

**PORT GAMBLE S'KLALLAM COMMUNITY COURT  
PORT GAMBLE S'KLALLAM INDIAN RESERVATION  
KINGSTON, WA**

In re the matter of:	Case No.:
_____ Petitioner, vs. _____ Respondent.	<b>PETITION FOR DIVORCE</b>

**I. REQUEST**

This petition respectfully requests the dissolution of the marriage of the above-named parties because the marriage is irretrievably broken.

**II. JURISDICTION**

This Court has jurisdiction over the persons, subject matter and territory of this action under section 1.2.1 and 1.2.2 of the Port Gamble S' Klallam Law and Order Code.

The  Petitioner;  Respondent;  a child of this relationship (including foster children) is/are enrolled members of the Port Gamble S'Klallam Tribe and/or reside on the Port Gamble S' Klallam Indian reservation.

This action is brought pursuant to Title 21.04 and 21.05 of the Port Gamble S'Klallam Law and Order Code.

**III. PARTIES INVOLVED**

Petitioner's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Included within the attached Confidential Information Form

1  
2 Respondent's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

3 Address: \_\_\_\_\_

4 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

5  Included within the attached Confidential Information Form

6  
7 **IV. MARRIAGE**

8 Petitioner and Respondent were married on the on the \_\_\_\_\_ day of \_\_\_\_\_,  
9 \_\_\_\_\_, at (City and State) \_\_\_\_\_ and the marriage was  
10 recorded in \_\_\_\_\_ County.

11  
12 **V. SEPARATION**

13 Petitioner and Respondent  are not separated  separated on the on the \_\_\_\_\_ day of  
14 \_\_\_\_\_, 20\_\_\_\_.

15 A written separation agreement  was not  was entered into between the parties on  
16 the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

17  The separation agreement is attached to this petition.

18  
19 **VI. PREGNANCY**

20  Yes  No  Unknown, The Petitioner is pregnant on the date of this filing.

21  Yes  No  Unknown, The Respondent is pregnant on the date of this filing.

22  
23 **VII. CHILDREN OF THE MARRIAGE**

24  Petitioner and Respondent have no children together who are still dependent.

25  Petitioner and Respondent have the following children together who are still dependent (only  
26 list children Petitioner and Respondent spouse have together):

27  Included within the attached Confidential Information Form

28

Child's name	Age
1.	

29  
30

2.	
3.	
4.	
5.	
6.	

A copy of the child(ren)'s birth certificate(s) will be provided to the Court at least ten days before the first hearing.

Other than the above-named children, there are children who are dependent upon the Petitioner.

Included within the attached Confidential Information Form

Child's name	Age
1.	
2.	
3.	
4.	
5.	
6.	

Other than the above-named children, there are children who are dependent upon the Respondent.

Included within the attached Confidential Information Form

Child's name	Age
1.	
2.	
3.	
4.	
5.	
6.	

1  Other court cases involving the child/children listed above

2 (Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)

3	Child (Name): _____	Type of case: _____
4	Court of Jurisdiction: _____	Case # _____
5	Child (Name): _____	Type of case: _____
6	Court of Jurisdiction: _____	Case # _____
7	Child (Name): _____	Type of case: _____
8	Court of Jurisdiction: _____	Case # _____
9	Child (Name): _____	Type of case: _____
10	Court of Jurisdiction: _____	Case # _____
11	Child (Name): _____	Type of case: _____
12	Court of Jurisdiction: _____	Case # _____

13  
14 **VIII. PARENTING PLAN**

15  Petitioner and Respondent have no children together who are still dependent.

16  The care and custody of the dependent children of this relationship should be ordered in a  
17 Parenting Plan which also allocates decision-making regarding the children and sets out a  
18 procedure to follow in the event disputes arise.

19 The proposed Parenting Plan:

20  is attached with this Petition.

21  will be filed at a later date.

22  
23 **IX. CHILD SUPPORT**

24  Petitioner and Respondent have no children together who are still dependent.

25  Child support should be set through an Order for Child Support.

26 The Petition for Child Support:

27  is attached with this Petition.

28  will be filed at a later date.

**X. OTHER COURT PROCEEDINGS**

There are NO other ongoing Court proceedings involving the parties.

