

LAC COURTE OREILLES TRIBAL COURT

In re the marriage of:

Joint Petitioner-Spouse 1:

Enter the name of Spouse 1.

First Name Full Middle Name Last Name

Enter the address of Spouse 1.
*Required

*Mailing Address

*Physical Address

On the far right, check divorce or legal separation.

*City *County *State *Zip Code

and

Joint Petitioner-Spouse 2:

Enter the name of Spouse 2.

First Name Full Middle Name Last Name

Enter the name of Spouse 2.
*Required

*Mailing Address

*Physical Address

*City *County *State *Zip Code

Joint Petition

- Divorce
- Legal Separation

CASE NO. _____

Enter Spouse 1 date of birth, SS number, occupation highest grade Completed residency, membership and race.

A. We are providing the following information about Spouse 1:

1. Date of birth _____
2. Social security number _____
3. Occupation _____
4. Highest Grade Completed _____
5. Resident of the Lac Courte Oreilles Reservation? _____ Since: _____
6. Member of the Lac Courte Oreilles Tribe? _____ Race: _____
7. Immediately before filing this petition, Spouse 1 will have lived on the Reservation for 90 days or more.
 Yes No
8. Spouse 1 is currently on active duty as a member of the Armed Forces of the United States of America or its allies. Yes No

Check yes or no.

Check yes or no.

Enter Spouse 2 date of birth, SS number, occupation highest grade completed, residency, membership and race.

B. We are providing the following information about Spouse 2:

1. Date of birth _____
2. Social security number _____
3. Occupation _____
4. Highest Grade Completed _____
5. Resident of the Lac Courte Oreilles Reservation? _____ Since: _____
6. Member of the Lac Courte Oreilles Tribe? _____ Race: _____
7. Immediately before filing this petition, Spouse 2 will have lived on the Reservation for 90 days or more.
 Yes No
8. Spouse 2 is currently on active duty as a member of the Armed Forces of the United States of America or its allies. Yes No

Check yes or no.

Check yes or no.

Enter the date, city and state in which you were married and the date (M/D/YY) you last resided in the same household.

C. We are providing the following marriage information:

1. We were married on (date) _____

2. We were married in (City) _____ (State) _____

3. The exact date we last resided in the same household was _____

4. We are filing for:

Divorce: This marriage is irretrievably broken.

Legal Separation: This marriage is broken and the reason I am requesting a legal separation and not a divorce is: _____

5. Previous Actions:

This is the first time that either my spouse or I have filed for divorce or legal separation from each other in Wisconsin or in any other state.

Yes

No, and one of those actions is currently pending in Wisconsin or another state.

Yes

No

County _____ State _____

Case number _____

6. This is Spouse 1's first marriage.

Yes **No**

a. Spouse 1 was previously married to _____

b. The marriage was terminated by **divorce** **death.**

c. Date of the divorce or death (MM/DD/YYYY) _____

d. The divorce was granted in:

Name of court: _____

City: _____ State: _____

e. Spouse 1 was also previously married to _____

f. The marriage was terminated by **divorce** **death.**

g. Date of the divorce or death (MM/DD/YYYY) _____

h. The divorce was granted in:

Name of court: _____

City: _____ State: _____

7. This is Spouse 2's first marriage.

Yes **No**

a. Spouse 2 was previously married to _____

b. The marriage was terminated by **divorce** **death.**

c. Date of the divorce or death (MM/DD/YYYY) _____

d. The divorce was granted in:

Name of court: _____

City: _____ State: _____

e. Spouse 2 was also previously married to _____

f. The marriage was terminated by **divorce** **death.**

g. Date of the divorce or death (MM/DD/YY) _____

h. The divorce was granted in:

Name of court: _____

City: _____ State: _____

D. We are providing the following information regarding children:

Enter the name, date of birth (M/D/YYYY) age and membership for each **minor** child. If you and your spouse do not have minor children together, check NONE.

