouse and I do not have any debts that were incurred prior to the marriage or separate debt, **OR**
- We have separate debt or debt incurred prior to the marriage that should be paid as described below:

Description of debt	Petitioner	Respondent	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

8. SPOUSAL MAINTENANCE (ALIMONY) (check the box that applies to you):

- Neither party is entitled to spousal support (alimony) **OR**
- Petitioner **OR** Respondent is entitled to spousal support because: (state your reasons as to why spousal support should be ordered) _____

9. OTHER STATEMENTS TO THE COURT UNDER OATH: To file for divorce, you must be able to tell the Court that the following statements are true. If the statements are not true, you cannot file for divorce until the statements are true. Check the box in front of each statement if the statement is true.

TRUE I have resided within the boundaries of Prairie Band Potawatomi Nation’s Reservation for at least six (6) months immediately preceding the filing of this petition, in accordance with PBPLOC, §7-2-2.

TRUE My marriage is irretrievably broken and there is not reasonable prospect of reconciliation. My marriage is over and should be dissolved in accordance with the PBP Law and Order Codes, Section 7-2-3 for the following reason(s): (check reason that applies)

- a. abandonment;
- b. adultery;
- c. pregnancy by another, other than husband and husband was ignorant thereof at the time of the marriage;
- d. extreme cruelty;
- e. gross neglect of duty;
- f. habitual drunkenness;
- g. incompatibility;
- h. by mutual consent of the parties

TRUE This court has jurisdiction to hear this matter and to decide child custody matters.

REQUESTS TO THE COURT:

A. **Dissolve this marriage and return each party to the status of a single person;**

B. NAMES: Restore wife to her former name of _____
NOTE: §7-2-10 When a divorce is granted, the wife shall be restored to her maiden name if she so desires, however, the retention of her married name must be with consent of the other party.

C. CHILD CUSTODY:

Child(ren) currently reside with Petitioner **OR** Respondent

I request that the court award custody and visitation of the children common to the parties, and less than 18 years as follows: (check either the sole custody box or the joint custody box.)

SOLE CUSTODY of the minor child(ren) awarded to Petitioner **OR** Respondent, subject to visitation as set out below:

JOINT CUSTODY: Petitioner and Respondent agree to act as joint custodians of the child(ren), subject to visitation as set out below:

D. CHILD VISITATION:

Reasonable visitation rights to the parent not having residential custody.
 Supervised visitation between the children and the Petitioner OR Respondent is in the best interest of the children because. Explain the reasons for supervision. Use extra paper if necessary.)

Name of person who will supervise: _____

No visitation rights to the parent not having custody is in the best interests of the child(ren). Explain the reasons for no visitation. Use extra paper if necessary.

E. CHILD SUPPORT: Order that child support will be paid by: Petitioner, OR Respondent in a reasonable amount as determined by the Court. Support payments will begin on the first day of the first month following the entry of the divorce decree.

F. INSURANCE AND HEALTH CARE EXPENSES FOR CHILD(REN):

Order that Petitioner, OR Respondent will pay for the health, medical, and dental insurance coverage for the child(ren) common to the parties and under the age of 18 years. Petitioner and Respondent will pay for all reasonable unreimbursed medical, dental, and health-related expenses incurred for the child(ren) in proportion to their respective incomes.

G. TAX EXEMPTION: The parties will claim the children as income tax dependency exemptions on federal and state income tax returns as follows:

Parent entitled to claim	Name of child	Current tax year	Later tax years
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____
<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent	_____	_____	_____

H. SPOUSAL SUPPORT (ALIMONY): Order spousal support to be paid by Petitioner, **OR** Respondent in the amount of _____ per month beginning with the first day of the month after the Judge signs the Decree and continuing until the person receiving spousal support is remarried or deceased, or for _____ months.

I. COMMUNITY PROPERTY: Make a fair division of all community property.

J. COMMUNITY DEBTS: Order each party to pay community debts as requested in the Petition, and to pay any other community debts unknown to the other party. Order each party to pay and hold the other party harmless from debts incurred by him or her since the parties separation on (date): _____ or the date the Respondent was served with the Petition for Dissolution.

K. SEPARATE PROPERTY AND DEBT: Award each party his or her separate property and make each party pay his or her own separate debt.

L. OTHER ORDERS THAT I AM REQUESTING (explain request here):

OATH AND VERIFICATION OF PETITIONER:

State of Kansas)
County of _____) ss.

I, the Petitioner, being duly sworn and under oath, state that I have read this Petition. All the statements in the Petition are true, correct, and complete to the best of my knowledge and belief.