The following proceedings involving one or both of the parties is still pending:

<p>Child custody proceedings involving <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent.          Court of Jurisdiction: _____ Case # _____          Relating to: _____</p>
<p>Child support proceedings involving <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent.          Court of Jurisdiction: _____ Case # _____          Relating to: _____</p>
<p>Indian Child Welfare proceedings involving <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent.          Court of Jurisdiction: _____ Case # _____          Relating to: _____</p>
<p>Proceeding requesting a domestic violence protective order, no-contact order or vulnerable adult protection plan involving <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent.          Court of Jurisdiction: _____ Case # _____          Relating to: _____</p>
<p>Proceeding requesting a restraining order involving <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent.          Court of Jurisdiction: _____ Case # _____          Relating to: _____</p>
<p>Proceeding for legal separation of this marriage.          Court where filed: _____ Case # _____          Relating to: _____</p>

**XI. MILITARY SERVICE**

The respondent is currently in the military.

The respondent is not currently in the military.

It is not known if the respondent is currently in the military.

**XII. WRITTEN AGREEMENTS**

There is no signed prenuptial agreement, separation contract or community property agreement between the Petitioner and Respondent.

There is a signed prenuptial agreement, separation contract or community property agreement between the Petitioner and Respondent described below.

Type of written agreement: \_\_\_\_\_

Date of written agreement: \_\_\_\_\_

The court Should enforce this agreement.

The court should NOT enforce this agreement for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**XIII. PROPERTY SUBJECT TO DIVISION**

**A. REAL PROPERTY LOCATED ON THE PORT GAMBLE S ' KLALLAM RESERVATION.**

A home  owned or  rented by one or both of the parties is located on a lot on the Port Gamble S ' Klallam Reservation.

The lot and project number is: \_\_\_\_\_.

The lot or rental is assigned to: \_\_\_\_\_.

The home on the lot belongs to: \_\_\_\_\_.

The home on the lot  is  is not removable from the lot. The home on the lot is:

a manufactured home or trailer;  a house owned or leased through a tribal housing program;  other: \_\_\_\_\_

A copy of the Lot Assignment is attached to this petition.

A copy of the Homeowner or Rental Agreement is attached to this petition.

One or both of the parties  have requested  will be requesting the Port Gamble S'Klallam Tribal Council to make a decision regarding  lot assignment and/or

home ownership.

The  Petitioner;  Respondent should get temporary use of the home until \_\_\_\_\_.

**B. REAL PROPERTY LOCATED OFF THE PORT GAMBLE S ' KLALLAM RESERVATION.**

Neither party owns any real property.

The court should divide the real property according to the written agreement described in section XII above.

The court should divide the real property fairly (equitably), as explained below:

Real Property Address	Tax Parcel Number	Who should own this property.

The court should divide the real property fairly (equitably), as the court decides.

The court does not have jurisdiction to divide the real property.

Other: \_\_\_\_\_

**C. PERSONAL PROPERTY**

There is no community or separate property to be divided.

There is community or separate property owned by the parties that is subject to written agreement described in section XII above. The court should divide the personal property according to the written agreement described in section XII above.

There is community or separate property owned by the parties. The Court should make an equitable division of all the property.

The Division of Property Recommendation:

is attached with this Petition.

will be filed at a later date.

The property to be divided has been agreed to in writing by the parties, as indicated on the attached Division of Property Recommendation.

1  The following special circumstances should be considered when dividing property and debts  
2 (for example, child support payments to children from former relationships; need for boat and  
3 gear to exercise treaty fishing rights; etc.): \_\_\_\_\_  
4 \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_

7  
8 **XIV. DEBTS OR OBLIGATIONS SUBJECT TO DIVISION**

9  There are no debts or liabilities to be divided.

10  There are debts and liabilities subject to written agreement described in section XII above.

11 The court should divide the debts and liabilities according to the written agreement described in  
12 section XII above.

13  The parties have debts and liabilities. The Court should make an equitable division of all  
14 debts and liabilities.

15 The Division of Debts Recommendation:

16  is attached with this Petition.

17  will be filed at a later date.

