

LAC COURTE OREILLES TRIBAL COURT

In re the marriage of:

Petitioner:

Enter your name (you are the petitioner).

*First Name *Full Middle Name * Last Name

Enter your address.
*Required

*Mailing Address

*Physical Address

On the far right, check divorce or legal separation.

*City *County *State * Zip Code

and

Respondent:

Enter your spouse's name (your spouse is the respondent).

First Name Full Middle Name Last Name

Enter your spouse's address.
*Required

*Mailing Address

*Physical Address

*City County State Zip Code

Sole Petition

- Divorce**
- Legal Separation**

CASE NO. _____

I am the petitioner in this action.

A. I am providing the following information about myself:

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, I will have lived on the Reservation for 90 days or more.
 Yes **No**
8. I am currently on active duty as a member of the Armed Forces of the United States of America or its allies. **Yes** **No**

B. I am providing the following information about the respondent, my spouse:

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, respondent has lived on the Reservation for 90 days or more.
 Yes **No**
8. The respondent is currently on active duty as a member of the Armed Forces of the United States of America or its allies. **Yes** **No**

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

Check yes or no.

Check yes or no.

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

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

Check divorce or legal separation. If legal separation, explain why you are filing for a legal separation and not a

Check yes or no. If no, check yes or no. If yes, identify the county, state and case number of the pending filing. If you do not know, write "unknown" in the blank.

Check yes or no. If no, respond to 6a-6d with information about your most recent previous marriage. Be sure to include the exact date of the divorce or death.

Check yes or no. If no, respond to 6a-6d with information about your spouse's most recent previous marriage if known. Be sure to include the exact date of the divorce

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

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

Check is or is not.

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

C. I am providing the following marriage information:

1. My spouse and I were married on (date) _____ (State) _____
2. We were married in (City) _____ (State) _____
3. The exact date we last resided in the same household was _____
4. I am 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 my first marriage.

- Yes** **No**
- a. I 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: _____

7. This is my spouse's first marriage.

- Yes** **No**
- a. My spouse 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: _____

D. I am providing the following information regarding children:

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. The **adult** children (age 18 or older) born to or adopted together by me and my spouse before or during our marriage are:

<input type="checkbox"/> None	Name of child	Date of birth	Age	Member of LCO Tribe?
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3. **Other** children born to the wife during this marriage, but not fathered by the husband are:

<input type="checkbox"/> None	Name of child	Date of birth	Age	Member of LCO Tribe?
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4. To the best of my knowledge, the wife in this marriage:

is **is not** currently pregnant.

5. My Spouse and I 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 **No**

If yes, I have attached a copy of the written agreement to this Petition.

I ask that the court:

- 1. Grant a judgment as requested.
- 2. Enter an order granting maintenance.
 - Yes No
- 3. Enter an order granting legal name restoration of the:
 - Wife: Pre-married legal surname of _____
 - Husband: Pre-married legal surname of _____
- 4. 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:

- 1. 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.
- 2. 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 you have been sworn by a Notary Public, sign and print your 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.