

# DISSOLUTION OF MARRIAGE PACKET



## IN THE DISTRICT COURT OF WYANDOTTE NATION

**Wyandotte Nation Courts**  
**64700 E Hwy 60**  
**Wyandotte, Ok 74370**

**Court Clerk Phone: 918-678-6342**  
**Court Administrator Phone: 918-678-6394**  
**Fax: 918-676-7002**

The forms in this packet are to be used as a template, if you are seeking to file a Dissolution of Marriage. Please read the instructions carefully before completing the forms. The Court Clerk CANNOT accept a Petition that is not filled out completely.

Should you need assistance in preparing the Petition, you must consult with an Attorney at your own expense. This court does not have Legal Aid. The Court Clerk is prohibited by Ethical Code and Court Rules to provide legal advice and help parties prepare or type court documents. Different situations may require special procedures and the Court Clerk CANNOT advise you on how to proceed or what forms may be necessary in specific situations.

Packet contains:

1. Instructions
2. Flow Chart
3. Petition
4. Entry of Appearance & Waiver
5. Summons
6. Proof of Service
7. Standard Visitation Schedule



IN THE DISTRICT COURT OF WYANDOTTE NATION

**INSTRUCTIONS**

**PETITION FOR DISSOLUTION OF MARRIAGE**

**IMPORTANT INFORMATION-PLEASE READ!**

1. Petition for Dissolution of Marriage must be filled out completely to the best of your knowledge and ability.
2. Petition for Dissolution of Marriage must be signed in front of the Court Clerk or a Notary Public when you are ready to file.
3. Filing fees, copy fees, etc., must be made in the form of **CASH, CASHIER’S CHECK, MONEY ORDER, DEBIT/CREDIT CARD OR E-CHECK (there is a processing fee when using a debit/credit card or e-check)** and must be payable to “**Wyandotte Nation Courts**”. Filing fees **MUST** be paid at the time of filing your Petition. If you are unsure of the amount of filing fees, contact the Court Clerk.
4. Submit original Petition for Dissolution of Marriage and one (1) copy of the Petition (if the Defendant has signed an Entry of Appearance and Waiver, then you only have to submit the Original Petition); you should retain a copy of the Petition for your records. If the Court Clerk makes any copies, you will be charged \$1.00 for the first page and \$.50 for each additional page.

**FILING FEES-PETITION FOR DISSOLUTION OF MARRIAGE FEE**

Petition for Dissolution of Marriage.....	\$125.00
Service (Certified Mail) .....	\$Per USPS
Service (Tribal PD) .....	\$30.00
Service (Process Server) .....	\$Actual Cost

*If an Entry of Appearance & Waiver is filed, there will be no service fee.*

**OFFICE HOURS: 8:00AM-12:00PM and 1:00PM-4:30PM, MONDAY-THURSDAY  
8:00AM-12:00PM and 1:00PM-3:30PM FRIDAY**

Mailing Address: Wyandotte Nation Courts  
64700 E Hwy 60  
Wyandotte, Ok 74370

Physical Address: 64700 E Hwy 60  
Wyandotte, Ok 74370

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## DIVORCE FLOW CHART: Divorce Process

**"PETITION FOR DISSOLUTION OF MARRIAGE"** - The petitioner prepares and files the *petition* with the Court Clerk. This is the document filed by the petitioner to start the divorce action.

*If an Entry of Appearance and Waiver is **NOT** filed with the Petition*

*If an Entry of Appearance and Waiver*

***IS** filed with the Petition*



**"SUMMONS"** - The Court Clerk will prepare *summons* to respondent advising him/her that they have 30 days to answer to the petition.



**"SERVICE OF PROCESS"** - Serve respondent with copy of the petition and summons sent certified mail, served by WNP, or process server.



**"ANSWER"** - Respondent must respond to the petition within 30 day. The *answer* states whether or not the Respondent agrees with the Petition. If the respondent doesn't file an answer, the Court assumes that the respondent agrees to the terms in the petition.



**"NOTICE OF HEARING"** - Petitioner and respondent will receive a *notice of hearing* advising the parties of the schedule divorce hearing date and time.



**"DIVORCE HEARING"** - The Judge will review the case file and ask a few basic factual questions. The Judge will rule on matters of the case including, division of property, debts, and if applicable, will act in the best interest of the child(ren) in determining child custody, child support and visitation



**"DIVORCE DECREE"** - The petitioner and respondent will receive a certified *divorce decree* in the mail 2 weeks after the hearing. The divorce decree is an official document of the decision of the Judge.



