

IN THE COURT OF THE
PRAIRIE ISLAND MDEWAKANTON DAKOTA COMMUNITY

PRAIRIE ISLAND INDIAN RESERVATION

STATE OF MINNESOTA

In Re The Marriage Of:

Petitioner,

and

Respondent

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

**PETITION FOR
DISSOLUTION OF MARRIAGE**

Petitioner for his/her Petition for Dissolution of Marriage, being first sworn,
alleges and states:

I.

Description of Petitioner

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

II.

Description 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 Prairie Island Indian Community.
_____ Respondent is member of the Prairie Island Indian Community.
_____ Child(ren) is/are member(s) of the Prairie Island Indian Community.
_____ 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 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 Respondent from assaulting, harassing, molesting or disturbing the peace of the Petitioner.

VIII.
Child(ren) of the Marriage

Please list the child(ren) of this Marriage:

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

(attach additional sheets if necessary)

IX.
Pregnancy

_____ Petitioner is/is not (circle) pregnant. The father of the unborn child is/is (circle) not the Respondent/Petitioner. Due date of the unborn child is _____.

X.
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.
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

XI.
Legal Custody

_____ Petitioner _____ Respondent _____ Both parties is/are a fit and proper person(s) to have temporary and permanent legal custody of the minor child(ren) of the parties.

XII.
Physical Custody

- Petitioner Respondent currently has physical custody of the minor child(ren) of the parties.
- Petitioner Respondent is a fit and proper person to have temporary and permanent physical custody of the minor child(ren). The child(ren)'s best interest and welfare will be served by this party being awarded physical custody of said minor child(ren).

XIII.
Visitation

- Petitioner Respondent should have unsupervised liberal visitation with the minor child(ren) of the parties, including weekends, holidays, birthdays and vacations to be mutually determined by the parties.
- Petitioner Respondent should have supervised visitation with the minor child(ren) of the parties because: _____

XIV.
Child Support

- Petitioner Respondent should pay temporary and permanent child support for the care of the parties' minor child(ren).

XV.
Real Property

- The parties do not own any real property.
- The parties own real property which should be distributed as follows:
- Petitioner Respondent 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 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.
- Petitioner Respondent be awarded all right, title, interest and equity of the other party in and to the _____ (i.e.: cabin) 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.

XVI.
Personal Property

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

XVII.
Automobiles

_____ The Petitioner recommends s/he is awarded the _____,
(description of vehicle(s))
automobile(s).

XVIII.
Household Goods

_____ Petitioner recommends s/he be awarded the household goods, furniture, dishes, linens, appliances, and all other tangible household and personal property in her/his possession and as the parties may otherwise agree.

XIX.
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)

XX.
Spousal Maintenance

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

XXI.
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 marriage dissolution and not to defraud or mislead anyone. Petitioner has not gone through bankruptcy nor has s/he been convicted of any felonies.

XXII.
Attorneys Fees

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

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

- Dissolve marriage relationship between Petitioner and Respondent.
 Grant Petitioner Respondent Both parties legal custody of the minor child(ren).
 Grant Petitioner Respondent physical custody of the minor child(ren).
 Grant supervised unsupervised reasonable visitation to the Petitioner Respondent.
 Issue a continuing restraining order against Respondent.
 Grant temporary and permanent child support to Petitioner Respondent.
 Award Petitioner Respondent the homestead.
 Award to Petitioner the household goods and personal property currently in his/her possession.
 Award Petitioner title to the _____ vehicle.
 Order Petitioner and Respondent to pay all debts and liabilities as set forth in paragraph XIX, §1-2 of this dissolution.
 Award spousal maintenance to Petitioner Respondent.
 Grant request of Petitioner to restore his/her former name.
 Award Petitioner Respondent attorneys fees.
 Other: _____