1. There are **minor** children (age 17 or younger) born to or adopted together by us before or during our marriage are:
 Yes (Child Custody Affidavit must be attached.) **No**
2. There are **adult** children (age 18 or older) born to or adopted by us before or during our marriage are:
 Yes **No**

Name of child	Date of birth	Age	Member of LCO Tribe?

Enter the name, date of birth (M/D/YYYY) age and membership for each **adult** child. If you and your spouse do not have minor children together, check NONE.

3. **Other** children born to Spouse 1 or Spouse 2 during this marriage, but not fathered by the other Spouse are:
 None

Name of child	Date of birth	Age	Member of LCO Tribe?

Enter the name, date of birth (M/D/YYYY) age and membership for any **other** children. If the Spouse gave birth to no other children, check NONE. If more than 2, attach additional sheet.

4. To the best of my knowledge, the wife in this marriage:
 is **is not** currently pregnant.

10. We have made written agreements or received orders from the court about some or all of the matters in this action such as maintenance (spousal support), child support, legal custody or physical placement of the minor children, or property division.

Yes (we have attached a copy of the written agreement to this Petition.) **No**

Check yes or no. If yes, attach a copy of the written agreement.

We ask that the court:

- Grant a judgment as requested.
- Enter an order granting maintenance.
 Yes **No**
- Enter an order granting legal name restoration of the:
 Wife: Pre-married legal surname of _____
 Husband: Pre-married legal surname of _____
- Enter other orders as it deems just and equitable.

If you are requesting maintenance (spousal support) at this time, check yes. If not, check no.

ACTS PROHIBITED BY STATUTE

In accordance with sec. 767.087 Wis. Stats., neither the petitioner nor the respondent to this divorce or legal separation action can participate in any of the following activities while this action is pending:

- Harassing, intimidating, physically abusing or imposing any restraint on the personal liberty of the other party or a minor child of either of the parties.
- Encumbering, concealing, damaging, destroying, transferring, or in any other way disposing of property owned by either or both of the parties, without the consent of the other party or an order of the court or the Family Court Commissioner, except in the usual course of business, in order to secure necessities or in order to pay reasonable costs and expenses of the action, including attorney fees.

3. Establishing a residence with a minor child of the parties outside the state of Wisconsin or more than 150 miles from the residence of the other party within the state without the consent of the other party or an order of the court or Family Court Commissioner.
4. Removing a minor child of the parties from the state of Wisconsin for more than 90 consecutive days without the consent of the other party or an order of the court or Family Commissioner.
5. Concealing a minor child of the parties from the other party without the consent of the other party or an order of the court of Family Court commissioner.

A VIOLATION OF THE ABOVE PROHIBITION MAY RESULT IN PUNISHMENT FOR CONTEMPT WHICH MAY INCLUDE MONETARY PENALTIES, IMPRISONMENT, AND OTHER SANCTIONS AS PROVIDED FOR IN SEC. 785.04 WIS. STATS.

A violation of paragraphs 3, 4 or 5 above is not a contempt of court if the court finds that the action was taken to protect a party or a minor child of the parties from physical abuse by the other party and that there was no reasonable opportunity under the circumstances for the party to obtain an order authorizing the action.

These PROHIBITIONS apply until the action is dismissed, a final judgment in the action is entered or the court orders otherwise.

After the wife has been sworn by a Notary Public, she must sign and print her name and date the document in front of the Notary Public.

STOP!
Take this document to a Notary Public BEFORE you sign it.

Signature

Print or Type Name

Date

Subscribed and sworn to before me on _____

Notary Public, State of Wisconsin

My commission expires: _____

(Seal)

Have the Notary Public sign, date and seal the document.

After the husband has been sworn by a Notary Public, he must sign and print his name and date the document in front of the Notary Public.

STOP!
Take this document to a Notary Public BEFORE you sign it.

Signature

Print or Type Name

Date

Subscribed and sworn to before me on _____

Notary Public, State of Wisconsin

My commission expires: _____

(Seal)

Have the Notary Public sign, date and seal the document.