**IN THE DISTRICT COURT OF WYANDOTTE NATION**

**IN RE THE MARRIAGE OF:**

\_\_\_\_\_, )  
 Petitioner, )  
 vs. )  
 \_\_\_\_\_, )  
 Respondent. )

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

**PETITION FOR DISSOLUTION OF MARRIAGE**

1. The Petitioner, \_\_\_\_\_, DOB: \_\_\_\_\_, resides at \_\_\_\_\_ and HAS/HAS NOT (circle one) been an actual resident, in good faith, of the Wyandotte Nation Reservation for at least ninety (90) days prior to the filing of the petition.  
 is a citizen of the Wyandotte Nation.  
 is not a citizen of the Wyandotte Nation.
2. The Respondent, \_\_\_\_\_, DOB: \_\_\_\_\_, resides at \_\_\_\_\_ and HAS/HAS NOT (circle one) been an actual resident, in good faith, of the Wyandotte Nation Reservation for at least ninety (90) days prior to the filing of the petition.  
 is a citizen of the Wyandotte Nation.  
 is not a citizen of the Wyandotte Nation.
3. The parties were married on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ (City and State) and have been since that time and are at the present time husband and wife.
4. As grounds for Dissolution of Marriage, the Petitioner alleges there is an irretrievable breakdown of the marriage.

5. \_\_\_\_ child(ren) have been born to or adopted by the parties to this marriage, namely;  
NAME DOB AGE

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6. Upon information and belief, the wife IS/IS NOT pregnant. (circle one)

7. Custody and Visitation: \_\_\_\_\_

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8. Child Support: \_\_\_\_\_

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9. Marital Support: \_\_\_\_\_

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10. Separate Property: \_\_\_\_\_

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11. Community Property: \_\_\_\_\_

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12. Marital Debts: \_\_\_\_\_

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13. The parties HAVE/HAVE NOT (circle one) entered into (a/any) agreement(s) as to property/debt/child custody and visitation. (ATTACH COPY OF AGREEMENT IF ONE HAS BEEN ENTERED INTO)

14.  The Petitioner requests to be restored to her former/maiden name of \_\_\_\_\_.

**WHEREFORE**, premises considered, the Petitioner prays that upon hearing this cause the Court grant and award to the Petitioner:

- A Decree of Dissolution of Marriage;
- Custody of the child(ren)
- Visitation
- Child Support
- Marital Support
- Separate Property Division
- Community Property Division
- Marital Debt Division
- Name Restoration
- Such other relief as is appropriate

Respectfully submitted,

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

\_\_\_\_\_  
Print Petitioner's Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone #

VERIFICATION ATTACHED HERETO

**VERIFICATION**

I, \_\_\_\_\_, being first duly sworn to tell the truth and being of lawful age above 18 years of age, hereby state that I have prepared and read the foregoing Petition for Dissolution of Marriage and verify that all of the factual allegations contained in this Petition are in fact true and correct to the best of my knowledge and belief, **UNDER PENALTY OF PERJURY.**

\_\_\_\_\_  
Petitioner

**SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_.**

\_\_\_\_\_  
Court Clerk/Deputy or Notary Public

SEAL

Commission Expires: \_\_\_\_\_



WYANDOTTE NATION DISTRICT COURT

\_\_\_\_\_, )
Petitioner, )
vs. )
\_\_\_\_\_, )
Respondent, ) Case No. \_\_\_\_\_

ENTRY OF APPEARANCE AND WAIVER

COMES NOW, the Respondent herein, the undersigned, and acknowledges receipt of a copy of the Petition for Dissolution of Marriage filed and, states that he/she has read and understands the same, hereby waives the issuance, service, and return of process upon him/her in this action, enters a voluntary appearance in this cause and submits to the jurisdiction of the Wyandotte Nation, waiving all time and right to plead and answer, or appear in this action, and consents that the same may be set down for trial and heard by the Court at any time hereafter without notice to, and in the absence of this Respondent.

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

Signature

Please print your name & address:

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

Telephone: \_\_\_\_\_

SHOULD YOU AGREE TO SIGN THIS WAIVER, PLEASE SIGN IN FRONT OF A NOTARY PUBLIC OR COURT CLERK AND RETURN TO THIS OFFICE EITHER BY MAIL OR IN PERSON.

State of Oklahoma; )
County of \_\_\_\_\_ )

Before me, the undersigned Notary Public, came \_\_\_\_\_ this \_\_\_ day of \_\_\_\_\_ 20\_\_, to me known to be the identical person who executed the above and foregoing Entry of Appearance and Waiver, and personally acknowledged to me that he/she has read, understood, and signed the same, and that he/she executed the same as his/her free and voluntary act and deed for the uses and purposes therein set forth. IN WITNESS THEREOF I have hereunto affixed my signature and official seal the date heretofore stated.

SEAL

NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

COURT CLERK/DEPUTY





WYANDOTTE NATION DISTRICT COURT

\_\_\_\_\_, )
Petitioner, )
vs. )
\_\_\_\_\_, )
Respondent, ) CASE NO: \_\_\_\_\_

SUMMONS

TO: \_\_\_\_\_ (Respondents Name)
\_\_\_\_\_ (Respondents Address)
\_\_\_\_\_ (Respondents City, State, Zip)

YOU ARE HEREBY SUMMONED in the above-named action and directed to file a written Answer to the attached Petition for Dissolution of Marriage with the Court Clerk of this Court, within thirty (30) days after service of this Summons upon you, exclusive of the day of service, which is herewith served upon you.

