NAME: _____
ADDRESS: _____
_____
TELEPHONE: _____
Petitioner ☐ Pro Se

IN THE TRIBAL COURT OF THE
FORT MCDOWELL YAVAPAI NATION (ARIZONA)

_____ Membership #_____ DOB _____ Petitioner, vs. _____ Membership #_____ DOB _____ Respondent. _____	Case No.: _____ PETITION FOR DISSOLUTION OF MARRIAGE

Petitioner request this Court to dissolve the marriage and states in support of this action the following:

JURISDICTION

1. **The Court has jurisdiction over this matter pursuant to the FMLOC § 1-7 and § 10-16.**

PARTIES

2. **The Petitioner's name and address** _____
_____.
3. **The Respondent's name and address** _____
_____.
4. **The Petitioner ☐ is/ ☐ is not an enrolled member of the Fort McDowell Yavapai Nation. If not enrolled, please specify tribe (or other) _____.**
5. **The Respondent ☐ is/ ☐ is not an enrolled member of the Fort McDowell Yavapai Nation. If not enrolled, please specify tribe (or other) _____.**
6. **The parties were married (*Month)*_____*(Day)*_____(Year)_____ at (location of marriage)**_____

*(*If you have your Marriage License, attach a photocopy to this Petition and label it as ***Exhibit "____."***)

FACTS

7. **The following ground(s) for dissolution of marriage apply in this case**:

[ ] Our marriage is irretrievably broken and there is no reasonable prospect of reconciliation and the parties are unable to live together in agreement and harmony.

[ ] Other _____
_____
_____.

8. **Check all that apply**:
[ ] I have lived on Fort McDowell since: _____
[ ] My spouse has lived on Fort McDowell since: _____
[ ] We have been living separate and apart since: _____
[ ] We have **NO** in-common children together *(skip paragraphs, 9, 10, 11,12, 13, & 14.)*

9. **My spouse and I are the parents of the following children who are under the age of 18**:

Child's Name	*Date of Birth*	*Age*	*Sex*

10. **It is in the best interest of the minor child(ren) that the Court award custody of the child(ren) to**:_____.

11. **Should the non-custodial parent have parenting time (visitation) rights with the child(ren)**:
[ ] No. [ ] Yes, reasonable visitation.
[ ] Yes, but only as follows (specify): _____
_____
_____
_____
_____.
(If you need more space, attach additional sheet).

12. **Does the <u>mother</u> need child support**. [ ] YES [ ] NO.

Mother's occupation is _____
Mother's place of employment is _____
Mother's gross monthly income from all earnings is $ _____
(Attach copy of your last 2 paycheck stubs/receipts and complete parents financial worksheet, which may be obtained from the Clerk)

Does the <u>father</u> need child support. [ ] YES [ ] NO.
Father's occupation is _____
Father's place of employment is _____
Father's gross monthly income from all earnings is $ _____

(Attach copy of your last 2 paycheck stubs/receipts and complete parents financial worksheet, which may be obtained from the Clerk)

13. **The mother or husband is an able bodied person and can pay child support in the amount of**:
- [ ] $ _____ per child, to be paid in full to the Petitioner.
- [ ] $ _____ per week.
- [ ] $ _____ per every two (2) weeks.
- [ ] $ _____ per month.
- [ ] $ _____ taken out of Per Capita Distribution.
- [ ] $ _____ Other (specify) _____.

14. **Should the children's names be changed? If yes, specify the new name and why**:

Child's Present Name	*Child's New Name*	*Reason*

15. **Is either party requesting spousal maintenance and why**: _____
_____
_____

16. **The Community Property of the marriage shall be distributed accordingly**:

[ ] During the course of the marriage, the parties ***DID NOT*** acquire any community property for the court to consider, or there is not enough property for the courts to consider.

[ ] During the course of the marriage, the parties acquired community property as described on the attached Petitioner's Statement of Community Property, labeled as ***Exhibit "____."***
(On the attached sheet, please list the type of property, the value of the property, and whom the property should be awarded to.)

17. **The Debt of the marriage shall be distributed accordingly**:

[ ] During the course of the marriage, the parties ***DID NOT*** acquire any debt for the court to consider, or there is not enough debt for the courts to consider.

[ ] During the course of the marriage, the parties acquired debt as described on the attached Petitioner's Statement of Debt, labeled as *Exhibit "____."*
(On the attached sheet, please list the creditor's name, balance owed and whom the debt should be awarded to.)

18. **The Petitioner wishes the Court to be aware of the following additional facts, information, and matters, which was not provided above, labeled as *Exhibit* "____."**

19. **Restore the [ ] Petitioner's or [ ] Respondent's maiden name. Please specify: _____.**

THEREFORE, the Petitioner request the Court to grant the following:

A. **Enter a divorce decree dissolving the marriage between the Petitioner and the Respondent on the grounds specified in this Petition**.

B. **Award the following custody over the minor child(ren) listed in this Petition as follows**:

[ ] Sole custody to the Petitioner.

[ ] Sole custody to the Respondent.

[ ] Joint custody with primary physical custody to the Petitioner.

[ ] Joint custody with primary physical custody to the Respondent.

C. **Parenting time (visitation) shall be awarded to [ ] Petitioner or [ ] Respondent under the following conditions**:

[ ] Liberal visitation rights with __ hour(s) advance notice to the ( ) Petitioner ( ) Respondent.

[ ] Allow ( ) Petitioner ( ) Respondent to visit with the child(ren) only at the following time_____

_____.

[ ] Other _____

_____.

D. **Order _____ to pay child support to _____ in the amount alleged in this Petition**.

E. **Award the community property as follows**:

[ ] Award Petitioner and Respondent the Property listed on the Petitioner's statement of Community Property according to the attached Stipulated Division of Community Property, labeled as ***Exhibit "_____."***

[ ] Award Petitioner all of the Property listed on the Statement of Community Property, labeled as ***Exhibit "_____."***

[ ] Award Petitioner none of the Property listed on the Petitioner's Statement of Community Property, labeled as ***Exhibit "_____."***

[ ] There is no community property for this Court to consider.

F. **Award the debt as follows**:

[ ] Divide the Debt to the Petitioner and the Respondent listed on the Petitioner's statement of Debt according to the attached Stipulated Division of Debt, labeled as ***Exhibit "_____."***

[☐] There are no debts for this Court to consider

G. **An award of spousal maintenance [☐] is [☐] is not requested. Amount requested**: _____.

H. **Restore the [☐] Petitioner's or [☐] Respondent's maiden name alleged in this Petition**.

I. **_____ shall claim the minor child(ren) as dependents on their yearly State/Federal Income Tax Returns**.

J. **Order other relied not specified in this Petition that this Court deems fair and just under the circumstances**.

Dated this _____ day of _____, 20_____.

_____
Petitioner's signature

STATE OF ARIZONA)
) SS
County of _____)

Petitioner _____ being first duly sworn upon oath states: I am the Petitioner in the above-entitled action and I have read the above Petition and know its contents and therefore attest that the information is correct and true to the best of my knowledge.

Date: _____ _____
Petitioner's signature

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

My Commission Expires:

By: _____
Notary Public or Court Clerk