

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: _____

AND

2. That the Petitioner is requesting a Dissolution of Marriage due to irreconcilable differences adultery extreme cruelty abandonment and/or habitual intemperance; and
3. That the Petitioner is _____ years of age, is is not employed and resides at _____ and has resided there for _____ months years; and
4. That the Respondent is _____ years of age, is is not employed and resides at _____ and has resided there for _____ months years; and
5. That the parties were married on the _____ day of _____, _____ in the State of _____; and
6. That the parties have been separated since the _____ day of _____, _____; and
7. There were _____ child(ren) born of the marriage:
 - a. _____(name), a male female child born on _____ (mm/dd/yyyy), and is is not eligible for enrollment with a federally recognized Tribe; and
 - b. _____(name), a male female child born on _____ (mm/dd/yyyy), and is is not eligible for enrollment with a federally recognized Tribe; and

- c. _____(name), a male female child born on _____ (mm/dd/yyyy), and is is not eligible for enrollment with a federally recognized Tribe; and
- d. _____(name), a male female child born on _____ (mm/dd/yyyy), and is is not eligible for enrollment with a federally recognized Tribe; and
- e. _____(name), a male female child born on _____ (mm/dd/yyyy), and is is not eligible for enrollment with a federally recognized Tribe; and
8. At the time of filing this Petition there are no other children expected of this marriage: no yes, expected due date: _____; and
9. That at the time of filing this Petition the child(ren) currently reside with the Petitioner Respondent Other: _____ at _____; and
10. That at the time of filing this Petition there is is not an ongoing case that includes the child(ren) listed in the Petition; Type of case: custody guardianship protection order; Date issued: _____; Case no: _____; and
11. That the Petitioner is a fit and proper person to have joint custody sole custody and control of the said minor child(ren) of the parties; and
12. That the Respondent is is not a fit and proper person to have joint care, custody and control of the said minor child(ren) of the parties

and that the Court order joint custody and visitation sole custody and determine if visitation is appropriate; and

13. That the Respondent should not share joint custody and visitation because of the following:

_____;

14. That the Respondent has the ability to seek and gain meaningful employment and is employed is not employed and that they should be ordered and directed to make temporary payments of child support for the maintenance and support of the child(ren) named in this Petition; and

15. That the Petitioner and/or Respondent be ordered to submit an application and cooperate with the Kaw Nation Child Support Division to determine appropriate child support; and

16. That this portion of the Petitioner's Petition shall be construed as their application for orders for joint custody and visitation sole custody and determine if visitation is appropriate and temporary child support of the minor child(ren) of the parties; and

17. That the Petitioner is is not requesting spousal support to be paid in an amount and duration deemed appropriate; and

18. That the Petitioner requests use of the marital home and/or family vehicle during the pendency of this action; and

19. That the following debts have incurred during the course of this marriage and should be divided as follows:

Creditor:	Amount:	Awarded to:
_____	\$ _____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	\$ _____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	\$ _____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	\$ _____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	\$ _____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

(Attach a separate sheet of paper if more room is needed)

20. That the following property has been acquired during the course of this marriage and should be divided as follows:

Name/Type of Property:	Awarded to:
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
_____	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

(Attach a separate sheet of paper if more room is needed)

21. The Petitioner wishes to resume married name restore last name to: _____; and

22. The Kaw Nation has jurisdiction and is the proper place of venue for this matter pursuant to the Constitution of the Kaw Nation; and

WHEREFORE, the Petitioner prays for a final decree of divorce on the grounds of incompatibility; a fair and equitable division of the property and debts of the marriage between the parties; order custody of the minor child(ren) and permanent child support; and for such other relief as the Kaw Nation District Court deems equitable and just.

Petitioner's Printed Name

VERIFICATION

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

Petitioner's Signature

STATE OF OKLAHOMA)
COUNTY OF _____)

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

(Seal)

Notary Public

Commission expires on: _____

Commission No.: _____

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

In the Matter of the Marriage of _____)
_____)
Petitioner,)
and _____) Case No. _____)
Respondent.)

