

MESKWAKI TRIBAL COURT

SAC & FOX OF THE MISSISSIPPI
MISSISSIPPI IN IOWA

STATE OF IOWA

In Re The Marriage Of:

_____,
Petitioner,

and

_____,
Respondent

Court File No. _____
(To be filled in by Clerk of Court)

**PETITION FOR
DIVORCE**

Petitioner for his/her Petition for Divorce, being first sworn, alleges and states:

I.
Identification of Petitioner

Petitioner name: _____
Date of Birth: _____
Age: _____ Soc. Security No: _____
Prior names: _____
Address: _____

II.
Identification of Respondent

Respondent name: _____
Date of Birth: _____
Age: _____ Soc. Security No: _____
Prior names: _____
Address: _____

III.
Jurisdiction

This Court has jurisdiction over this matter because (check all that apply):

- Petitioner is a member of the Sac & Fox Tribe of the Mississippi in Iowa.
- Respondent is member of the Sac & Fox Tribe of the Mississippi in Iowa.

____ Petitioner ____ Respondent ____ has resided on the Sac & Fox settlement or on Tribally owned land, or any public domain land designated for Tribal use, for at least six (6) months prior to commencing this action.

____ Other: _____

IV.
Date of Marriage

The parties were married on _____ in _____ County, State of _____ and have been married for _____ year(s).

OR

The parties were common law married on _____ in _____.

____ The parties are not separated.

____ The parties are separated. Date of separation: _____.

V.
Grounds for Divorce

Petitioner states there has been an irretrievable breakdown of the marriage relationship and that there is no reasonable prospect of reconciliation.

VI.
Court Proceedings

____ There is no other Court proceeding pending with respect to the parties.

____ There is a Court proceeding pending with respect to the parties. (Please state the nature of the proceeding, Court it is filed in and Case File Number):

VII.
Restraining Order

____ There is no current restraining order with respect to the parties.

____ A restraining order was against the ____ Petitioner ____ Respondent on _____, in the County of _____, State of _____. **(Attach copy of Restraining Order)**

_____ A continuing restraining order should be entered which restrains or enjoins the _____ Petitioner _____ Respondent from assaulting, harassing, molesting or disturbing the peace of the _____ Petitioner _____ Respondent.

VIII.
Other Child(ren)

_____ Petitioner is the parent of the minor child(ren) who is/are not subject to this proceeding:

Name	D.O.B	Age	Address	Soc. Security No.
_____	_____	___	_____	_____
_____	_____	___	_____	_____
_____	_____	___	_____	_____

_____ Respondent is the parent of the minor child(ren) who is/are not subject to this proceeding:

Name	D.O.B	Age	Address	Soc. Security No.
_____	_____	___	_____	_____
_____	_____	___	_____	_____
_____	_____	___	_____	_____

IX.
Real Property

_____ The parties do not own any real property.

_____ The parties own real property which should be distributed as follows:

_____ Petitioner _____ Respondent should maintain possession of the home assigned to him in compliance with Tribal law.

_____ Petitioner _____ Respondent should be awarded all right, title, interest and equity of the other party in and to the homestead of the parties located at _____, in the County of _____, in the state of _____.

_____ Petitioner _____ Respondent should assume and pay all encumbrances presently against the property, including any mortgage, contract for deed, real estate taxes, and installments of special assessments, if any.

_____ Petitioner _____ Respondent be awarded all right, title, interest and equity of the other party in and to the _____ of the parties located at _____, in the County of _____, in the state of _____.

____ Petitioner ____ Respondent will assume and pay all encumbrances presently against the property, including any mortgage, contract for deed, real estate taxes, and installments of special assessments, if any.

X.
Personal Property

____ Petitioner and Respondent have property that they each owned prior to marriage which should be retained by them respectively.

____ Petitioner and Respondent have marital property which should be divided equitably upon divorce.

XI.
Pension Plan

____ Petitioner ____ Respondent ____ has a pension plan which should be made payable according to Section 6-1405 (f) of the Sac & Fox Family Relations law.

XII.
Debts and Liabilities

____ The parties have no debts and liabilities.

____ The parties have debts and liabilities. The Petitioner's recommendation for the division of debts and liabilities is set forth below.

1. The Petitioner should be ordered to pay the following debts and liabilities to the following Creditors:

Debt	Amount	Creditor
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

(for additional items, attach separate sheet)

2. The Respondent should be ordered to pay the following debts and liabilities to the following Creditors:

Debt	Amount	Creditor
_____	\$ _____	_____

\$ _____
\$ _____
\$ _____

(for additional items, attach separate sheet)

XIII.
Spousal Maintenance

_____ Spousal Maintenance should not be ordered.
_____ Petitioner _____ Respondent should be awarded spousal maintenance in the amount of
\$ _____.

XIV.
Name Change

_____ Petitioner is not seeking a name change.
_____ Petitioner asks the court that his/her former name, _____, be restored.
_____ Petitioner is seeking a name change solely because of the divorce and not to defraud or
mislead anyone. Petitioner has not gone through bankruptcy nor has s/he been convicted
of any felonies.

XV.
Attorneys Fees

_____ Petitioner recommends that each party in this divorce separately bear their own
attorney's fees and costs incurred by him/her in obtaining this divorce.
_____ Petitioner _____ Respondent should bear all attorney's fees and costs incurred by both
parties in obtaining this divorce.

WHEREFORE, Petitioner asks this Court to: (check all that apply)

- _____ Dissolve the marriage relationship between Petitioner and Respondent.
- _____ Issue a continuing restraining order against Respondent.
- _____ Award each party the real property of the marriage as requested in the Petition.
- _____ Award to Petitioner and Respondent the property that each owned prior to marriage.
- _____ Award an equitable division of marital property.

_____ Order ___ Petitioner ___ Respondent to make her/his pension plan payable according to Section 6-1405(f) of the Sac & Fox Family Relations law.

_____ Order Petitioner and Respondent to pay all debts and liabilities as set forth in paragraph XII, §§1-2 of this petition for divorce.

_____ Award spousal maintenance to ___ Petitioner ___ Respondent.

_____ Grant request of ___ Petitioner ___ Respondent to restore his/her former name.

_____ Award ___ Petitioner ___ Respondent ___ each party responsibility for attorneys fees.

_____ Other: _____

Dated: _____

Signature of Petitioner

Printed or typed name

