

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 assessed. 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).

CHECKLIST FOR SMALL CLAIMS

RESPONSIBILITY OF CREDITOR:

Fees:

- ✓ \$50.00 filing fee
- ✓ \$50.00 service fee if served by Tribal Police or \$17.00 to serve by certified mail. 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 \$50.00. You may be billed for the remaining due amount.
- ✓ \$25.00 garnishment fee (if applicable)

Forms to be completed:

- Contact Information Sheet
- Small Claims Affidavit (including documentation showing debt)
- Request for Hearing
- Summons

* Defendant will have 20 days to file an answer (so the hearing date will be after that time)

We must receive all documents, filing fees and service fees before a summons will be issued. Once a summons is served, a court date will be set and notification will be sent to you.

Any questions please contact:

Kaw Nation Court Clerk

580-269-2552 ext 111

courtclerk@kawnation.gov

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: _____

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: _____

Other Interested Party: _____

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: _____

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

)	
Plaintiff,)	
)	
vs.)	Case No. CIV-20 ___ - _____
)	
)	
Defendant,)	

SMALL CLAIMS AFFIDAVIT

COMES NOW, _____, Plaintiff, being duly sworn, states and alleges the following:

1. That the Defendant resides at _____, and that the mailing address of Defendant is _____.

2. That the Defendant is indebted to the Plaintiff in the amount of \$_____ for _____.

Plaintiff has demanded payment of the sum, but Defendant has refused to pay the same and no part of the amount sued for has been paid.

PLAINTIFF'S PRINTED NAME

VERIFICATION

STATE OF OKLAHOMA)

COUNTY OF _____)

I, _____, do solemnly swear that the contents and facts herein are true and correct to the best of my ability.

Plaintiff's Signature

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

NOTARY PUBLIC

My Commission Expires: _____

My Commission No. _____

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

)	
Petitioner,)	
)	
vs.)	Case No. _____
)	
)	
Respondent.)	

OR

IN RE:)	
)	Case No. _____
DOB: _____)	

REQUEST FOR HEARING

Petitioner, _____, requests this Court schedule a hearing on
Petitioner's Petition.

Dated this _____ day of _____, 20___.

Petitioner's Printed Name

Petitioner's Signature

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

_____)	
Petitioner,)	
)	
vs.)	Case No. _____
)	
_____)	
Respondent.)	

OR

IN RE:)	
_____)	Case No. _____
DOB: _____)	

SUMMONS

THE KAW NATION TO:

To the above-named Respondent:

You are ordered and directed to appear at the District Court for the Kaw Nation, in Kaw City, Oklahoma, on the _____ day of _____, 2024, at 10:00 am.

If you fail to appear and/or file an answer to the Petition attached hereto within twenty (20) days of receiving this Summons, a default judgment may be rendered against you.

You may seek the advice of an attorney in any matter connected with this suit or your answer. Such attorney should be consulted immediately.

Issued this _____ day of _____, 2024.

Court Clerk

AFFIDAVIT OF SERVICE

SERVICE BY PROCESS SERVER

I, _____, hereby certify that I served this Summons together with a copy of the Petition upon _____ at _____ am/pm and made the return according to law, and that I am duly authorized to endorse this affidavit, so help me God.

Police Officer/Process Server

Subscribed to and sworn to before me this _____ day of _____, 2024.

My commission expires: _____.

My commission number: _____.

CERTIFICATION OF SERVICE BY MAIL

I hereby certify that I mailed copies of the foregoing summons with a copy of the petition and order attached, to the following named parties at the address shown by certified mail, addressee only, return receipt requested, on the _____ day of _____, 2024, and said receipt is attached hereto.

Parties	Address Where Served	Date Received
_____	_____	_____

Court Clerk