FINANCIAL AFFIDAVIT

Financial Disclosure is for: (name) _____

Social Security Number _____ Date of Birth _____

Mailing Address _____

Number of dependents claimed on taxes: _____

Child(ren) Name	Date of Birth	Social Security
_____	_____	_____
_____	_____	_____
_____	_____	_____

YOU MUST ATTACH COPIES OF YOUR TAXES FOR THE LAST TWO (2) YEARS AND WAGE STATEMENTS FROM YOUR EMPLOYER (OR PAYCHECK STUBS) FOR THE LAST SIX (6) WEEKS.

Employer _____ Occupation _____

Employers Address _____
Address City State Zip

Hourly rate of Pay \$ _____ If salaried \$ _____

Pay Period _____
 (Weekly, Bi-Weekly,
 Monthly)

Pay above is for _____
 (Weekly, Bi-Weekly,
 Monthly, Yearly)

Average Hours per
 week _____

If paid weekly x 4.3, biweekly x 2.15

Gross Monthly Income \$ _____

OTHER SOURCES OF INCOME

	(Monthly)	% Tax Paid
Public Assistance	\$ _____	_____
Rental Income	\$ _____	_____
Maintenance/Alimony	\$ _____	_____
Bonus/Commissions	\$ _____	_____
Voluntarily Deferred Income	\$ _____	_____
Pensions & Retirement	\$ _____	_____
Social Security	\$ _____	_____
Worker's Unemployment Compensation	\$ _____	_____
Dividends/Interest/Capital Gains	\$ _____	_____
Military/Veterans	\$ _____	_____
Business/Farm/Jobs for Cash	\$ _____	_____
Any other Source	\$ _____	_____
	_____	_____
Total Gross Income:	\$ _____	_____

OTHER ASSETS

Bank Accounts:

_____	_____	_____
Name & Address of Institution	Type of account	Average bal. over 6 months
_____	_____	_____
Name & Address of Institution	Type of account	Average bal. over 6 months
_____	_____	_____

Real Estate:

	\$		
Address/Location	Mortgage Balance		Type of Interest

Insurance:

		\$	\$	
Type of Ins. and Issuing Company	Beneficiary	Face Value	Cash Value	

Vehicles (All types of motorized):

	\$	\$		\$	
Type/Make/Year	Loan Bal	Value	No. Shares	Value	Issuer
	\$	\$		\$	
Type/Make/Year	Loan Bal	Value	No. Shares	Value	Issuer

Stocks & Securities:

Other Assets:

List any other item that has a value of \$250.00 or more including collectibles, equipment, machinery, furniture, electronics, precious metals or stones, tools and implements.

Type of Asset	Outstanding Loan	Net Value
	\$	\$
	\$	\$
	\$	\$
	\$	\$

FUTURE INCOME

When do you expect to receive the next pay raise from your employer? _____ / _____ / _____

What is the amount of your last two (2) pay raises? \$ _____ \$ _____

Do you expect to receive monies, from any source, in the next year? YES NO

If "YES" from what source and when?

_____ / _____ / _____
_____ / _____ / _____

- If you are not married, but share a household with any other adult, indicate only your share of those expenses. (Example: If rent for the household is \$400.00, and you pay \$200.00, enter \$200.00)
- If your rent, utilities, food or any other expenses are included with your rent payment, do not enter that amount separately, but indicate that they are included with your rent.
- If you need additional space, complete your answer on the backside of the question page.

I declare under penalty of perjury that the foregoing and any attachments hereto are true and correct. Dated this _____ day of _____, 202____.

Signature

Print Name

VERIFICATION

STATE OF OKLAHOMA)
COUNTY OF _____)

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

Applicant

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: _____)

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

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