

**WIND RIVER TRIBAL COURT
SHOSHONE AND ARAPHOE TRIBES
WIND RIVER INDIAN RESERVATION
P.O. BOX 608
FT. WASHAKIE, WY 82514
PHONE: (307) 332 6702 FAX: (307) 332-7587**

FORM IX-18G PETITION FOR DIVORCE NO MINOR CHILDREN

1. **Read all of these instructions** before starting on the forms to make sure that you qualify to file a divorce in the Wind River Tribal Court. If you are printing and completing this form, it must be completed with a **blue pen**, and must **be legible** or it will not be accepted.
2. **Respondent.** To file for a divorce in the Tribal Court, the Petitioner (you) must have lived on the Wind River Indian Reservation for at least sixty (60) days before the filing of this *Petition for Divorce*. You must attach a copy and copy of your tribal enrollment card, if applicable.
3. **Jurisdiction.** Also to file for divorce in Tribal Court, the Respondent (your spouse) must either (1) be an enrolled member of the Northern Arapaho Tribe or Eastern Shoshone Tribe, or a non-enrolled member of the Tribe, or a member of any other Federally-recognized Tribe who resides within the Wind River Reservation; **or** (2) if you are not a member of a Federally-recognized Tribe, you must be somehow otherwise within the ‘jurisdiction’ of the Court through the “minimum contacts” standard. Jurisdiction means that the Court has the right and power under the law to judge your divorce, and minimum contacts generally means that you have some kind of connection to the Reservation, whether through business or family or otherwise. If neither (1) nor (2) is true, you are in the wrong court and will have to file your divorce in a court which has jurisdiction over the Respondent.
4. **Thing to gather.** You will need to gather the names and last known addresses of your spouse. If you are an enrolled member, you must attach a copy of your own enrollment card. You must also provide the court with information about any debts or property **and** land, houses, etc) that you and your spouse received during the marriage.
5. **Fill in the blanks.** Complete this Form IX-18A to create the *Petition for Divorce* which provides information about your marriage and asks the Court to divorce you and your spouse. A copy of this *Petition for Divorce* and a copy of the summons Form IX-18B (“*Summons for Divorce*”) must be served on your spouse. A summons announces to the person being served that a lawsuit has been started against them and is included in this packet.

- A. If your spouse is available and willing to accept your *Petition for Divorce*, please have him or her sign the appropriate section of the *Summons*, and return it to the Court Clerk for filing. This informs the Court that your spouse has accepted your petition, and the clock begins running on their time to file a response.
 - B. If your spouse is **not** willing or available to accept your petition, you must have them served. Ask the Court Clerk for more information on how to do this. (You may require an additional \$35 fee to be paid to the process server.)
6. **Response.** After they have been served, your spouse must Respond. If your spouse fails to respond by submitting Form IX-18C ("*Response to Petition for Divorce*") within **20**days, you may complete and submit Form IX-18D ("*Application for Entry of Default*"). This form petitions the Court to enter what is referred to as default judgment for you, meaning the Court may award you everything you asked for in your *Petition for Divorce*.
7. **Filing Fee.** The filing fee for a divorce is \$100.00. Thus must be in form of a money order, made payable to "Wind River Tribal Court." If you are unable to pay the filing fee you can fill out a waiver of fee's for the judge's review
8. **The Code.** The Shoshone and Arapaho Law and Order Code sets out all the requirements for filing a divorce petition. Upon request, the Court Clerk will provide you with copies of the sections that these forms are talking about.
9. **Legal Advice.** If you need legal advice on filing your divorce petition you may contact Legal Aid of Wyoming at 1-877-432-9955. The Court Clerk CANNOT help you with legal questions.

If you have questions pertaining to filling please call: (307) 332-6702

Civil Clerk of the Court
Wind River Tribal Court
Ft. Washakie, WY 82514

**WIND RIVER TRIBAL COURT
SHOSHONE & ARAPAHO TRIBES
WIND RIVER INDIAN RESERVATION
FORT WASHAKIE, WYOMING**

IN THE MATTER OF:

_____)	
)	
)	
Petitioner (<i>Print your name</i>))	
)	Civil No. _____
vs.)	
)	
)	
_____)	
Respondent (<i>Print your Spouse's name</i>)		

PETITION FOR DIVORCE WITHOUT MINOR CHILD(REN)

COMES NOW, _____ (print your name), respectfully petitions this Court as follows:

I. Information About the Parties

Petitioner (your information)

a. Name: _____
First
Middle
Last

b. Date of Birth: _____
Month
Day
Year

Place of Birth: _____

c. Mailing Address:

Physical Address:

d. Phone Number: _____

e. Is an enrolled member of the Eastern Shoshone or Northern Arapaho Tribes:

