DISTRICT COURT OF THE KAW NATION

Drawer 50 698 Grandview Drive Kaw City, OK 74641 (580) 269-2552

This form packet is supplied by the Kaw Nation Court Clerk's Office. Nothing in these forms is to be construed as providing legal advice. It is highly recommended that you review these documents with an attorney. The Kaw Nation Court Clerk, Kaw Nation District Court, nor the Kaw Nation shall be liable for any use of the following forms.

Parties seeking an Order of the Court are responsible for completing all required documents. The Court Clerk cannot fill out the form for you nor can they give out legal advice. The Kaw Nation does not provide lawyers, legal advice, or legal assistance. If you need legal advice or representation, you must retain an attorney at your expense. Your selected Attorney **must** be registered to practice law with the Kaw Nation Bar Association prior to representing you in the Kaw Nation District Court. You may contact the Court Clerk for a current list of KNBA attorneys.

All fees, including service fees, must be paid at the time of filing. Fees cannot be waived unless a Paupers Affidavit has been filed and approved by the Judge prior to filing. This form may be requested from the Court Clerk.

INSTRUCTIONS FOR FILING

- 1. A filing fee of **\$75.00** is required when filing a Petition for Divorce. Most other filings are **\$50.00**. There is no cost to file a Protective Order. Please be prepared to inform the Court Clerk as to which type of Process Service you will be utilizing at the time of filing your packet.
- 2. All parties must be notified of the filing of a Petition and any pending hearings. Respondents are allowed twenty (20) days from service of a Petition to file an answer with the Court. It will be at least a month from your file date before a court date will be set unless the Respondent signs a Waiver. A Notice of Hearing and/or Summons may be served by Tribal Police within Kay and Osage County for a Service Fee of \$50.00. If the parties reside outside of the Kay and Osage County areas, a private process server may need to be hired for service at a starting rate of \$99.00. You will be billed for the remaining due amount.
- 3. The Notice may also be served through Certified Mail. A Service Fee of **\$17.00** will be assessed for the Court Clerk to mail the Notice.

- 4. It is required by law that Notice be given to the Respondent, so it is necessary to have a current mailing and physical address for this person. If you do not have an address, additional charges will need to be paid to obtain Notice by Publication in the local newspaper. THIS FEE CANNOT BE WAIVED AND WILL NEED TO BE PAID WHEN FILING FORMS. A fee of \$75.00 (average publication cost) will be accessed. Keep in mind that the fee assessed for publication is an average cost and it could cost more. If the cost is more than \$75.00, you will be responsible for the balance due at the end of publication.
- 5. To begin the filing process, the following required documents must be submitted to the Court Clerk:
 - Copy of your Driver's License (or State ID)
 - Copy of your Marriage Certificate
 - Copies of Birth Certificates
 - Copies of Death Certificates (if applicable)
 - Copies of CDIB Cards
 - Contact Information Sheet
 - Petition
 - Financial Affidavit (Divorce)
 - Statement of Facts (Guardianship)
 - OK Sex Offenders Registration Affidavit (Adoption, Custody and Guardianship)
 - Request for Hearing
 - Summons
 - Filing and Service fees: Cash or Money Order Payable to the Kaw Nation District Court
- 6. Please ensure that all required documentation has been attached and provided at the time of filing your Petition. Make sure that you completely fill out the documents and attach the required documentation. Documents that are not completely filled out can delay the process of your case. Parties are responsible for completing their own petition forms. The court clerk cannot give legal advice or assist you in filling out the forms.
- 7. Once your Petition and all required documentation has been received, an Order for Hearing will be issued by the Court Clerk informing all parties of the date and time of the scheduled hearing.
- 8. In an adoption, you MUST have an attorney. Also, once the Petition is filed, an in-home study must be completed before the adoption can be finalized (unless it is a step-parent adoption).

CONTACT INFORMATION

Petitioner's Full Name:		
Previous Names:		
If Married, To Whom:	Date:	City/County/State:
Mailing Address (Including County):		
Physical Address (Including County):		
Work Address:		
Home Phone:		Work Phone:
Cell Phone:		Email:
DOB:		SSN:
Born in City/County/State:		Birth Certificate #:
DL No:		DL State:
Attorney:		
Respondent's Full Name:		
		City/County/State:
Mailing Address (Including County):		
Physical Address (Including County):		
Work Address:		
		Work Phone:
Cell Phone:		Email:
DOB:		SSN:
Born in City/County/State:		Birth Certificate #:
		DL State:
Attorney:		
If Married, To Whom:	Date:	City/County/State:
Mailing Address (Including County):		
Physical Address (Including County):		
Home Phone:		Work Phone:
Cell Phone:		Email:

DOB:	SSN:
Born in City/County/State:	Birth Certificate #:
DL No:	DL State:
Attorney:	

