

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: _____

_____ since
_____ (date).

3. Current residence of Respondent:

_____ since
_____ (date).

4. The parties were married on the following date and year:

_____ in the following city and state:
_____ and have been married since that
time.

5. Petitioner requests a decree of divorce on the grounds of incompatibility.

6. There are no minor children of this marriage.

Neither party is pregnant

Or

_____ is pregnant at the time this petition is filed

Or

Unknown

7. During the marriage the parties have have not acquired certain
property that should be fairly and equally divided between the parties.

Property descriptions will be attached as "Exhibit A".

8. During the marriage the parties have have not acquired certain
indebtedness, a list of which will be attached as "Exhibit B". The Petitioner

asks the Court to make a finding and judgment as to each party's responsibility for this debt.

9. Both parties shall refrain from interfering with or molesting either party involved by either action or words at any time until the completion of this action.

**In addition to granting a decree of divorce the Petitioner further requests:
(check all that apply)**

The Respondent should be ordered to provide for the maintenance and support of the Petitioner and required to pay some form of spousal support.

The Petitioner does not have adequate means of support and Respondent should be required to pay spousal support, attorney fees and court costs for this action.

The Petitioner requests use of the marital home and requests the Respondent be ordered to vacate the premises. Petitioner also requests use of the family vehicle.

Petitioner/Respondent wishes to have her last name restored to:
_____.

WHEREFORE, Petitioner prays for a decree of divorce on the grounds of incompatibility; a fair and equitable division of the property and debts of the marriage between the parties; and for such other relief as the Court deems equitable and just.

Petitioner Signature

VERIFICATION

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

Plaintiff

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

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:

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