YES

NO

f. Is a member of another Federally –recognized Tribe (if yes, please attach a copy of the enrollment card to this petition):

YES

NO

g. Has resided on the Wind River Indian Reservation for at least the last sixty (60) days

YES

NO

Respondent (your Spouse’s information)

a. Name: _____
First Middle Last

b. Date of Birth: _____
Month Day Year

Place of Birth: _____

c. Mailing Address: _____

d. Physical Address: _____

e. Phone Number: _____

II. Information concerning the marriage:

a. Date of Marriage: _____

b. Place of Marriage: _____ (city/county/state)

III. Grounds for Divorce:

The Petitioner wants a divorce because of (check one):

Irreconcilable differences, which have caused a permanent breakdown of the marriage

Incurable insanity. (explain) _____

IV. Jurisdiction

This Court has proper jurisdiction or authority to hear the case under S & A LOC § 9-5-4 because:

Respondent (your spouse) is a member of the Northern Arapaho or Eastern Shoshone Tribe, or a non-enrolled member of the Northern Arapaho or Eastern Shoshone Tribe, or an enrolled member of another Federally-recognized Tribe who lives within the Wind River reservation; **or**

- Respondent is not a member of a Federally-Recognized Tribe but is within the jurisdiction or area of control of the court [must have some kind of connection with the reservation]. (Explain)

V. Children:

The Respondent and the Petitioner do not have any child(ren), either natural or adoptive who are under 18 years of age and to the best of the Petitioner’s knowledge there is no current pregnancy.

NOTE: IF YOU AND YOUR SPOUSE HAVE CHILDREN TOGETHER OR IF THE WIFE IS PREGNANT, STOP FILLING OUT THIS PETITION. YOU SHOULD BE USING THE PACKET AND FORMS FOR A DIVORCE WITH CHILDREN.

VI. Property division:

The following list is a complete statement of the property accrued DURING the marriage, and the Petitioner requests the property be divided as noted.

NOTE: LIST PROPERTY VALUES NOTING WHETHER THE HOUSE OF THE MARRIAGE IS A “HUD” HOME PURCHASED THROUGH EASTERN SHOSHONE OR NORTHERN ARAPAHO HOUSING AUTHORITY AS THEY MUST BE NOTIFIED OF THE PROCEEDINGS IF SAID HOUSE IS INVOLVED.

A) Vehicle(s) including cars, trucks, ATV, motorcycle, etc.: Ex. 2005 Dodge Ram Truck

Amount Owed/Debt on each vehicle: Ex. \$14,000 owed on 2005 Dodge Ram Truck

Person Responsible for Debt on Each Vehicle: Ex. John Doe owes \$14,000 on Dodge Truck

Who should be given the vehicle(s): Ex. John Doe given the Dodge Truck; Jane the Dodge Car

B) Home(s) including motor or trailer homes, cabins, etc.: *Ex. 2 bed at 123 Main St. not HUD*

Amount Owed/Debt on Each Home: *Ex. \$143,000 owed on the 123 Main St House*

Person Responsible for Debt on Each Home: *Ex. John Doe Owes \$140,000 on 123 Main St.*

Who should be given the home(s): *Ex. John Doe given the 123 Main St. Home*

C) Other Item(s): *Ex. \$600 Sony 32 inch TV; 200 HP Computer*

Amount Owed/Debt on Each Item: *Ex. \$200 on Sony TV; Computer paid off*

Person Responsible for Debt on Each Item: *Ex. John Doe owes \$200 on Sony TV*

Who should be given the item(s): *Ex. John Doe given Sony TV; Jane Doe the Computer*

(Attach additional sheets for any section if more space is needed)

VII. Alimony/spousal support:

The Petitioner request alimony/spousal support be provided as noted (check one):

- by Respondent (your spouse) in the amount of \$_____per month as such is necessary for the following reasons:

- by Petitioner (you) in the amount of \$_____per month as such is necessary for the following reasons:

- Neither party should pay the other spousal support for the following reasons:

- unable to agree and request the court to order a specific sum to be paid to either party under S & A LOC § 9-5-10.

VIII. Division of Debts:

The following is a complete list of the debts acquire DURING the marriage in the amounts listed which are held individually, jointly or along with a third party. The Petitioner respectfully requests the court to equitably divide the parties' debts, or if the parties are able to agree upon an equitable division of their debts, the Petitioner requests the court to adopt the parties' agreement.

a) Name of Creditor: Ex. First bank of Wyoming

Amount Owed on Item: Ex. \$3,000 loan

Person Responsible for Debt: Ex. John Doe

b) Name of Creditor: _____

Amount Owed on Item: _____

Person Responsible for Debt: _____

c) Name of Creditor: _____

Person Responsible for Debt: _____

(Attach additional sheets if more space is needed)

IX. Name Change:

The Wife (check one):

- Wants her previous name of _____ restored
- Does not want to have her previous name restored.
- Not applicable.

