

Sisseton Wahpeton Oyate Tribal Court PO Box 568 Agency Village, SD 57262	Divorce Complaint With Child(ren)	Case No. D-
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**IN ORDER TO PROCESS PAPER WORK IN A TIMELY MANNER WE NEED THE
 FOLLOWING INFORMATION
 A FILING FEE OF \$100.00 IS REQUIRED AT TIME OF FILING, OR FEE WAIVER**

ALL PARTIES INVOLVED

 Plaintiff

 Defendant

 Mailing and Physical (if different)

 Mailing and Physical (if different)

 Telephone Number

 Telephone Number

 Mailing and Physical (if different)

 Mailing and Physical (if different)

PLACE OF EMPLOYMENT (FOR SERVICE)

(DOCUMENTS)

 Plaintiff

Tribal Enrollment paper or Tribal ID
 needed to establish jurisdiction

 Defendant

 Witness

 Other

Names & Addresses if any witnesses are requested:

 Witness

 Witness

 Address

 Address

 Other

 Other

**IF YOU DO NOT KNOW THE DEFENDANT'S CURRENT MAILING ADDRESS AN ADVERTISING FEE
 OF \$40.00 IS REQUIRED, ADVERTISING FEE CAN NOT BE WAIVED.**

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In the Matter of the
 Dissolution of the Marriage of:

_____)
 Plaintiff,)
 Vs.)
 _____)
 Defendant,)

) Check whether petition is for Divorce,
) Annulment or Legal Separation.
)
) DIVORCE
) ANNULMENT
) LEGAL SEPARATION
)
)
)

1. Plaintiff's full legal name:

 Name Date of Birth

 Mailing Address Physical Address
 Trust land YES NO

 City, County, State, Zip
 Sisseton Wahpeton Oyate member
 YES NO

 If not SWO, Tribe enrolled in and documents

2. Defendant's full legal name:

 Name Date of Birth

 Mailing Address (to best of my knowledge) Physical Address
 Trust land YES NO

 City, County, State, Zip
 Sisseton Wahpeton Oyate member
 YES NO

 If not SWO, Tribe enrolled in and documents

3. Plaintiff and Defendant were married on: Date: _____, in:

City and State

If the parties are living apart, the date upon which they began to live apart is:

Date

4. Plaintiff Is Is not an active member of the
armed forces.

5. Defendant Is Is not an active member of the
armed forces.

6. I request a divorce from the defendant on one or more of the following grounds, pursuant to SWO Code, Chapter 34:

Extreme Mental or Physical Cruelty:

Adultery:

Desertion (Requires separation of 6 months or more):

Neglect (Requires separation of 6 months or more):

Habitual Alcoholism/Alcoholic

(Requires separation of 6 months or more):

Mutual Consent

(Requires separation of 6 months or more and the defendant's written consent):

Explain reason for divorce is being requested: _____

7. We have _____ minor child(ren) which have been born to or adopted by the parties.
The Wife Is Is not pregnant. If the Wife is pregnant, her due date is _____.

8. Names and Date of Birth(s) of the child(ren) we have.

Name	Date of Birth

9. During the past five years the children have lived with the following person(s) at the times and places indicated below:

Name of Person Living With	County/State	Dates

10. There Have Have not been prior court proceedings regarding the custody of the child(ren). If, so that action took place in _____ County, _____ State on _____ date.

ATTACH ALL ORDERS REGARDING CUSTODY OF MINOR CHILDREN.

11. Any other person(s) ever have custody of child(ren): _____

ATTACH ALL ORDERS REGARDING CUSTODY OF MINOR CHILDREN.

12. In regards to custody, the Plaintiff alleges:

a. I believe that it would be best for the children if their custody were awarded to me: or

b. I believe that it would be best for the children if their custody were awarded to the Defendant: _____

c. I believe that we should have joint legal custody:

To live with the Plaintiff _____

To live with the Defendant _____

d. Other, visitation condition, explain: _____

13. Plaintiff requests that an order for child support be established. YES NO (Even if the Plaintiff is the non-custodial parent, he/she will still request that a child support order be entered).

14. Plaintiff requests that the daycare expenses of the minor child(ren) be allocated between the parties. YES NO

15. The parties have accumulated property and debts during the course of the marriage which must be equitably divided YES NO

16. Plaintiff seeks spousal support (alimony). YES NO

WHEREFORE, Plaintiff prays for Judgement as follows:

1. For a Judgment and Decree of Divorce dissolving the marriage of the parties;
2. For an equitable division of the marital property and debts;
3. That Plaintiff's Defendant's last name be restored to:

_____. Date of birth: _____;
First Middle Last (of former name)

4. That custody and visitation of the minor child(ren) be established as set forth above;
5. That an order for child support be established, if requested above;
6. That health insurance for the minor child(ren) be addressed, if requested above;
7. That daycare expenses for the minor child(ren) be allocated between the parties, if requested above;
8. For alimony, if requested above; and
9. For such other and further relief as may be equitable and just.

Dated this _____ day of _____, 20_____.

Plaintiff

ATTEST:

Clerk of Court

Revised 7/2015