A copy of your Answer must also be delivered or mailed to the Petitioner or his/her Attorney and proof of such service with your Answer must be filed in this Court.

If you fail to answer this Petition for Dissolution of Marriage within the time stated, judgment by default can be rendered against you for the relief demanded by the Petitioner.

SEAL

\_\_\_\_\_  
Court Clerk/Deputy Court Clerk  
Wyandotte Nation  
64700 E Hwy 60  
Wyandotte, OK 74370  
Telephone: (918) 678-6342

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Petitioner or Petitioner's Attorney sign)  
(Petitioner Name)  
(Petitioner Address)  
(Petitioner City, State, Zip)  
(Petitioner Telephone Number)

*YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THE SUMMONS.*

**CERTIFICATION**

I, the undersigned Court Clerk, hereby certify that I emailed, faxed, hand-delivered or mailed a true and correct copy of this document and copy of the Petition for Dissolution of Marriage on the \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_, to the Respondent:

Certified Mail-Restricted Delivery

Article No. \_\_\_\_\_

\_\_\_\_\_ (Respondents Name)

\_\_\_\_\_ (Respondent Address)

\_\_\_\_\_ (Respondent City, State, Zip)

SEAL

\_\_\_\_\_  
Court Clerk/Deputy Court Clerk



WYANDOTTE NATION DISTRICT COURT

\_\_\_\_\_ )  
**Petitioner,** )  
**vs.** )  
\_\_\_\_\_ )  
**Respondent,** ) **Case No.** \_\_\_\_\_

**PROOF OF SERVICE**

A true and correct copy of the Petition for Dissolution of Marriage and Summons were mailed certified mail, postage prepaid, through the United States Postal Service to \_\_\_\_\_,  
at the address of \_\_\_\_\_.  
Proof of delivery, signed by the Respondent and dated \_\_\_\_\_, 20\_\_\_\_, is  
attached hereto.

\_\_\_\_\_  
Petitioner or Petitioner's Attorney

**STANDARD VISITATION SCHEDULE**

PETITIONER: \_\_\_\_\_

RESPONDENT: \_\_\_\_\_

CASE NO: \_\_\_\_\_

The non-custodial parent shall have visitation with the minor child/(ren) of the parties as follows:

**REGULAR VISITATION**

Every other weekend from 6:00pm Friday to 6:00pm Sunday.

**HOLIDAY VISITATION**

In even- numbered years (2020, etc.) the non-custodial parent shall have visitation according to the following schedule:

- EASTER: 6 p.m. Friday preceding Easter until Easter Sunday at 10 p.m.
- INDEPENDENCE DAY: Evening preceding July 4 until 10 p.m. on July 4.
- THANKSGIVING: Wednesday preceding Thanksgiving until 10 p.m. Sunday
- CHILD'S BIRTHDAY: 8 a.m. on day of birthday until 6 p.m. on day of birthday

In odd-numbered years (2021, etc.) the non-custodial parent shall have visitation according to the following schedule:

- MEMORIAL DAY: 6 p.m. Friday preceding Memorial Day until 10 p.m. Monday
- LABOR DAY: 6 p.m. Friday preceding Labor Day until 10 p.m. Monday
- CHRISTMAS: 6 p.m. Christmas Day until 6 p.m. December 26

The holiday visitation schedule set out above is to be observed whether or not it coincides with the regular every other weekend visitation schedule and is in addition thereto. However, it is intended that the holidays alternate between custodial and non-custodial parents. Therefore, on those occasions when non-custodial shall not occur.

**SPECIAL VISITATION**

With respect to Father's Day and Mother's Day, if the father is the non-custodial parent, and if Father's Day falls on a weekend not regularly scheduled for parental visitation, he shall have visitation on Father's Day from 12 noon until 10 p.m. If Mother's Day falls within the weekend of father's visitation, he shall return the child(ren) to the mother by 12 noon on Mother's Day. If the mother is the non-custodial parent, the reverse shall apply.

**SUMMER VISITATION**

The non-custodial parent shall have summer visitation for two 2-week periods from 8:00 a.m. June 15 until 6:00 p.m. June 30 and from 8:00 a.m. July 15 until 6:00 p.m. July 30<sup>th</sup>. The alternating weekend visits shall remain in effect.

This visitation is for the purpose of providing assured minimum amounts of visitation between non-custodial parent and child(ren). Visitation should exceed the number of occasions set out herein. In addition, liberal telephone communications between non-custodial parent and child(ren) are encouraged.

\_\_\_\_\_  
Judge of the District Court  
Wyandotte Nation