X. Date of Separation:

That the seriousness of the petition has been thoroughly considered and the requested action is appropriate as the parties hereto have been living apart since: (please give exact date if applicable)

Month

Day

Year

XI. Other Relief

Additional requests to the Court. Anything else the court should consider and decide out of fairness to the parties

(Attach additional sheets if more space is needed)

WHEREFORE, the Petitioner _____ (print your name), asks the Court to do the following:

A) Enter a Decree of Divorce with alimony/spousal support if wanted and all property and debts divided and given as noted above; and (anything else you want the court to decide)

I, _____ (print your name), upon oath, verify I have read the *Petition for Divorce* and the Statements are True, Accurate and complete to the best of my knowledge and belief.

DATED _____, 20____
Month Day

Petition (your signature)

(stop)

(for the Clerk)

Subscribed and sworn to before this _____ day of _____, 20____

D E B T S / P R O P E R T Y

W H O S H O U L D P A Y P e t i t i o n e r / R e s p o n d e n t																
J O I N T Y / N																
A M O U N T O W E D																

A C C O U N T #																	
D E B T O W E D																	

**WIND RIVER TRIBAL COURT
SHOSHONE & ARAPAHO TRIBES
WIND RIVER INDIAN RESERVATION
FORT WASHAKIE, WYOMING**

IN THE MATTER OF:

_____)
 Petitioner (*Print your name*))

vs.)

_____)
 Respondent (*Print your Spouse's name*))

SUMMONS

Civil No. _____

To the above named Respondent: (print) _____

Home address: _____

Phone: _____

Employer Name & Address: _____

YOU ARE HEREBY SUMMONED and required to file with the Court Clerk of the Wind River Tribal Court at 109 Norkok, Fort Washakie, WY, and serve upon the Petitioner or Petitioner's attorney if he or she has one a *Response to Petition for Divorce* within 20 days after service of this Summons upon you, not including the day of service. (If service upon you was made outside of the Wind River Reservation, the Court for good cause shown may allow for more days before you are required to file and serve your Response.)

If it was not included with this *Summons* and *Petition*, you may obtain a packet for completing your *Response to Petition for Divorce* from the Court Clerk. Failure to respond may result in a judgment by default against you and an award for the relief demanded in the *Petition for Divorce*.

DATED _____, 20____
Month Day

(seal)

Court Clerk

I, _____ (print Respondent's name), hereby acknowledge receipt of a copy of the *Summons* and *Petition for Divorce* filed in this case. In accepting service of process, I retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the *Summons* or in the service of the *Summons*. I understand that I must answer or otherwise plead within **20** days from this date and that if I fail to file a *Response* with the Court Clerk and serve the same upon the Petitioner in accordance with the S&A Rules of Civil Procedure within the time limits stated, I will be in default and Petitioner may be afforded the relief demanded in the *Petition for Divorce* without a trial or other hearing.

DATED this _____ day of _____ 20____

(Respondent's signature)

STOP: PRIVATE PROCESS SERVER WILL FILL THIS OUT IF SPOUSE REFUSES
PERSONAL SERVICE BY YOU (Attach to *Summons* and give to the server)

AFFIDAVIT OF SERVICE

STATE OF _____)ss TO BE USED BY A PERSON OTHER THAN A WYOMING
COUNTY OF _____) SHERIFF, UNDER SHERIFF OR DEPUTY

_____, being first duly sworn, on oath deposes and says that
he/she is over 18 years old and is not a party to the foregoing action or interested therein, and
that he/she made service of said *Summons* in the County aforesaid on the _____ day of,
_____20_____, by delivering a copy of the same together with a copy of the
Petition for Divorce to:

Name:

Address: _____

By: _____

(Signature of Server)

Subscribed and sworn to before this _____ day of _____, 20____

Court Clerk or Notary Public

My Commission Expires:

CONTACT INFORMATION SHEET

CASE NO. _____

I AM THE (CHECK ONE) Plaintiff/Petitioner Defendant/Respondent

Name: _____ Date of Birth: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Home Telephone: _____ Work Phone: _____

Email Address: _____ Cell Phone: _____

Physical Address: _____

City: _____ State: _____ Zip: _____

Alternate telephone number were a message can be left: _____

Place of employment: _____

Other Parties Involved (CHECK ONE) Plaintiff/Petitioner Defendant/Respondent

Name: _____ Date of Birth: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Home Telephone: _____ Work Phone: _____

Email Address: _____ Cell Phone: _____

Physical Address: _____

City: _____ State: _____ Zip: _____

Alternate telephone number were a message can be left: _____

Place of employment: _____