

**IN THE TRIBAL DISTRICT COURT
FOR THE PONCA TRIBE OF OKLAHOMA**
Trial Division
Ponca City, Oklahoma

Plaintiff,	}	
	}	
	}	Case No. _____
	}	
v.	}	
	}	
Defendant.	}	

VERIFIED PETITION FOR DISSOLUTION OF MARRIAGE

COMES NOW the plaintiff, _____, and files this verified petition for the dissolution of the marriage between the plaintiff and defendant _____, in the Tribal District Court for the Ponca Tribe and alleges and states under oath that the following information is true and correct:

1. That the Tribal District Court of the Ponca Tribe of Oklahoma has subject matter jurisdiction to hear and decide this matter according to 25 C.F.R., Section 11.606 because the plaintiff or defendant currently resides on Indian trust land at the following street address: _____
_____ and has lived there for more than 90 days, since _____.

2. That the Tribal District Court of the Ponca Tribe of Oklahoma has personal jurisdiction to hear and decide this matter according to 25 C.F.R., Section 11.103 because the plaintiff stipulates to the jurisdiction of the court and:

The plaintiff is an enrolled member of the _____ Tribe or Nation with a mailing address of _____; and the defendant is an enrolled member of the _____ Tribe or Nation with a mailing address of _____.

or: The plaintiff is a non-Indian with a mailing address of _____; and the defendant is an enrolled member of the _____ Tribe or Nation with a mailing address of _____.

or; The plaintiff is an enrolled member of the _____ Tribe or Nation with a mailing address of _____; and that the defendant is a non-Indian who stipulates to the jurisdiction of this court with a mailing address of _____.

3. That the parties hereto were married on or about the ___ day of ____, 20__, at _____ (insert location or address where marriage is registered), by common law marriage, **or** ceremonial marriage (attach marriage license or certificate as an exhibit) and the following information about the parties is true and correct:

Plaintiff:

OCCUPATION	Date of Birth	Residence Address	Indian land? (yes or no)	Length of Residence at address indicated
_____	_____	_____	_____	_____

Defendant:

OCCUPATION indicated	Date of Birth	Residence Address	Indian land? (yes or no)	Length of Residence at address indicated
_____	_____	_____	_____	_____

4. That of the marriage _____ (insert number of children or "no") children have been born as follows:

Child's Name	Date of Birth	Mother's Name	Father's Name
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- 1.
- 2.
- 3.
- 4.
- 5.

(attach additional pages if additional space is needed)

5. That the plaintiff/defendant is is not pregnant at this time. If yes, the birth of said child is expected on or about the ___ day of ____, 20__. The father of said child is _____, an Indian or non-Indian of the _____ Tribe and his mailing address is _____ (must be filled in).

6. That as grounds for dissolution of the marriage, the plaintiff alleges that the marriage is irretrievably broken because:

the parties have lived separately and apart for 180 days (since _____) before the date that this petition is filed.

Or there is a serious marital discord adversely affecting the attitude of one or both of the parties toward the marriage, and there is no reasonable prospect of reconciliation.

7. That the plaintiff:

does not need a restraining order against the defendant,

Or

requests that a restraining order be issued, and notifies the court that a Motion for a Restraining Order has been, or will be filed, in this action by the plaintiff because the plaintiff fears that the defendant may attempt to remain in or return to the residence of plaintiff to harm, harass, and molest the plaintiff and/or any minor child(ren) listed above, and that plaintiff and said child(ren) will thereby be caused to suffer physical and mental anguish and emotional distress as a result of the defendant's actions. (NOTE: Plaintiff must file a separate Motion for a Restraining Order stating the grounds for the order before it will be issued from the court).

8. That during the period of the marriage, the parties have:

not accumulated any land, buildings or other personal property that should be divided by the court.

or

acquired the following interests in land and/or buildings (real property) which should be divided by the court (attach all deeds, MHO agreements, leases, or other evidence of land ownership).

LAND DESCRIPTION	ADDRESS	Trust Land? (indicate yes or no)
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a.

b.

c.

d.

e.

acquired the following personal property (property other than land) during the period of their marriage, which is jointly held by both parties, which should be divided as follows:

Plaintiff to be awarded: (list and value of item)	Defendant to be awarded:(list and value of item)
a. (\$_____)	a. (\$_____)
b.	b.
c.	c.
d.	d.
e.	e.
f.	f.
g. (attach additional pages if necessary)	g.

9. That during the period of marriage, the parties have:

not incurred any indebtedness, loans, bills, or unpaid accounts that need to be addressed by the Court.

Or

incurred the following indebtedness, loans, bills, or unpaid accounts and the responsibility for the payment of this indebtedness should be addressed by the Court as follows:

Plaintiff to pay (account & amount owed)	Defendant to pay (account & amount owed)
a.	a.
b.	b.
c.	c.
d.	d.
e.	e.
f.	f.
g.	g.

(attach as exhibits all notes, finance agreements, bills, statements, etc. or other evidence of indebtedness)

10. That the plaintiff and/or defendant is a fit and proper person to have custody of the minor child(ren) of the parties and that custody of the child(ren) should be awarded to the plaintiff or the defendant or jointly to both parties.

11. The plaintiff states that:

the plaintiff requests that the defendant be given custody of the minor child(ren), but that the plaintiff be permitted to visit with said child(ren) at reasonable times and places as determined by the Court according to the following schedule: every other weekend from 6 p.m. on Fridays to 6p.m. on Sundays, and on alternating holidays and birthdays of the child(ren) as ordered by the Court.

the defendant should have the right to visit with said child(ren) at reasonable times and places as determined by the Court, according to the following schedule: every other weekend from 6p.m. on Fridays to 6p.m. on Sundays, and on alternating holidays and birthdays of the child(ren) as ordered by the Court

or

the defendant should not be permitted visitation because it is not in the best interests of the child(ren) because of the following reasons:(please explain) _____

_____ (use more pages if necessary).

Or

an alternate visitation schedule described below should be adopted by the court to permit the plaintiff or defendant to visit the minor child(ren):

12. That the plaintiff or defendant is a healthy adult and should be ordered and directed to make regular periodic payments of child support for the maintenance and support of the child(ren) of the parties above named until the child(ren) reaches 18 years of age in the amount of \$_____ per month per child.

13. That the plaintiff or defendant should be restored to her maiden name as follows: _____.

14. That the

defendant is a healthy adult and should be ordered and directed to make regular periodic payments of support for the maintenance and support of the plaintiff above named in the amount of \$_____ per month until the plaintiff remarries or until further order of the court.

Or

the plaintiff waives any right to spousal maintenance or support from the defendant.

15. That the plaintiff certifies to the Court that:

no other divorce action has been filed by either the plaintiff or defendant in any other state or tribal court as of the date of the filing of this petition,

or

another divorce action was previously filed in the following court: _____
_____ (name of court, address, city, and state)
and the file number of that divorce action is as follows: _____
Please indicate if the case is: pending or closed.

WHEREFORE, premises considered, the plaintiff prays that upon hearing this cause the Court grant and award the plaintiff a decree dissolving the marriage to the defendant and all of the relief requested herein and such other and further relief as to which the plaintiff may be entitled.

Plaintiff's signature, (sign in front of court clerk)
Plaintiff's Name _____
Plaintiff's Address _____

Plaintiff's Telephone _____

VERIFICATION

I, _____, (plaintiff's name),
being duly sworn to tell the truth and being of lawful age above 18 years of age, hereby
state 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's signature
(sign in front of the court clerk)

To Petitioner:

Please include first, middle and last name of all parties included, birthdates where needed. Thank you.