

**WHITE EARTH TRIBAL COURT**

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**In Re the Marriage of:**

,

**Petitioner,**

**and**

,

**Respondent.**

**PETITION FOR  
DISSOLUTION OF MARRIAGE**

**Court File Number:**

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\_\_\_\_\_, as and for **his/her** Petition for Dissolution of Marriage, states and alleges as follows:

I.

That the true and correct name of the Petitioner is \_\_\_\_\_.

Petitioner is \_\_\_\_\_ years of age having been born on \_\_\_\_\_ and currently resides at \_\_\_\_\_, \_\_\_\_\_ County, Minnesota. This **is/is not** within the exterior boundaries of the White Earth Reservation. The Petitioner **is/is not** a member of the White Earth Band of Ojibwe.

II.

That the true and correct name of the Respondent is \_\_\_\_\_ and was formally known as \_\_\_\_\_. Respondent is \_\_\_\_\_ years of age having been born on \_\_\_\_\_ and currently resides at \_\_\_\_\_, \_\_\_\_\_, Minnesota. This **is/is not** within the exterior boundaries of the White Earth Reservation. The Respondent **is/is not** a member of the White Earth Band of Ojibwe.

III.

That Petitioner is represented in these proceedings by \_\_\_\_\_.

IV.

The Respondent is represented in these proceedings by \_\_\_\_\_.

V.

That for more than 180 days immediately preceding the commencement of this action, the parties have resided within the State of Minnesota and at the time of the commencement of this action the Petitioner was a resident of \_\_\_\_\_.

VI.

That the parties were married on \_\_\_\_\_ in \_\_\_\_\_, Minnesota and since have been and now are husband and wife.

That the parties have been separated since \_\_\_\_\_.

VII.

That Petitioner has no knowledge of any separate proceeding for dissolution of marriage or legal separation commenced or pending in any court.

VIII.

That there has been an irretrievable breakdown of the marriage relationship within the meaning of White Earth Band Statute Section \_\_\_\_\_.

IX.

That this Petition is filed in good faith and for the purposes set forth herein.

X.

That neither party is now a member of the United States armed forces and entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act.

XI.

That there are \_\_\_\_\_ minor children born of this marriage relationship, namely:

\_\_\_\_\_, born \_\_\_\_\_, age \_\_\_;

\_\_\_\_\_, born \_\_\_\_\_, age \_\_\_; and

\_\_\_\_\_, born \_\_\_\_\_, age \_\_\_.

That both parties are fit and proper persons to have the care, control, and custody of the minor children of the parties, and it is in the best interest of the minor children to be in the joint legal and physical custody of the parties but with primary placement being with Petitioner, subject to Respondent's right to reasonable and liberal visitation.

XII.

The **Petitioner/Respondent is/is not** now pregnant.

XIII.

The parties are the owners of real property in the form of their homestead located at \_\_\_\_\_, \_\_\_\_\_ County, Minnesota and legally described as follows, to wit:

That the parties purchased said homestead in \_\_\_\_\_ of \_\_\_\_\_ (year) for approximately \$\_\_\_\_\_. The fair market value of said property is approximately \$\_\_\_\_\_. The homestead is subject to a mortgage in favor of \_\_\_\_\_ in an approximate amount of \$\_\_\_\_\_.

XIV.

The parties have incurred various joint and individual debts and obligations during the course of their marriage. Responsibility for payment of these debts should be allocated equitably between the parties. Those debts and obligations are:

1. \_\_\_\_\_ Account balance: \_\_\_\_\_

2. \_\_\_\_\_ Account balance: \_\_\_\_\_

XV.

That the parties are the owners of various items of household furniture, furnishings and personal property which have not been divided.

XVI.

The parties own or have an interest in intangible personal property such as bank accounts, savings bonds, stock, life insurance policies, and retirement benefits.

XVII.

The Petitioner has for his exclusive use and in his possession a \_\_\_\_\_ car, which is subject to an encumbrance of \$ \_\_\_\_\_.

The Respondent has for her exclusive use and in her possession a \_\_\_\_\_ car which is subject to an encumbrance of \$ \_\_\_\_\_.

XVIII.

That the Petitioner is employed, full-time, as a \_\_\_\_\_ by \_\_\_\_\_  
\_\_\_\_\_. Petitioner has a gross weekly salary of approximately \$ \_\_\_\_\_.

XIX.

That the Respondent is employed, full-time, as a \_\_\_\_\_ by \_\_\_\_\_  
\_\_\_\_\_. Respondent has a gross weekly salary of approximately \$\_\_\_\_\_.

XX.

The **Petitioner/Respondent** is presently carrying health, medical and dental insurance coverage through **his/her** employment for the benefit of the parties' minor children.

**WHEREFORE**, the Petitioner prays the judgment and decree of this Court as follows:

1. Dissolving the bonds of matrimony existing between the parties.
2. That neither party will receive spousal maintenance, past, present or future.
3. Granting to the parties joint physical and legal custody of the minor children.
4. Granting the Petitioner primary physical custody of the minor children, subject to Respondent's right to reasonable and liberal visitation.
5. Ordering Respondent to pay to Petitioner child support and a reasonable amount for daycare expenses.
6. Ordering Petitioner to maintain health, medical and dental insurance for the benefit of the parties' minor children.
7. Awarding to Respondent the right to claim the minor children as dependents for tax purposes.
8. Granting to Petitioner/Respondent all right, title and interest in and to the parties' homestead located at \_\_\_\_\_, \_\_\_\_\_ County, Minnesota, and legally described as follows, to wit:

9. Ordering a fair and equitable division of the personal property.

10. Order each party to pay, according to their respective terms, a fair and equitable share of the joint and individual debts and obligations of the parties, and to indemnify and hold harmless the other party therefrom.

11. Awarding to each party a fair and equitable share of the intangible personal property.

12. Awarding to the Petitioner the \_\_\_\_\_ car, subject to any encumbrance thereon, but free and clear of any claim by Respondent.

13. Awarding to the Respondent the \_\_\_\_\_ car, subject to any encumbrance thereon, but free and clear of any claim by Petitioner.

14. Ordering each party to pay his or her debts incurred since \_\_\_\_\_, and to indemnify and hold harmless the other party therefrom.

15. Ordering the parties to pay their respective attorney's fees and costs.

16. For such other and further relief as the court deems just and equitable.

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

\_\_\_\_\_  
Petitioner

Subscribed and sworn to before me  
this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

