

**IN THE DISTRICT COURT FOR THE KAW NATION  
KAW CITY, OKLAHOMA**

In the Matter of the Marriage of            )  
  )  
\_\_\_\_\_  
  )            Case No. DIV-20 . \_\_\_\_\_  
  )            )  
Petitioner,                                        )  
  )            )  
and    )  
  )  
\_\_\_\_\_  
  )            )  
  )            )  
Respondent.                                     )  
  )

**PETITION FOR DIVORCE WITH CHILDREN**

COMES NOW the Petitioner and Petitions the Kaw Nation District Court for a Dissolution of Marriage. The Petitioner alleges that the marriage is in a state of incompatibility and is irretrievably broken and the parties are not likely to reconcile, thereby requesting that a divorce be granted in accordance with Kaw Nation Code. For his/her cause of action against the Respondent, he/she states and alleges the following:

1. That the  Petitioner  Respondent is an enrolled member of the Kaw Nation;

OR

The  Petitioner  Respondent has resided within the Kaw Tribal Jurisdiction for more than a three (3) month period preceding the filing of this Petition;

OR

That the  Petitioner  Respondent is an enrolled member of \_\_\_\_\_ a federally recognized tribe or band of Indians and has consented to the Court's jurisdiction;

AND

2. That the Petitioner is requesting a Dissolution of Marriage due to  irreconcilable differences  adultery  extreme cruelty  abandonment and/or  habitual intemperance; and
3. That the Petitioner is \_\_\_\_\_ years of age,  is  is not employed and resides at \_\_\_\_\_ and has resided there for \_\_\_\_\_  months  years; and
4. That the Respondent is \_\_\_\_\_ years of age,  is  is not employed and resides at \_\_\_\_\_ and has resided there for \_\_\_\_\_  months  years; and
5. That the parties were married on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ in the State of \_\_\_\_\_; and
6. That the parties have been separated since the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_; and
7. There were \_\_\_\_\_ child(ren) born of the marriage:
  - a. \_\_\_\_\_(name), a  male  female child born on \_\_\_\_\_ (mm/dd/yyyy), and  is  is not eligible for enrollment with a federally recognized Tribe; and
  - b. \_\_\_\_\_(name), a  male  female child born on \_\_\_\_\_ (mm/dd/yyyy), and  is  is not eligible for enrollment with a federally recognized Tribe; and
  - c. \_\_\_\_\_(name), a  male  female child born on \_\_\_\_\_ (mm/dd/yyyy), and  is  is not eligible for enrollment with a federally recognized Tribe; and

- d. \_\_\_\_\_(name), a  male  female child born on \_\_\_\_\_ (mm/dd/yyyy), and  is  is not eligible for enrollment with a federally recognized Tribe; and
- e. \_\_\_\_\_(name), a  male  female child born on \_\_\_\_\_ (mm/dd/yyyy), and  is  is not eligible for enrollment with a federally recognized Tribe; and
8. At the time of filing this Petition there are no other children expected of this marriage:  no  yes, expected due date: \_\_\_\_\_; and
9. That at the time of filing this Petition the child(ren) currently reside with the  Petitioner  Respondent  Other: \_\_\_\_\_ at \_\_\_\_\_; and
10. That at the time of filing this Petition there  is  is not an ongoing case that includes the child(ren) listed in the Petition; Type of case:  custody  guardianship  protection order; Date issued: \_\_\_\_\_; Case no: \_\_\_\_\_; and
11. That the Petitioner is a fit and proper person to have  joint custody  sole custody and control of the said minor child(ren) of the parties; and
12. That the Respondent  is  is not a fit and proper person to have joint care, custody and control of the said minor child(ren) of the parties and that the Court order  joint custody and visitation  sole custody and determine if visitation is appropriate; and
13. That the Respondent should not share joint custody and visitation because of the following:

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14. That the Respondent has the ability to seek and gain meaningful employment and  is employed  is not employed and that they should be ordered and directed to make temporary payments of child support for the maintenance and support of the child(ren) named in this Petition; and

15. That the Petitioner and/or Respondent be ordered to submit an application and cooperate with the Kaw Nation Child Support Division to determine appropriate child support; and

16. That this portion of the Petitioner's Petition shall be construed as their application for orders for  joint custody and visitation  sole custody and determine if visitation is appropriate and temporary child support of the minor child(ren) of the parties; and

17. That the Petitioner  is  is not requesting spousal support to be paid in an amount and duration deemed appropriate; and

18. That the Petitioner requests use of the  marital home and/or  family vehicle during the pendency of this action; and

19. That the following debts have incurred during the course of this marriage and should be divided as follows:

Creditor:	Amount:	Awarded to:
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\_\_\_\_\_ \$ \_\_\_\_\_  Petitioner  Respondent  
 \_\_\_\_\_ \$ \_\_\_\_\_  Petitioner  Respondent  
 \_\_\_\_\_ \$ \_\_\_\_\_  Petitioner  Respondent  
 \_\_\_\_\_ \$ \_\_\_\_\_  Petitioner  Respondent  
 \_\_\_\_\_ \$ \_\_\_\_\_  Petitioner  Respondent

(Attach a separate sheet of paper if more room is needed)

20. That the following property has been acquired during the course of this marriage and should be divided as follows:

Name/Type of Property:	Awarded to:
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

(Attach a separate sheet of paper if more room is needed)

21. The Petitioner wishes to  resume married name  restore last name to: \_\_\_\_\_; and

22. The Kaw Nation has jurisdiction and is the proper place of venue for this matter pursuant to the Constitution of the Kaw Nation; and

WHEREFORE, the Petitioner prays for a final decree of divorce on the grounds of incompatibility; a fair and equitable division of the property and debts of the marriage between the parties; order custody of the minor child(ren) and permanent child support; and for such other relief as the Kaw Nation District Court deems equitable and just.

\_\_\_\_\_  
Petitioner's Printed Name

**VERIFICATION**

STATE OF OKLAHOMA    )  
COUNTY OF \_\_\_\_\_ )

I, \_\_\_\_\_, do solemnly swear that I am the Plaintiff and that the contents and facts herein are true and correct.

\_\_\_\_\_  
Plaintiff's Signature

SUBSCRIBED AND SWORN to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public

Commission expires on: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

