



DIVORCE PACKET

(NO CHILDREN)

SAC AND FOX NATION DISTRICT COURT
356159 EAST 926 ROAD, STROUD, OK. 74079

PHONE: (918)968-2031

FAX: (918)968-3781

Court Personnel

Charlotte Smith, Court Administrator
Amy Goodman, Deputy Court Clerk
Jody Selfridge, Deputy Court Clerk
Andrew Dame, Court Officer
R. Daniel Carter, Attorney General
Stephen Ward, Tribal Attorney

District Court

Chief Judge, Gregory Bigler
Judge, Michael C. Smith
Judge, Jon D. Douthitt
Judge, Darrell Dowty

Supreme Court

Chief Justice, O. Joseph Williams
Vice Chief Justice, Timothy Posey
Justice, Larry K. Lenora
Justice, Barbara A. Dakin
Justice, Joe C. Taylor

The forms in this packet are to be used for your use as a guide or as the actual document, you will file when seeking a divorce with no children. Please read the instructions carefully before completing the forms.

Remember that the Court Clerks cannot accept petitions that do not conform to the instructions in this packet. **Should you need assistance in preparing the petition, you must consult an attorney**

at your own expense or your local legal aid. The Court Clerks are prohibited by Ethical Code and Court Rules to provide legal advice and in helping parties complete or prepare court documents. Court Clerks cannot advise you on how to proceed or what forms may be necessary in specific situations.

PACKET CONTAINS:		Pg
Disclaimer		2
Instruction Sheet		3
Petition for Dissolution of Marriage		4
Entry of Appearance & Waiver Form		9
Summons Form		10

DISCLAIMER

Forms available should not be considered legal advice, and are provided only for reference purposes. These forms are provided only as a guide in developing a form for a particular case and set of facts. The content and format of forms not specifically determined by the Sac and Fox Nation Tribal Code or court rule may require modifications to suit the specifics of a given case.

The publication of these forms is in no way a representation that they are either appropriate for use in a particular case or situation or that they are adequate for use without modification or elaboration.

To obtain legal advice and to ensure the proper use of this material, you should contact a lawyer.

By using, you are certifying that you have read, understand and agree with this disclaimer.

FILING INSTRUCTIONS-PLEASE READ

PETITION FOR DISSOLUTION OF MARRIAGE

1. *Petition for Dissolution of Marriage* **MUST** be signed in front of the Court Clerk or a notary public when you are ready to file.
2. **All Individuals** who want to file should bring:
 - Completed Petition for Dissolution of Marriage
 - Completed Summons (fill in the style and the name and address of the party to be served)
 - Tribal Membership Card/CDIB
 - Marriage License copy
 - FILING FEES \$60 + service/summons fee of \$25 within jurisdiction, \$15 outside jurisdiction
1. Filing Fees, copy fees etc., **MUST** be made in the form of:
 - a. in person Credit/Debit Card Payment (3% convenience fee incurred),
 - b. Online payment via CitePay USA (instructions on website),
 - c. Cashiers' check, Money Order or Personal Check made payable to "Sac and Fox Nation Tribal Court"; **OR**
 - d. Cash in the exact amount due. The Court does not keep cash on hand for making change. Filing fees **MUST** be paid at the time of filing your petition.
2. Submit original *Petition for Dissolution of Marriage* and one (1) copy of the petition for the Court file. The Court clerk will provide you with **one** copy of the petition for your own records.
3. Your *Petition for Dissolution of Marriage* **MUST** have the FULL ADDRESS (city, state and zip code) of both parties. Obtaining this information is your responsibility.

OFFICE HOURS: 8:00 AM – 5:00 PM, MONDAY – FRIDAY

DISTRICT COURT FOR THE SAC AND FOX NATION
356159 EAST 926 ROAD, STROUD, OKLAHOMA 74079
Charlotte Smith, Court Administrator
Amy Goodman, Deputy Court Clerk
Jody Selfridge, Deputy Court Clerk
Andrew Dame, Court Officer

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IN THE DISTRICT COURT OF THE SAC AND FOX NATION
356159 EAST 926 ROAD, STROUD, OKLAHOMA 74079

In re the Marriage of:)
_____))
 Petitioner,)
and) CASE NO. JFD-_____
))
_____))
 Respondent.)

PETITION FOR DISSOLUTION OF MARRIAGE

COMES now the Petitioner, _____, and files this verified
Petition for Divorce against the Respondent, _____ in the Sac and
Fox Tribal Court and alleges and states under oath that the following information is true and correct.

(1.) That this Court has territorial jurisdiction to hear and decide this matter in that the [] Petitioner OR
[] Respondent is now and has been for more than three (3) months next preceding the filing of the
petition herein an actual resident, in good faith, of the State of Oklahoma, within the jurisdiction of
the Sac and Fox Nation, and a resident of _____ County, said
residence being _____.

(2.) That the Sac and Fox Tribal Court has personal jurisdiction to hear and decide this matter because:
(CHOOSE ONE)

[] The Petitioner is an enrolled member of the Sac and Fox Nation of Oklahoma/Nation and
Petitioner's address and telephone number is _____
_____(_____)_____; and the Respondent is an enrolled
member of the Sac and Fox Nation and Respondent's address and telephone number is _____
_____(_____)_____.

-OR-

[] That the Petitioner is a non-Indian, who submits to the jurisdiction of the court, and Petitioner's
address and telephone number is _____
_____; and the
Respondent is an enrolled member of the _____ and the
Respondent's address and telephone number is _____
_____(_____)_____, _____.

