

SISSETON WAHPETON OYATE )  
LAKE TRAVERSE RESERVATION )  
STATE OF SOUTH DAKOTA )

IN TRIBAL COURT  
CASE NO:

In the Matter of the Dissolution Of the )  
Marriage of: )

DIVORCE COMPLAINT  
(Pro Se)

\_\_\_\_\_, )  
Plaintiff, )

VS )

\_\_\_\_\_, )  
Defendant. )

Comes how the Plaintiff and for his/her cause of action for divorce against the Defendant, states and alleges as follows:

1. I reside \_\_\_\_\_, \_\_\_\_\_  
County State

My mailing address is \_\_\_\_\_.

My Physical address is \_\_\_\_\_.

- \_\_\_\_\_ a) I reside on Indian or Trust land.  
\_\_\_\_\_ b) I do not reside on Indian or Trust land.

2. I am/am not a member of the Sisseton Wahpeton Oyate. (Circle One)  
(Please provide Tribal Enrollment Documents)

3. Defendant resides in the State of \_\_\_\_\_.

\_\_\_\_\_ a) I do not know the Defendant's current mailing address. (If you do not know the  
Defendants current address, Summons (20 day) and Notice of Hearing will need to be Advertised @ \$39.00 each).

\_\_\_\_\_ b) The Defendant's address to the best of my knowledge and belief is \_\_\_\_\_.

\_\_\_\_\_ c) Defendant resides on Indian or Trust land.

\_\_\_\_\_ d) Defendant does not reside on Indian or Trust land.

4. Defendant is/is not a member of the Sisseton Wahpeton Oyate.  
(Please provide Tribal Enrollment Documents)

5. We were married to each other on \_\_\_\_\_.

and remain as husband and wife.

6. \_\_\_\_\_ a) We have not yet separated from each other.

\_\_\_\_\_ b) We separated on or about \_\_\_\_\_ and  
continued to live separated and apart.

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

- a) Extreme Mental or Physical Cruelty:
- b) Adultery:
- c) Desertion (Requires separation of 6 months or more):
- d) Neglect (Requires separation of 6 months or more):
- e) Habitual Intemperance/drunkenness ( Requires separation of 6 months or more):
- f) Mutual Consent (Requires separation of 6 months or more and the Defendant's written consent):

8.  a) We have not had any children:  
 b) We have \_\_\_\_\_ children namely:

- 1. \_\_\_\_\_ born \_\_\_\_\_
- 2. \_\_\_\_\_ born \_\_\_\_\_
- 3. \_\_\_\_\_ born \_\_\_\_\_
- 4. \_\_\_\_\_ born \_\_\_\_\_
- 5. \_\_\_\_\_ born \_\_\_\_\_

9.  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: or  
 c) I believe that we should spilt the children up between us as follows:  
1. To live with the Plaintiff \_\_\_\_\_  
2. To live with the Defendant \_\_\_\_\_

10. I request that the Court determine a reasonable amount of child support to be paid by the non-custodial parent.

11. The Court should allow the non-custodial parent reasonable visitation rights with the children.

12. We have property and debts which need to be fairly and equitably divided between us.

13.  a) I request that the Defendant be required to pay alimony to me.  
 b) I give up my right to request alimony from the Defendant.

14. The Wife's maiden name is \_\_\_\_\_ and this should/should not be restored to her.

WHEREFORE, I request relief from the Court as follows: (Check all that apply)

- 1. A Decree of Divorce on the following grounds:
  - a) Extreme Cruelty
  - b) Adultery
  - c) Desertion
  - d) Willful Neglect
  - e) Habitual Intemperance/drunkenness
  - f) Mutual Consent

2. That custody of the child(ren) be determined.
3. That visitation and child support be determined.
4. That our property and debts be fairly divided.
5. That alimony be awarded to me or that alimony not be awarded to either party.
6. That the wife be restored to her maiden name or former surname and
7. For such other and further relief as to the Court seems just and equitable.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Plaintiff