IN THE DISTRICT COURT OF THE KAW NATION KAW CITY, OKLAHOMA

n the	Interest of the Child(ren) of:))
	Petitioner	
and) Case No))
	Respondent.	
	PETITION FOR	CUSTODY AND CHILD SUPPORT
COME	S NOW the Petitioner.	, for his/her claim against
		, and states as follows:
	OR The Petitioner has resided wi (3) month period preceding t OR	thin the Kaw Tribal Jurisdiction for more than a three he filing of this Petition
	That the Petitioner/Responde	ent is/are an enrolled member of
		_ a federally recognized tribe or band of Indians
	OR That the parties have consent	ted to the Court's jurisdiction.
2.	That the parties hereto were	never married but had a relationship.
3.	·	
		, a male/female child born on the, 20, Kaw role #
		, raw role if, a male/female child born on the
		, 20, Kaw role #
	C	, a male/female child born on the
	day of	20 Kaw role #

	d.	, a male/female child born on the
		day of, 20, Kaw role #
		The Respondent has executed affidavits of paternity on the child and is listed
		on his/her respective birth certificate as their father/mother.
4.	Tha	at the Petitioner has had significant connections with the Kaw Nation. The Kaw
	Na	tion has jurisdiction and is the proper place for venue for this matter pursuant
	to t	the Constitution of the Kaw Nation and the Indian Child Welfare Act.
5.	Tha	at the Petitioner is the fit and proper person to have the sole care, custody and
	cor	ntrol of said minor child of the parties and that sole custody of the said child
	sho	ould be awarded to the Petitioner.
6.	Tha	at the Respondent is a healthy person, regularly and profitably employed and
	tha	t he/she should be ordered and directed to make regular periodic payments of
	chi	ld support for the maintenance and support of the child of the parties above-
	nar	med.
7.	Tha	at this portion of Petitioner's Petition shall be construed as his/her application
	for	temporary orders and support, as to-wit: temporary custody of the minor child
	of t	the parties; temporary support and maintenance of the minor child, and any
	fur	ther relief to which the Petitioner is entitled and which may be deemed just and
	pro	per by the Court.
	WH	EREFORE, premises considered, the Petitioner prays that upon hearing this
	cau	ise the Court grant and award the Petitioner sole custody of the minor child of
	the	parties, and that the Court make this the initial custody Decree and enter its
	ord	ers for child support and such other and further relief to which the Petitioner is
en		itled and which may be deemed just and proper by the Court.
		Petitioner

VERIFICATION

COUNTY OF)	
I,	, do solemnly swear that I am
the Petitioner and that the contents and facts he	erein are true and correct.
	Petitioner
SUBSCRIBED AND SWORN to before me on this 20	s day of
	Notary Public
	,
Commission Expires on:	-
Commission No:	

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

, Petitioner,))	
vs.)	Case No.
, Respondent.)	
	OR	
IN RE:)))	Case No
		K OFFENDER CT AFFIDAVIT
I am not a person subject to regist	tration ur	nder the Oklahoma Sex Offenders Registration
Act. I am not married to or living with suc	ch a perso	on, or a person who has been convicted of or
has charges pending for a felony or any re	elevant m	nisdemeanor, nor is anyone living with me or
frequently present in my home previously	y been co	onvicted of, or has charges pending for, a
felony or any relevant misdemeanor.		
		Petitioner's Signature
Subscribed and sworn to before me on the	nis d	day of,
		Notary Public
Commission Expires On:		
Commission No.:		

Official Form of the Kaw Nation

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

Petitioner, vs. Respondent.)) Case No
·	OR
IN RE: , DOB:)) Case No)
REC	QUEST FOR HEARING
Petitioner, Petitioner's Petition.	, requests this Court schedule a hearing on
Dated this day of	, 20
	Petitioner's Printed Name
	Petitioner's Signature

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

vs.	titioner,)))))	Case No	0
Re	spondent.)		
		OR		
IN RE:	,))	Case N	0
DOB:)		
		SUMMO	<u>ONS</u>	
	THE	KAW NA	TION TO	:
To the above-named Res	pondent:			
You are ordered a City, Oklahoma, on the _				ct Court for the Kaw Nation, in Kaw 2024, at 10:00 am.
•	-			ition attached hereto within twenty ay be rendered against you.
You may seek the answer. Such attorney sh		=	-	er connected with this suit or your
Issued this	day of		, 2024	

AFFIDAVIT OF SERVICE

	SERVICE BY PROCESS	<u>S SERVER</u>			
	, hereby certify that I served this Summons				
together with	together with a copy of the Petition upon at				
to and area thi	am/pm and made the return accordi	ng to law, and that I a	m duly authorized		
to endorse thi	s affidavit, so help me God.				
		Police Officer/Pro	ocess Server		
C. da a au	:h - d + d + - h - f + h :-	da af	2024		
Subscr	ibed to and sworn to before me this	day of	2024.		
My commission	on expires:				
My commission	on number:				
	<u>CERTIFICATION OF SERV</u>	ICE BY MAIL			
I hereby certif	y that I mailed copies of the foregoing su	ımmons with a copy c	of the petition and		
order attached	d, to the following named parties at the a	address shown by cert	tified mail,		
	y, return receipt requested, on the attached hereto.	day of	, 2024, and		
Parties	Address Where Served	Date Rec	eipted		

Court Clerk