SIGNED: _____
Petitioner's Signature

SUBSCRIBED and SWORN to before me this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

**IN THE TRIBAL DISTRICT COURT
OF THE PRAIRIE BAND POTAWATOMI NATION
11444 158TH ROAD, MAYETTA, KS, 66509**

Name of Petitioner

Case Number: _____

v

MOTION FOR TEMPORARY ORDERS WITH CHILDREN

Name of Respondent

- Check all that apply:
 For Spousal Support
 For Property and/or Debt
 For Child Custody/Visitation
 For Child Support
 Other: _____

REQUIRED INFORMATION, UNDER OATH:

1. **INFORMATION ABOUT THE PETITION FOR DISSOLUTION/PETITION FOR PATERNITY.** (You cannot file a Petition for Temporary Orders unless you or your spouse have filed or will file at the same time you file this paperwork all the paperwork for a divorce or paternity petition)
 - A. Date Petition for Dissolution of Marriage/Petition for Paternity was filed: _____
 - B. Name of Court where Petition was filed: _____
2. **INFORMATION ABOUT OTHER TEMPORARY ORDERS.** To the best of my knowledge, no temporary orders regarding these matters have been entered in any other court, and no court proceedings are pending for temporary orders. **Check this box if this statement is true. If it is not true, do not check the box, do not file this paperwork and see a lawyer for help.**

THIS IS WHAT I WANT THE COURT TO ORDER: Check the box in front of each item that you want. If you do not want the court to enter an order for that item, do not check the box.

3. **SPOUSAL SUPPORT:** An order requiring my spouse to pay a reasonable sum for spousal support as determined by the Affidavit of Financial Information I am submitting with this Petition.
4. **MEDICAL INSURANCE AND/OR COSTS:** An order requiring my spouse to provide medical and dental insurance for me and for our children, at no cost to me, OR to pay all the medical and dental expenses reasonably incurred by me for myself and our minor children.
5. **PROPERTY:** An order granting the exclusive use and possession of the following property:
 - A. To me (list property):

 - B. To my spouse (list property):

6. **DEBTS:** An order requiring payment of debts, until further order of this court, as follows (attach additional pages if necessary):

A. Debts to be paid by me:
DEBT

AMOUNT

TO WHOM OWED

B. Debts to be paid by spouse:

DEBT	AMOUNT	TO WHOM OWED
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. [] INFORMATION ABOUT OUR CHILD(REN):

Name _____	Name _____
Social Security No. _____	Social Security No. _____
Birth date: _____	Birth date: _____
Address: _____	Address: _____
Father: _____	Father: _____
Mother: _____	Mother: _____

Name _____	Name _____
Social Security No. _____	Social Security No. _____
Birth date: _____	Birth date: _____
Address: _____	Address: _____
Father: _____	Father: _____
Mother: _____	Mother: _____

Name _____	Name _____
Social Security No. _____	Social Security No. _____
Birth date: _____	Birth date: _____
Address: _____	Address: _____
Father: _____	Father: _____
Mother: _____	Mother: _____

8. [] CHILD CUSTODY: The temporary care, custody and control of the minor child(ren) common to or adopted by me and my spouse is to be awarded to [] me (Petitioner) OR TO [] my spouse (Respondent).

9. Children currently reside with (List length of time and circumstances): [] Petitioner [] Respondent **OR** [] Other (name and address) _____

10. [] VISITATION: Temporary visitation with the child(ren) as follows (be specific):

[] **Transportation.** [] Mother or [] Father shall pick up the child(ren).
[] Mother or [] Father shall return the child(ren).

[] **WEEKENDS** (explain specifically) _____

[] **SUMMER MONTHS** (explain specifically) _____

[] **HOLIDAYS AND BIRTHDAYS** (explain specifically) _____

[] **TELEPHONE CALLS** (explain specifically) _____

[] **OTHER:** (explain specifically) _____

11. [] CHILD SUPPORT: An order requiring my spouse to pay me a reasonable sum for child support as determined by the current guidelines for child support in the amount of \$_____ per month.

12. [] **BASIS FOR REQUEST:** (check the box if you want child support, spousal support, or medical insurance premiums paid or reimbursed.) This request is based on the best interests of the minor child(ren), and/or on my inability to support the minor child(ren) and/or my self or maintain this action without financial assistance from my spouse, and because my spouse refuses to voluntarily provide support for the family.

13. [] **OTHER REASONS AND/OR REQUESTS:** (Please explain here in detail what else if anything you want the judge to order on a temporary basis and why you need the order): _____

REQUESTS TO THE COURT, UNDER OATH:

- 1. To enter a temporary order granting for what I requested
- 2. For any other orders of the Court that are just.

OATH AND VERIFICATION:

State of Kansas)
County of _____) ss.

I, being duly sworn and under oath, state that I have read this Motion. All the statements in the Motion are true and correct and complete to the best of my knowledge and belief.

Signed: _____

Subscribed and Sworn to before me this _____ day of _____, 20_____.

Notary Public: _____

[seal]

My Commission Expires: _____

A \$100.00(non-refundable) Filing Fee plus applicable services fees are due upon filing of this Petition.