

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

Name of Petitioner

Case Number: _____

Name of Respondent

**PETITION FOR DISSOLUTION OF
MARRIAGE WITHOUT CHILDREN**

STATEMENTS MADE TO THE COURT, UNDER OATH:

1. INFORMATION ABOUT ME, THE PETITIONER:

Name: _____

Address: _____

Date of Birth: _____ Social Security Number: _____

Home Phone Number: _____ Cell Phone Number: _____

Where Employed / Job Title: _____

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: _____

Date of Birth: _____ Social Security Number: _____

Home Phone Number: _____ Cell Phone Number: _____

Where Employed / Job Title: _____

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

Spouse is not a Native American.

3. INFORMATION ABOUT MY MARRIAGE:

Date of Marriage: _____ City & State or Country where married: _____

4.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: _____			

	Petitioner	Respondent	Value
Household furniture and appliances: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

	Petitioner	Respondent	Value
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_____	<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 _____			

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

- I do not have any property that I brought into the marriage or separate property.
- My spouse, the Respondent does not have any property that he or she brought into the marriage or separate property.
- I have property that I brought into the marriage or I have separate property. I want this property awarded to me as described below.
- My spouse, the Respondent, has property that he or she brought into the marriage or has separate property. I want this property awarded to my spouse as described below:

List the property and the value of the property, and check the box to tell the Court who should get the property.)

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

5.a. COMMUNITY DEBTS (a debt that is chargeable to the community of husband and wife rather than to either individually): (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"/>	\$ _____

5.b. SEPARATE DEBTS: (check all boxes that apply.)

- My spouse and I do not have any debts that were incurred prior to the marriage or separate debt, **OR**
- I have separate debt or debt that I incurred prior to the marriage that should be paid by me as described below.
- My spouse has separate debt or debt that he or she incurred prior to the marriage that should be paid by my spouse as described below:

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

6. TAX RETURNS: (check this box if this is what you want.)

After the Judge signs the Decree of Dissolution of Marriage (Divorce), we will pay federal and state taxes as follows: For previous years (the years we were married, not including the year the Decree was signed), the parties will file joint federal and state income tax returns. In addition, for previous calendar years, both parties will pay and hold the other harmless from 1/2 of all additional income taxes if any and other costs, and each will share equally in any refunds. For the calendar year (the year that the Decree is signed) and all future calendar years, each party will file separate federal and state income tax returns. Each party will give the other party all necessary documentation to do so.

7. 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: (check one or more of the box(es) below that apply.)
 - Person lacks sufficient property to provide for his or her reasonable needs;
 - Person is unable to support himself or herself through appropriate employment;
 - Person is the custodian of a child(ren) whose age or condition is such that the person should not be required to seek employment outside the home;
 - Person lacks earning ability in the labor market adequate to support himself or herself;
 - Person contributed to the educational opportunities of the other spouse or had a marriage of long duration and is now of an age that precludes the possibility of gaining employment adequate to support himself or herself.

8. 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.

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 My marriage is irretrievably broken and there is no 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.

REQUESTS TO THE COURT:

A. DISSOLUTION (DIVORCE):

Dissolve our 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 Restoration of Wife’s Maiden Name - 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 other party.

C. 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.

D. COMMUNITY PROPERTY: Make a fair division of all community property as requested in this Petition.

E. 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.

F. SEPARATE PROPERTY AND DEBT:

Award each party his or her separate property and make each party pay his or her own separate debt.

G. 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 _____, 20____.

Notary Public

My Commission Expires: _____

***A \$100.00(non-refundable) filing fee** must be paid at the time of filing

*Return Petition to: PBP Tribal Court, 11444 158th Rd, Mayetta, KS 66509