

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: \_\_\_\_\_

Divorced or Separated From: \_\_\_\_\_ Date: \_\_\_\_\_

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: \_\_\_\_\_ DL Exp: \_\_\_\_\_

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: \_\_\_\_\_

Divorced or Separated From: \_\_\_\_\_ Date: \_\_\_\_\_

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: \_\_\_\_\_ DL Exp: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Race: \_\_\_\_\_

Distinguishing Features (Tattoos, Scars, etc.) \_\_\_\_\_

Attorney: \_\_\_\_\_

---

## 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](mailto:courtclerk@kawnation.gov)

**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**

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

\_\_\_\_\_  
Plaintiff's Signature

STATE OF OKLAHOMA            )  
COUNTY OF \_\_\_\_\_ )

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: \_\_\_\_\_ )

---

**SUMMONS**

THE KAW NATION TO:

List Petitioner's Name and Address	List Respondent's Name and Address
From _____	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 \_\_\_\_\_, 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



---

**HOW DO YOU WANT THE RESPONDENT TO BE SERVED?**  Certified Mail \$17

Process Server \$50 and up

**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