

KALISPEL TRIBAL COURT

In Re the Marriage of:

Petitioner/Plaintiff,

And

Respondent/Defendant.

No. _____

Petition for Legal Separation

Petition for Legal Separation

1. Information about the parties

Petitioner lives in (*county*): _____ (*state*): _____

Respondent lives in (*county*): _____ (*state*): _____

2. Information about the marriage (check all that apply):

We were married on (*date*): _____ at (*city and state*): _____.

We currently live in the same household.

We began living in separate households on (*date*): _____.

3. Jurisdiction

The court has jurisdiction over the marriage because:

The court **has** personal jurisdiction over the Petitioner because the petitioner is a member of a federally recognized Tribe.

The court **has** personal jurisdiction over the Respondent because (check one)

The respondent is a member of a federally recognized Tribe; or

The respondent signed a Consent to Personal and Subject Matter Jurisdiction form and it is attached to this Petition.

4. Request for legal separation

I ask the court for a legal separation and to find that our marital community ended on (*check one*):

the date this *Petition* is filed.

(*date*): _____, which is when (*check all that apply*):

one of us moved to a separate household.

we separated our assets and debts.

we agreed the marital community ended.

Other (specify): _____

5. Name Change

No request.

Change the Petitioner's name to: _____
First Middle Last

Change the Respondent's name to: _____
First Middle Last

Important! The Respondent must agree to their name change.

6. Written Agreements

Have you and your spouse signed a prenuptial agreement, separation contract, or community property agreement? (Check one):

No (Skip to 7.) Yes (Fill out below.)

Type of written agreement: _____

Date of written agreement: _____

Should the court enforce this agreement? (Check one):

Yes No

If No, why not? _____

7. Real Property (land or home)

Neither spouse owns any real property.

I ask the court to divide the real property according to the written agreement described in 6 above.

I ask the court to divide the real property fairly (equitably), as explained below:

Real Property Address	Tax Parcel Number	Who should own this property?
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
		<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

I ask the court to divide the real property fairly (equitably) as the court decides.

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

Other (specify): _____

8. Personal Property (possessions, assets, or business interests of any kind)

We have already divided the property fairly. I ask the court to order that each spouse will keep any personal property that they now have or control.

I ask the court to divide the personal property according to the written agreement described in **6** above.

I ask the court to divide the personal property fairly (equitably), as explained below:

List property (include vehicles, pensions/retirement, insurance, bank accounts, furniture, businesses, etc. Do not list more than the last 4 digits of any account number.):	Who should own this property?
	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

I ask the court to divide the personal property fairly (equitably) as the court decides.

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

Other: _____

9. Debts (mortgages, loans, credit cards, other money owed)

I am not aware of any debts.

I ask the court to order each spouse to be responsible for debts they incurred (made) after the date of separation.

I ask the court to divide the debts according to the written agreement described in **6** above.

I ask the court to make the following orders about debts (*check all that apply*):

Each spouse is responsible for the debts that are now only in their own name.

Divide the debts fairly (equitably), as explained below:

Debt Amount	Creditor (person or company owed this debt)	Account Number (Last 4 digits only)	Who should pay this debt?
\$			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
\$			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
\$			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
\$			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
\$			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
\$			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
\$			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
\$			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent

Divide the debts fairly (equitably) as the court decides.

The court does not have jurisdiction to divide the debts.

Other: _____

10. Spousal Support (maintenance/alimony)

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): _____
 _____.

according to the written agreement described in **6** above.

Other: _____

11. Fees and Costs

No request.

Order my spouse to pay my lawyer's fees, other professional fees, and costs for this case.

12. Protection Order

Do you want the court to issue a *Protection Order* as part of the final orders in this case?

- No.** I do not want a *Protection Order*.
- Yes.** (You must file a *Petition for Protection Order*. You may file your *Petition for Protection Order* using the same case number assigned to this case.)

Important! If you need protection **now**, ask the court clerk about getting a *Temporary Protection Order*.

