



**SMITH RIVER RANCHERIA
TRIBAL COURT**

PETITION FOR
 **DECREE OF
DISSOLUTION OF
MARRIAGE OR**
 LEGAL SEPARATION

CASE NO.

Court Address
P.O. Box 992, Smith River, CA 95567

Court telephone no.
(707) 487-6425

IN RE THE MARRIAGE OF:

Petitioner

AND

Respondent

I, _____, pursuant to the relevant provisions of the Smith River Rancheria Domestic Relations Ordinance, petition the court for a decree of (check one):

Legal Separation I understand that if my spouse objects to the issuance of a decree of legal Separation, I must amend my pleadings to seek a decree of dissolution of marriage.

Dissolution of Marriage (Divorce).

The petition is based on the following facts:

I. JURISDICTION

1. Petitioner (Check all that apply):

is an enrolled member of the Smith River Rancheria

has been domiciled within Tribal territory (including service areas and aboriginal territory) for at least 90 days prior to the filing of the action.

My current address and phone number are: _____

2. Respondent (Check all that apply)

is an enrolled member of the Smith River Rancheria

has been domiciled within Tribal territory (including service areas and aboriginal territory) for at least 90 days prior to the filing of the action.

Respondent's last known address and phone number are: _____

II. GROUND (Check all of the following that apply)

The marriage is irretrievably broken.

III. FACTUAL BACKGROUND

A. Date of Marriage ____/____/____

B. Place of Marriage Ceremony: _____

C. If you are separated, the date on which you separated: ____/____/____

D. Names, Ages, and Addresses of all living children adopted or born into the marriage:

CHILD'S NAME	Date of Birth / Age	Address
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1.

2.

3.

4.

Are you currently expecting a child together? Yes No

IV. TERMS OF DECREE OF SEPARATION OR DISSOLUTION

A. Parenting Plan (check one)

There are no dependant children.

I propose the attached parenting plan.

The respondent and I have agreed on the attached parenting plan, which has been signed by both of us.

B. Child Support :

There are no dependant children.

I am not seeking child support through court order at this time.

Support for the following dependant children should be set according to the Smith River Rancheria Child Support Guidelines:

CHILD'S NAME

- 1.
- 2.
- 3.
- 4.

C. Disposition of Property

The respondent and I have no assets or debts.

I have attached a Motion and Affidavit for Property Division

D. Spousal Maintenance

I am not requesting spousal maintenance.

The respondent and I have agreed that spousal maintenance in the amount of \$_____ per month will be paid by Petitioner Respondent to the other party.

I am requesting spousal maintenance in the amount of \$ _____ per month, based on the factors under SRDC § 5-1-118 (*attach declaration in support of Spousal Support Maintenance*)

E. Informal Dispute Resolution

I am requesting the court's permission to resolve any contested issues through the following informal dispute resolution, and agree to pay for whatever associated costs that are within my financial means.

counseling

mediation

arbitration

custom and traditions of the Smith River Rancheria

other method agreed upon by the parties: _____

_____.

F. Restoration of Former Name:

I request in the Decree of Dissolution, the restoration of my former name:

_____.

V. TEMPORARY ORDERS

I am requesting the following temporary orders (*check all that apply*):

- Temporary spousal maintenance
If yes, fill out motion and affidavit for temporary maintenance
- Temporary child support
If yes, fill out motion and affidavit for temporary child support
- Preliminary injunction
If yes, fill out preliminary injunction provisions of motion for temporary maintenance/child support OR motion and affidavit for preliminary injunction
- Temporary Restraining Order
If yes, fill out application for and affidavit in support of temporary restraining order

VI. RELIEF REQUESTED

I request that the Court grants my petition and issues a decree of

- Legal Separation
- Dissolution of Marriage,

with the terms requested in this petition incorporated into the order.

I declare under penalty of perjury of the laws of the Smith River Rancheria that the above is true and correct to the best of my knowledge.

Dated: _____ **Signed:** _____

If Respondent agrees to the above terms, sign below:

Dated: _____ **Signed:** _____