

DISTRICT COURT OF THE KAW NATION
Drawer 50
698 Grandview Drive
Kaw City, OK 74641
(580) 269-2552 x 111

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
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: _____

CDIB No: _____ Tribe: _____

DOB: _____ SSN: _____

Born in City/County/State: _____ Birth Certificate #: _____

DL No: _____ DL State: _____

Hair Color: _____ Eye Color: _____

Height: _____ Weight: _____

Race: _____

Distinguishing Features (Tattoos, Scars, etc.) _____

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: _____

CDIB No: _____ Tribe: _____

DOB: _____ SSN: _____

Born in City/County/State: _____ Birth Certificate #: _____

DL No: _____ DL State: _____

Hair Color: _____ Eye Color: _____

Height: _____ Weight: _____

Race: _____

Distinguishing Features (Tattoos, Scars, etc.) _____

Attorney: _____

Notes: _____

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

In the Interest of the Child(ren) of:)
))
_____))
 Petitioner))
))
and))
))
_____))
 Respondent)

Case No. _____

PETITION FOR CUSTODY AND CHILD SUPPORT

COMES NOW the Petitioner, _____, for his/her claim against
the Respondent _____, and states as follows:

1. That the Petitioner is an enrolled member of the Kaw Nation, enrollment #

OR
The Petitioner has resided within the Kaw Tribal Jurisdiction for more than a three
(3) month period preceding the filing of this Petition
OR
That the Petitioner/Respondent is/are an enrolled member of
_____ a federally recognized tribe or band of Indians
OR
That the parties have consented to the Court’s jurisdiction.
2. That the parties hereto were/were never married.
3. That of the relationship _____ children were born, to wit:
 - a. _____, a male/female child born on the
_____ day of _____, 20____, Kaw role # _____.
 - b. _____, a male/female child born on the
_____ day of _____, 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 is listed on his/her respective birth certificate as their father/mother.

4. That the Petitioner has had significant connections with the Kaw Nation. The Kaw Nation has jurisdiction and is the proper place for venue for this matter pursuant to the Constitution of the Kaw Nation and the Indian Child Welfare Act.
5. That the Petitioner is the fit and proper person to have the sole care, custody and control of said minor child of the parties and that sole custody of the said child should be awarded to the Petitioner.
6. That the Respondent is a healthy person, regularly and profitably employed and that he/she should be ordered and directed to make regular periodic payments of child support for the maintenance and support of the child of the parties above-named.
7. That 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 the parties; temporary support and maintenance of the minor child, and any further relief to which the Petitioner is entitled and which may be deemed just and proper by the Court.

WHEREFORE, premises considered, the Petitioner prays that upon hearing this cause 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 orders for child support and such other and further relief to which the Petitioner is entitled and which may be deemed just and proper by the Court.

Petitioner

VERIFICATION

I, _____, do solemnly swear that I am the Petitioner and that the contents and facts herein are true and correct.

Petitioner

STATE OF OKLAHOMA)
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me on this _____ day of _____, 20__.

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. _____
DOB: _____)

OKLAHOMA SEX OFFENDER
REGISTRATION ACT AFFIDAVIT

I am not a person subject to registration under the Oklahoma Sex Offenders Registration Act. I am not married to or living with such a person, or a person who has been convicted of or has charges pending for a felony or any relevant misdemeanor, nor is anyone living with me or frequently present in my home previously been convicted of, or has charges pending for, a felony or any relevant misdemeanor.

Petitioner's Signature

State of Oklahoma)
County of _____)

Subscribed and sworn to before me on this ____ day of _____,
202____.

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. _____
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:

(List Respondent's Name and Address)

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 _____, 20____, 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 _____, 20____.

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 on the _____ day of _____, 20____ 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 _____, 20____.

Notary Public's Signature: _____

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 attached, to the following named parties at the address shown by certified mail, addressee only, return receipt requested, on the _____ day of _____, 20____.

Court Clerk