ATTEST:

\_\_\_\_\_  
Clerk of Courts

SISSETON-WAHPETON OYATE  
LAKE TRAVERSE RESERVATION  
STATE OF SOUTH DAKOTA

INFORMATION FOR  
DIVORCE

DATE: \_\_\_\_\_

1. Check whether petition is for Divorce, Annulment or Legal Separation.  
DIVORCE \_\_\_\_\_ ANNULMENT \_\_\_\_\_ LEGAL SEPARATION \_\_\_\_\_
2. State grounds for the petition: \_\_\_\_\_
3. Full name, date of birth, place of residency and enrollment of petitioner(s)  
and or respondent:

\_\_\_\_\_  
NAME

\_\_\_\_\_  
NAME

\_\_\_\_\_  
DATE OF BIRTH

\_\_\_\_\_  
DATE OF BIRTH

\_\_\_\_\_  
RESIDENCY

\_\_\_\_\_  
RESIDENCY

\_\_\_\_\_  
ENROLLMENT

\_\_\_\_\_  
ENROLLMENT

4. Date and place of marriage:

\_\_\_\_\_  
DATE OF MARRIAGE

\_\_\_\_\_  
PLACE OF MARRIAGE

5. Full Name(s), date of birth and enrollment of children born to the marriage:

\_\_\_\_\_  
NAME

\_\_\_\_\_  
NAME

\_\_\_\_\_  
DATE OF BIRTH

\_\_\_\_\_  
DATE OF BIRTH

\_\_\_\_\_  
ENROLLMENT

\_\_\_\_\_  
ENROLLMENT

\_\_\_\_\_  
NAME

\_\_\_\_\_  
NAME

\_\_\_\_\_  
DATE OF BIRTH

\_\_\_\_\_  
DATE OF BIRTH

\_\_\_\_\_  
ENROLLMENT

\_\_\_\_\_  
ENROLLMENT

\_\_\_\_\_  
NAME

\_\_\_\_\_  
NAME

\_\_\_\_\_  
DATE OF BIRTH

\_\_\_\_\_  
DATE OF BIRTH

\_\_\_\_\_  
ENROLLMENT

\_\_\_\_\_  
ENROLLMENT

6. State property involved in this marriage:

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

7. Employment and income of the parties involved:

\_\_\_\_\_  
EMPLOYMENT

\_\_\_\_\_  
EMPLOYMENT

\_\_\_\_\_  
INCOME

\_\_\_\_\_  
INCOME

8. Added information on petition, such as custody of children, property, change of name, length of time separated, etc:

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

9. FILING FEE OF \$100.00 IS REQUIRED.

INFORMATION GIVEN BY: \_\_\_\_\_

SISSETON-WAHPETON OYATE AMENDED SCHEDULE OF FINES AND COSTS

Effective March 1, 2012

Civil Filing Fee	\$50 (Can be waived for elders unable to pay due to lack of income and unemployed persons with no income
Divorce Filing Fee	\$100
Service Fee	\$10
Criminal Background	\$20 per person
Criminal Costs	Class 1, Class A and Class B- \$40 per count All Others- \$30 per count- Must pay by cash or payroll deduct prior to release)
Review hearing Requests	\$20 per request
Juvenile Delinquency Costs	\$40 per count
Marriage License	\$50
Marriage Ceremony	Donations welcomed
Court Advocate Fee	\$50 per year
Attorney Admission Fee	\$100 per year

IN ORDER TO PROCESS YOUR PAPER WORK WE WILL  
NEED THE FOLLOWING:

**ALL PARTIES INVOLVED:**

**FULL PHYSICAL ADDRESS**

**FULL MAILING ADDRESS**

**PLACE OF EMPLOYMENT**

**TELEPHONE NUMBERS**

**TRIBAL AFFILIATE**

**PAPER WORK WILL NOT BE PROCESSED IF THE  
ABOVE INFORMATION IS NOT PROVIDED**