

**IN THE TRIBAL DISTRICT COURT
FOR THE KICKAPOO TRIBE OF OKLAHOMA
P.O. BOX 1310
MCCLOUD, OK 74851
(405)964-4136**

NOTICE: If you are married to a non-Indian, please be advised that pursuant to Divorce, Chapter B, Article 2, a non-Indian must agree to this court's jurisdiction, either by coming before the Judge or by filing a written notarized response with the court. If you choose to file your case here and your spouse does not stipulate to the Court's jurisdiction, your case will be dismissed and you will forfeit your filing fee.

I have read and understood the foregoing Notice. _____
Initials Date

INSTRUCTIONS

1. This form is being provided to you to file a **PETITION FOR DIVORCE**. The Court Clerk's Office is not allowed to advise you on the petition and should you need further assistance in filling it out, you may want to seek the advice of an attorney **AT YOUR OWN EXPENSE**. This court **DOES NOT HAVE** a Legal Aid Department to assist you.
2. Please type or print the information in ink.
3. You will need to submit a copy of your C.D.I.B. card.
4. The filing fee for this action is \$25.00, if you are a Kickapoo Tribe of Oklahoma tribal member. If you are a member of another federally recognized tribe the filing fee is \$50.00.
5. The payment must be paid in a form of a money order or cashier's check made payable to the "**Kickapoo Tribal Court**". **NO CASH OR PERSONAL CHECKS WILL BE ACCEPTED.**
6. Your spouse must be served with a copy of the Petition so you must provide a complete address for the defendant, including the zip code. Without this information, service cannot be obtained and can delay your action. Obtaining the address is **YOUR** responsibility.

COURT CLERK'S OFFICE HOURS ARE: 8:00 a.m – 5:00 p.m.

(Open Monday through Friday; Closed Weekends and All Federal Holidays)

NO FILINGS ACCEPTED AFTER 4:30 P.M.

**FOR THE KICKAPOO TRIBE OF OKLAHOMA
P.O. BOX 1310 MFCLOUD, OKLAHOMA 74851**

_____,)
Plaintiff,) FC-_____
v.)
_____,)
Defendant,)

PETITION FOR DIVORCE

COMES NOW the plaintiff, _____, and files this verified Petition for Divorce against the defendant, _____, in the Kickapoo Tribal Court. and alleges and states under oath that the following information is true and correct.

1. That the Kickapoo Tribe District has jurisdiction to her hear and decide this _____ matter according to the Kickapoo Family and Divorce Ordinance, Chapter B, Article 2 Jurisdiction, because the plaintiff/defendant currently reside(s) on Indian trust land and has resided there for more than 90 days prior to the filing of this petition and said address is _____

_____ That neither party resides on trust land.

2. _____ That the Kickapoo Tribal Court has personal jurisdiction to hear and decide this matter because the plaintiff is an enrolled member of the _____ Tribe and plaintiff's address is _____; and the defendant is an enrolled member of the _____ Tribe and defendant's address is _____;

_____ That the plaintiff is a non-Indian and plaintiff's address is _____ and the defendant is an enrolled member of the Kickapoo Tribe of Oklahoma and defendant's address is _____;

_____ That the plaintiff is an enrolled member of the Kickapoo Tribe of Oklahoma and plaintiff's address is _____; and the defendant is a non-Indian and defendant's address is _____.

3. _____ That the plaintiff and defendant were legally/common law married at _____, State of _____, on the _____ day of _____, _____.

4. _____ That the plaintiff is _____ years old and his/her occupation is _____ and that she/he has lived in Indian Country for _____ months/years and the defendant is _____ years old and his/her occupation is _____ and that he/she has lived in Indian Country for _____ months/years.

5. _____ That of the marriage _____ child (ren) have/has been born, namely:

Names:	Dates of Birth
_____	_____
_____	_____
_____	_____
_____	_____

6. _____ That the plaintiff/defendant is not pregnant:

_____ That the plaintiff/defendant is pregnant and the birth of said child expected on or about the _____ day of _____, 20_____, and that the father of said child is _____.

7. _____ That the parties have lived separately and apart for at least _____ days prior to the filing of this petition;

_____ That a serious marital discord exists and there is no reasonable prospect of reconciliation.

8. _____ That the plaintiff does not need a restraining order;

_____ That he plaintiff needs a restraining order because the plaintiff fears the defendant may attempt to harm, harass or molest the plaintiff. Describe what has happened to cause the need for an order of restraint: _____

9. _____ That the parties have not accumulated any property that needs to be divided by the Court.

_____ That the parties have acquired certain property either by real estate and/or personal that needs to be divided by the court in that the plaintiff should receive the following:

_____ and the defendant should receive the following:

10.
_____ That the parties have not acquired any debts that need to be addressed by the court.
11.
_____ That the plaintiff/defendant is a fit and proper person to have custody of the minor child (ren) of the parties;
12.
_____ That the plaintiff/defendant should have visitation with the minor child (ren) at reasonable times and places;
_____ That the plaintiff/defendant should have visitation with the minor child (ren) on a supervised basis;
_____ That the plaintiff/defendant should have visitation with the minor child (ren) according to the following schedule _____.
13.
_____ That the plaintiff/defendant should be ordered and directed to make child support payments in the amount of \$ _____ per month per child.
_____ That no child support be ordered because there are no children of the marriage;
_____ That no child support be ordered because the children of the marriage have reached the age of majority.
14.
_____ That the plaintiff/defendant should not be required to pay spousal support to the plaintiff/defendant
_____ That the plaintiff/defendant should be required to pay spousal support to the plaintiff /defendant in the amount of \$ _____ per month until plaintiff/defendant remarries or until further of the court.
15.
_____ That the plaintiff/defendant should be restored to her former name of _____.
_____ That the plaintiff/defendant should not be restored to her former name.
16.
_____ That no other divorce action has been filed by either the plaintiff of any other defendant in any other state or tribal court as of this date;
_____ That another divorce action has been filed in another court in _____ County, _____, Oklahoma and that said case number is _____.

WHEREFORE, premises considered, the plaintiff prays the upon hearing this cause the Court grant and award the plaintiff a decree of divorce from the defendant and any and all relief requested herein and such other further relief as to which the plaintiff is entitled.

Plaintiff

Address: _____

VERIFICATION

I, _____, being duly sworn to tell truth and being of lawful age 18 years of age, hereby states that I have prepared and read the attached petition and verify that all of the factual allegations contained in the petition are in fact true and correct to the best of my knowledge and belief, under penalty of perjury.

Plaintiff

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

(SEAL)

Court Clerk