



**SMITH RIVER RANCHERIA
TRIBAL COURT**

RESPONSE TO 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

1. **I, _____, respond as follows to the Petition for**

- Legal Separation**
- Decree of Dissolution**

2. **I oppose the Petition** for a Decree of Legal Separation
because: _____

I understand that by objecting to the issuance of a Decree of Legal Separation, my spouse must amend his/her pleading to seek a Decree of Dissolution of marriage; or

I agree to the Petition for a Decree of Legal Separation, with the following corrections to the Petitioner's statements and/or the following requests.

3. **I oppose the Petition** for a Decree of Dissolution of marriage
because: _____

4. **I agree to the Petition** for a Decree of Dissolution of marriage, with the following corrections to the Petitioner's statements and/or the following requests.

The response to the Petition is based on the following facts:

I. JURISDICTION

A. Personal

- I agree** with the Petitioner's statements regarding the parentage of the children
- I agree** with the Petitioner's statements about the tribal affiliation of the parties and the minor child(ren).
- I agree** with the Petitioner's statements about the domicile of the parties and the minor child(ren).

- I **agree** with the Petitioner's statements about the addresses of the parties and the minor child(ren).
- I **disagree with** the reported Tribal Affiliation of the parties and the minor child(ren). The correct information is: _____
- I **disagree with** the reported domicile of the parties and the minor child(ren). The correct information is: _____
- I **disagree with** the reported address of the parties and the minor child(ren). The correct information is: _____
- I **deny** any acts of domestic violence that would justify the Petitioner's request that his/her address and that of the minor child(ren)'s remain confidential

B. Subject Matter

- I **agree** that the court has jurisdiction over this case under Smith River Rancheria Domestic Relations Code 5.1.100 Dissolution of Marriage
- I **disagree** that the court has jurisdiction over this case under Smith River Rancheria Domestic Relations Code 5.1.100 Dissolution of Marriage for the following reason(s):

C. Other Cases

- I **agree** with the Petitioner's statements as to the existence or non-existence of other cases in which the legal separation of the parties, dissolution or other legal termination of the marriage, division of marital property, or custody of or support for the children of this marriage has been requested or ordered.
- I **disagree with** the Petitioner's statements as to the existence or non-existence of other cases in which the legal separation of the parties, dissolution or other legal termination of the marriage, division of marital property, or custody of or support for the children of this marriage has been requested or ordered. The correct information is: _____

II. FACTUAL BACKGROUND

A. Date of Marriage

- I **agree** with the date of Marriage listed by Petitioner
- I **disagree with** the date of marriage listed by petitioner. The correct date is: ____/____/____

B. Place of Marriage Ceremony

- I **agree** with the place of marriage listed by Petitioner.
- I **disagree with** the place of marriage listed by Petitioner. The correct information is: _____

C. If you are separated, the date on which you separated

- I **agree** with the separation date listed by Petitioner.
- I **disagree** with the separation date listed by Petitioner. The correct date is: ___/___/___.

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

- I **agree** with the names, ages, addresses provided by Petitioner of all living children adopted or born into the marriage.
- I **disagree** with the names, ages, addresses provided by Petitioner of all living children adopted or born into the marriage. The correct information is:

-
- I **agree** with petitioner that we are are not expecting a child together.
 - I **disagree** with petitioner that we are are not expecting a child together.

III. TERMS OF DECREE OF SEPARATION OR DISSOLUTION

A. Agreements Between the Parties

Have you agreed on any of the following? *(If yes, attach a copy of the signed agreement.)*

- Custody of children
- Support of children
- Maintenance of spouse
- Division of property

B. Unresolved Issues

Does your dissolution decree need to include an agreement for any of the following?

- Custody of children
- Support of children
- Maintenance of spouse
- Division of property

C. 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: _____

D. Restoration of Former Name:

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

IV. TEMPORARY ORDERS

A. Petitioner's Requests

1. I **agree** with Petitioner's request for temporary spousal support.
 I **oppose** Petitioner's request for temporary spousal support
because: _____

2. I **agree** with Petitioner's request for temporary child support.

I **oppose** Petitioner's request for temporary child support

because: _____

3. I **agree** with Petitioner's request for a preliminary injunction.
 I **oppose** Petitioner's request for a preliminary injunction.

because: _____

4. I **agree** with Petitioner's request for a temporary restraining order.
 I **oppose** Petitioner's request for a temporary restraining order.

because: _____

B. Respondent's Requests

I request the following from the court:

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

VI. Relief Requested

I request the court:

- Deny the Petition for a Decree of Legal Separation Dissolution of marriage
 Issue the Decree of Legal Separation Dissolution of marriage, with the terms requested in this response incorporated into the order.
 Dismiss this case

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: _____