18  The debts to be divided have been agreed to in writing by the parties, as indicated on the  
19 attached Division of Debts Recommendation.  
20

21 **Notice to Parties Regarding Division of Debts and Liabilities**

22 Even if the Court assigns a debt to your spouse, credit collectors can still attempt to  
23 collect from you. For example, if the Court assigns to your spouse the repayment of a  
24 credit card bill and the credit card was in your name or in your name and your  
25 spouse's name, jointly, the credit card company will still hold you responsible for the  
26 debt if your ex-spouse does not pay the bill.

27 Each of you should notify all your creditors in writing that you are separated or  
28 divorced and will not be liable for the future debts of your ex-spouse.  
29  
30



**XV. SPOUSAL SUPPORT**

Spousal support is not needed.

Spousal support is needed. The  Petitioner;  Respondent; has the ability to pay and should pay support:

as decided by the court.

\$ \_\_\_\_\_ every month until (date or event): \_\_\_\_\_

Spousal support subject to written agreement described in section XII above. The court should set spousal support according to the written agreement described in section XII above.

other: \_\_\_\_\_

**XVI. RESTRAINING ORDER; DOMESTIC VIOLENCE PROTECTION ORDER**

No such orders are needed at this time.

A restraining order should be entered, as requested in the attached motion.

A domestic violence protection order should be entered, as requested in the attached motion.

There is an active restraining order or domestic violence protection order.

Issuing Agency: \_\_\_\_\_

Cause or Case #: \_\_\_\_\_

Expires on: (Date) \_\_\_\_\_.

**XVII. NAME CHANGE**

No such orders are needed at this time.

The  Petitioner;  Respondent name respectfully requests the Court to enter a change of name for all purposes:

From: \_\_\_\_\_,

To: \_\_\_\_\_.

**XVIII. OTHER REQUESTS, IF ANY**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**XIX. JOINT PETITION**

This is not a joint petition.

Petitioner and Respondent jointly request this dissolution.

The parties have reached agreement on all issues.

The parties have reached agreement on all issues EXCEPT:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**XX. FILING FEE**

A copy of the \$25.00 filing fee is attached

The Petitioner asks that the Court waive the \$25.00 filing fee.

Attached Petition for Waiver of Court Fee

**XXI. RELIEF REQUESTED**

The Petitioner(s) requests the Court to:

Enter a decree of dissolution.

Determine the care and custody of minor children, according to the Parenting Plan.

Approve the separation agreement, if any.

Determine the division of property, debts and obligations.

Enter a change of name for  Petitioner;  Respondent.

Enter a permanent restraining order.

Enter a permanent domestic violence protection order.

Grant such other relief as may be just and equitable under the circumstances,

including the following: \_\_\_\_\_

**XXII. ATTACHMENTS**

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- Confidential Information Form
- Child(ren)'s Birth Certificate(s)
- Separation Agreement
- Proposed Parenting Plan
- Petition for Child Support
- Property Division Recommendation
- PGST Lot Assignment
- PGST Homeowner's Agreement or Rental Agreement
- Division of Debts Recommendation
- Motion and Affidavit for Restraining Order
- Motion and Affidavit for Domestic Violence Protection Order
- Petition for Waiver of Court Fee
- Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1 **XXIII. PETITIONER'S VERIFICATION**

2 I declare under penalty of perjury under the laws of the Port Gamble S’Klallam Tribe and  
3 the State of Washington that the foregoing is true correct. The undersigned states that he/she is  
4 the Petitioner named in this Petition for Dissolution of Marriage; that he/she has read the same,  
5 knows its contents, and believes it to be true.

6  
7 Signed at: \_\_\_\_\_ on: \_\_\_\_\_  
8 (City and State) (Date)

9 Petitioner Signature: \_\_\_\_\_  
10 Print Name: \_\_\_\_\_  
11  
12  
13

14 **XXIV. RESPONDENT’S VERIFICATION**

15 **[Completed only if filing a joint petition]**

16 I declare under penalty of perjury under the laws of the Port Gamble S’Klallam Tribe and  
17 the State of Washington that the foregoing is true correct. The undersigned states that he/she is  
18 the Respondent named in this Petition for Dissolution of Marriage; that he/she has read the same,  
19 knows its contents, and believes it to be true.

20  
21 Signed at: \_\_\_\_\_ on: \_\_\_\_\_  
22 (City and State) (Date)

23 Petitioner Signature: \_\_\_\_\_  
24 Print Name: \_\_\_\_\_  
25  
26  
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