

## INSTRUCTIONS

### PETITION FOR DISSOLUTION OF MARRIAGE

This form is a petition to file for dissolution of marriage (divorce).

For your information, either you or your spouse, or both, must be a member of the Gila River Indian Community.

**Please read the petition before filling it out, if you have any questions, please ask the clerk.**

Attached is a "Process Information Form" which request information needed to serve you (the petitioner) and your spouse (known as the respondent). Please provide as much information, so the Courts can locate the other party and serve the summons & petition, as soon as possible. The easier it is to locate the other party, the sooner the matter will be handled. If the whereabouts of the other party is unknown, please ask the clerk for further information regarding the procedure to continue the process.

**FEES:** There is a **Filing Fee of \$125.00**; you can pay by cash, money order, cashier's check and Visa/MasterCard, **NO personal checks.** Please pay at the cashier's window and a receipt will be issued to you. A **Process Fee** is also required, check with the clerk, fees start from \$25.00 on up, depending on the location of the other party.

If you cannot afford to pay the court fees, and your income is solely depended on the other party, you can fill out a "waiver" form. The clerk will instruct you in filing it out. This means that the case is not free, the Judge will order that the parties split the cost, or order the other party to pay, or give you time to pay. The waiver form must be filled out and approved by a Judge, as soon as possible.

The petition is easy to fill out. Please read each paragraph and fill in the information. Regarding the grounds for divorce (#6), please check what applies. Community Property (#8) is what items (TV's, cars, homes, furniture, appliances, etc.) were purchased during the marriage, if you need more space, attach a separate sheet listing all items. Community debts (#9) are what accounts were created during the marriage.

Page 3, is what you are asking for the Court to order. #1. To grant dissolution of marriage. #2. To award custody of child(ren) to you or the other party. #3. To award visitations, please indicated under what conditions the visits will be done. #4. To award child support to be paid per month. Please state how payments are to be paid by the other party, (directly to you, or through the Court or other). #5. To award property to you (petitioner). #6. To award property to the other party. #7. Order what bills you will pay. #8. Order what bills the other party is to pay. #9. If the wife wants her name changed to her maiden name, this is optional.

Once you have completed the petition, sign & return to the court, the court will issue a civil summons, & a copy of your petition will be served on the respondent. You will also be notified of the court date by mail.

If an answer is filed by the respondent, you will be mailed a copy through your mailing address, as soon as possible.

If there is a need to requesting counsel to represent you, the clerk can provide a list of advocates and attorney, but, the cost will be at your expense.

If you have any further questions, please do not hesitate to ask the clerk, thank you.

#### **To contact the Court:**

- **Sacaton Court:** 721 W. Seed Farm Rd., PO Box 368, Sacaton, Arizona 85147  
Phone: (520) 562-9860 Fax: (520)562-9867.
- **Westend Judicial Center:** 4751 W. Pecos Rd, Laveen, Arizona 85339  
Phone: (520) 562-9862 Fax: (520)562-9869

Person Filing: \_\_\_\_\_

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

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

Telephone No: (\_\_\_\_\_) \_\_\_\_\_

Representing: [ ] Self (without counsel)/Attorney for \_\_\_\_\_

Court use ONLY

**IN THE COMMUNITY COURT OF THE GILA RIVER INDIAN COMMUNITY  
STATE OF ARIZONA**

_____ <b>Petitioner,</b>	Case No. _____
VS.	<b>Petition for Dissolution of Marriage</b>
_____ <b>Respondent,</b>	

**Petition alleges as follows:**

1. The Court has jurisdiction of this case under Section 1, Rules of Civil Procedures and Section 9.110 of Petition for Dissolution of Marriage 2010.doc the Gila River Indian Community Code.
2. Petitioner's name and address: \_\_\_\_\_
3. Respondent's name and address: \_\_\_\_\_
4. The Petitioner and/or respondent are members of the Gila River Indian Community.
  - A. Petitioner's Tribal ID number: \_\_\_\_\_
  - B. Respondent's Tribal ID number: \_\_\_\_\_
5. Petitioner and Respondent were married on \_\_\_\_\_, (date)  
at \_\_\_\_\_, (location)
6. The grounds for this dissolution of marriage are set out under the Title IX, Chapter 1, to wit:  
  
☐ 1. When adultery has been committed by either party.  
  
☐ 2. When on the parties were physically incompetent at the time of marriage and the same has continue to the time of the commencement of the action.