-OR-

[] That the Petitioner is an enrolled member of the _____ and
Petitioner's address and telephone number is _____

_____ ; and the Respondent is a non-Indian, who submits to the jurisdiction of the court and Respondent's address and telephone number is _____.

(3.) [] That the Petitioner and Respondent were legally married on the ___ day of the _____ month of the _____ year and said marriage is registered in the _____ County in the State of _____ and have since that time have lived as husband and wife;

-OR-

[] That the Petitioner and Respondent were common law married around the _____ month of _____ year and have since then lived as husband and wife;

(4.) That the Petitioner is of legal age, dob: _____ and may be identified by last four of S.S. # _____ and the Respondent is of legal age, dob: _____ and may be identified by last four of S.S.# _____;

(5.) That Petitioner is _____ years old and his/her occupation is _____ and that she/he has lived in Indian Country for _____ months/years and the Respondent is _____ years old and his/her occupation is _____ and that he/she has lived in Indian Country for _____ months/years;

(6.) That of the marriage _____ children have/has been born born, namely:

_____	dob: _____	Tribe _____
_____	dob: _____	Tribe _____
_____	dob: _____	Tribe _____
_____	dob: _____	Tribe _____
_____	dob: _____	Tribe _____

(7.) That the [] Petitioner/[] Respondent is not pregnant at this time;

-OR-

That the []Petitioner/[] Respondent is pregnant and the birth of said child is expected on or about the _____ day of _____ 20____, and that the father of said child is _____;

(8.) [] That the parties have lived separately and apart for at least _____ days prior to the filing of this petition;

(9.) [] That as grounds for this Petition for Dissolution of Marriage the Petitioner alleges: _____ and that a serious marital discord exists and there is no reasonable prospect of reconciliation;

(10.) [] That the Petitioner does not need a restraining order;

-OR-

[] That the Petitioner needs a restraining order because the Petitioner fears the Respondent may attempt to harm, harass or molest the Petitioner. Describe what has happened to cause the need for an order of restraint:

_____;
_____;

(11.) [] That the parties have not accumulated any property that needs to be divided by the Court

-OR-

[] That the parties have acquired certain property either by real estate and/or personal that should be divided by the Court as follows:

To the Petitioner:

To the Respondent:

(12.) [] That the parties have not acquired any debts that need to be addressed by the Court;

-OR-

[] That the parties have acquired debts that need to be divided by the Court in that the Petitioner shall be responsible for the following debts:

_____;

And the Respondent shall be responsible for the following debts:

_____;

(13.) That the [] Petitioner/[] Respondent is a fit and proper person to have custody of the minor child(ren) of the parties;

(14.) That the [] Petitioner/[] Respondent should have visitation with the minor child(ren) at reasonable times and places;

-OR-

That the [] Petitioner/[] Respondent should have visitation with the minor child(ren) on a supervised basis;

-OR-

That the [] Petitioner/[] Respondent should have visitation with the minor child(ren) according the following schedule: _____

(15.) That the [] Petitioner/[] Respondent is capable of providing reasonable child support and he/she should be ordered and directed to make child support payments in the amount of _____ per month per child;

-OR-

[] That no child support be ordered because there are no children of the marriage;

-OR-

[] That no child support be ordered because the children of the marriage have reached the age of majority;

(16.) That the [] Petitioner/[] Respondent should not be required to pay spousal support;

-OR-

That the []Petitioner/[]Respondent should be required to pay spousal support in the amount of _____ per month until he/she remarries or until further order of the Court;

(17.) That the [] Petitioner/[] Respondent **should be** restored to her maiden or former name of:

_____.

-OR-

That the [] Petitioner/[] Respondent **should not** be restored to her former name;

(18.) That no other divorce action has been filed by either the Petitioner or any other Respondent in any other state or tribal court as of this date;

-OR-

That another divorce action has been filed in another court in _____ County, City of _____, State of _____ and that said case number is_____.

Wherefore, premises considered, the Petitioner prays that upon hearing this cause the Court grant and award the Petitioner a decree of Dissolution of Marriage from the Respondent and any and all relief is requested herein and such other further relief as to which the Petitioner is entitled.

Petitioner

Address:_____

(_____) _____

Email: _____

VERIFICATION

I, _____ being duly sworn to tell the truth and being of lawful age above 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 or perjury.

Petitioner

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

Notary/Court Clerk

IN THE DISTRICT COURT FOR THE SAC AND FOX NATION
356159 EAST 926 ROAD, STROUD, OKLAHOMA 74079
PHONE: (918) 968-2031

Petitioner,

-vs-

Case No. _____

Respondent.

SUMMONS

THE SAC AND FOX NATION TO:

Greetings:

You are hereby notified that a **Petition for Dissolution of Marriage** has been filed in the Sac and Fox District Court. You have twenty (20) days from the date of service to file an Answer.

You are hereby summoned and notified that the Court will hear the evidence in support of and in opposition to the granting of said Petition for Divorce at the Sac and Fox District Courthouse located 5 miles South and 1/4 mile East of Stroud, Oklahoma on the ____ day of _____ 20__ at the hour of ____:____ a.m..

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER REGARDING THIS SUIT OR YOUR ANSWER.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on _____, 20__.

SAC AND FOX NATION, Court Clerk

[SEAL]

By: _____ Clerk/Deputy

RETURN OF SERVICE

Received this on the ____ day of _____, 20__, at _____ am/pm, and executed the same on the ____ day of _____, 20__, at _____ am/pm, to:

Dated: _____ Police Officer