- There already is a *Protection Order* between my spouse and me.**

Court that issued the order: _____

Case number: _____

Expiration date: _____

13. Is one of the spouses pregnant? (Check one):

- Yes No

If Yes, who is pregnant? The Petitioner Respondent

14. Children of the marriage

- My spouse and I have no children together who are still dependent. (Skip to 15.)
- My spouse and I have the following children together who are still dependent (*only list children you and your spouse have together, not children from other relationships*):

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

a. Children's home/s

At any time during the past 5 years have any of the children lived with anyone who is not a party to this case?

- No (Skip to **b.**)
- Yes (Fill out below to show where each child has lived during the last 5 years.)

Dates	Children	Lived with	In which state, Indian reservation, or foreign country
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):		
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):		

Dates	Children	Lived with	In which state, Indian reservation, or foreign country
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):		
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):		
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):		

b. Other people with a legal right to spend time with the children

Do you know of anyone besides yourself and Respondent who has or claims to have a legal right to spend time with the children?

No.

Yes. (Name/s) _____ has or claims to have a legal right to spend time with the children because: _____

c. Other court cases involving a child

Do you know of any court cases involving any of the children? (Check one):

No.

Yes. (Fill out below.)

Kind of case (Family Law, Criminal, Protection Order, Juvenile, Dependency, Other)	County and State	Case number and year	Children
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):
			<input type="checkbox"/> All children <input type="checkbox"/> (Name/s):

15. Parenting Plan

My spouse and I have **no** children together who are under 18 years old. (Skip to 16.)

I ask the court to order a *Parenting Plan* for the children my spouse and I have together. I will file and serve my proposed *Parenting Plan* at the same time as this *Petition*.

16. Child Support

Note: The law requires that child support be addressed if there are dependent children of the marriage. (KLOC 8-3.11)

My spouse and I have **no** children together who are still dependent. (Skip to 17.)

Court Order – I ask the court to order child support (including medical support) according to state law for the children my spouse and I have together. A Child Support Financial Worksheet is attached to this Petition.

I ask the court to order my spouse to pay their proportionate share of (*check all that apply*):

daycare expenses

long-distance transportation expenses

education expenses

post-secondary (college or vocational school) support

other child-related expenses (*specify*): _____

I ask the court to order that we have the right to claim the children as dependents for purposes of personal tax exemptions and associated tax credits on our tax forms as follows (*describe*): _____

Administrative Order – There is no need for the court to make a child support order. The DSHS Division of Child Support (DCS) has already established an administrative child support order for the children my spouse and I have together in DCS case number/s: _____. I am not asking the court to make a different child support order.

DCS child support orders do not cover tax issues or post-secondary (college or vocational school) support. Because these issues are not in the administrative order, I ask the court to order (*check all that apply*):

we have the right to claim the children as dependents for purposes of personal tax exemptions and associated tax credits on our tax forms as follows (*describe*):

my spouse to pay their proportionate share of post-secondary (college or vocational school) support.

17. Children from other relationships

Neither spouse has children from other relationships who are still dependent. (Skip to 18.)

I have the following dependent children who are not from this relationship (*list name/s and age/s*): _____.

My spouse has the following dependent children who are not from this relationship (*list name/s and age/s*): _____.

18. Other requests, if any

Petitioner fills out below:

I declare under penalty of perjury under the laws of the Kalispel Tribe and State of Washington that the facts I have provided on this form are true. (Must be notarized or signed in front of the Court Clerk)

Signed at (*city and state*): _____ Date: _____

Petitioner's Signature

Print or Type Name

Mailing Address: _____

Phone Number: _____

Email Address: _____

Notary or Court Clerk Signature: _____ **Date:** _____

Petitioner's lawyer (if any) fills out below:



Petitioner's lawyer signs here

Print name and KTC Bar No.

Date

[] Respondent fills out below if they agree to join this Petition:

I, (*name*): _____, agree to join this *Petition*. I understand that if I fill out and sign below, the court may approve the requests listed in this *Petition* unless I file and serve a *Response* before the court signs final orders. (*Check one*):

[] I do not need to be notified about the court's hearings or decisions in this case.

[] I ask the Petitioner to notify me about any hearings in this case. (*List an address where you agree to accept legal documents. This may be a lawyer's address or any other address.*)

Address *City* *State* *Zip*

E-mail: _____

Respondent's Signature

Print or Type Name

Respondent's Phone Number: _____