☐ 3. When one of the parties has been convicted of a felony and sentenced to imprisonment, therefore in a prison and has not been convicted on the testimony of the other party, but such action may not be brought until one year after the final judgment of the conviction; a pardon shall not be a defense to such action.

☐ 4. When either party has willfully deserted the other; or for a habitual intemperance of either Party.

☐ 5. Where the husband or wife is guilty of excess cruel treatment or outrages toward the other;

☐ 6. When the husband has neglected to provide the wife with the common necessities of life, having the ability to provide the same, or failing to do so by reason of idleness, or dissipation.

☐ 7. Prior to the marriage either party shall have been convicted of a felony or an infamous crime in any state or county without the knowledge of the other party of such fact at the time of such marriage.

☐ 8. In favor of the husband, when the wife at the time of the marriage was pregnant by a man other than the husband and without the husband's knowledge at the time of such marriage.

**7. The names, ages and date of births of all living children, natural or adopted:**

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**8. The parties have acquired the following community property:**

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**9. The parties have acquired the following community debts:**

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**(For additional space submit a supplement sheet)**

WHEREFORE, petitioner prays the Court to:

- 1. Grant dissolution of the marriage.
- 2. Award custody of the minor child(ren) to: \_\_\_\_\_
- 3. Award visitation to: \_\_\_\_\_  
Conditions: \_\_\_\_\_  
\_\_\_\_\_
- 4. Award child support in the amount of \$ \_\_\_\_\_ per month, to be paid by \_\_\_\_\_ (name); to \_\_\_\_\_.  
To pay by (how) \_\_\_\_\_
- 5. Award to the petitioner as sole and separate property:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 6. Award the respondent as sole and separate property:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 7. That petitioner will pay the following debts:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 8. That respondent will pay the following debts:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 9. Restore to the wife her maiden name of: \_\_\_\_\_
- 10. Grant such order and further relief as the Court deems just and proper.

\_\_\_\_\_  
Petitioner Signature



**DISSOLUTION OF MARRIAGE**

**Case No.** \_\_\_\_\_

**VERIFICATION**

I \_\_\_\_\_, being first duly sworn, upon oath deposes and says:

That I am the petitioner in the above entitled matter and that I have read the above foregoing petition and that I know the contents thereof, and that the same is true of my own personal knowledge as I believe the to be true.

\_\_\_\_\_  
**Signature**

**SUBSCRIBED AND SWORN** to before me this \_\_\_\_\_ days of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
**Notary Public / Clerk of the Court**

**Commission Expires:**

\_\_\_\_\_

# IN THE GILA RIVER INDIAN COMMUNITY COURT

## IN THE STATE OF ARIZONA

<p style="text-align: center;">_____, Plaintiff/Petitioner,</p> <p style="text-align: center;">Vs.</p> <p style="text-align: center;">_____, Defendant/Respondent</p>	<p>Case No.: _____</p> <p style="text-align: center;"><b>PROCESS SERVICE INFORMATION</b></p>
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THIS INFORMATION WILL BE USED TO SERVE YOUR COURT DOCUMENTS. BE AS ACCURATE AND COMPLETE AS POSSIBLE WHEN FILLING OUT THIS FORM, SO THAT PROPER AND TIMELY SERVICE OF YOUR DOCUMENT CAN BE MADE. IF YOU FAIL TO SUPPLY SUFFICIENT AND ACCURATE INFORMATION, YOUR DOCUMENTS MAY NOT BE SERVED.

### REQUIRED PLAINTIFF/PETITIONER INFORMATION

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Physical Address: \_\_\_\_\_ District#: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Place of Employment: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Work Hours: \_\_\_\_\_

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

### REQUIRED DEFENDANT/RESPONDENT INFORMATION

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Physical Address: \_\_\_\_\_ District#: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Place of Employment: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Work Hours: \_\_\_\_\_

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

FRIENDS OR RELATIVES THE DEFENDANT/RESPONDENT MAY BE STAYING WITH OR  
WOULD KNOW OF THEIR WHEREABOUTS

NAME	ADDRESS	PHONE	RELATIONSHIP

IF YOU ARE UNABLE TO PROVIDE A WRITTEN PHYSICAL ADDRESS,  
PLEASE DRAW A MAP IN THE BOX ON THE ATTACHED SHEET.

# MAP

Include street names and landmarks.

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Directions and Building Description:

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