

INFORMATION ON YOUR DIVORCE
THE STEPS – DIVORCE --MINOR CHILDREN – DEFENDANT

1. **Read all the instructions** before completing forms to ensure that your divorce proceedings are proper in the Shoshone and Arapaho Tribal Court. To file a petition in Tribal Court the Petitioner (your spouse) must have lived on the Wind River Indian Reservation for at least sixty (60) days before the filing of the Petition for Divorce. S & A LOC § 9-5-5.

2. In the Shoshone and Arapaho Tribal Court, when your spouse files for a *Petition for Divorce*, she/he becomes the Petitioner and you are referred to as the Respondent.

3. **Jurisdiction.** To properly be in front of the Shoshone and Arapaho Tribal Court, the Respondent [you] must either (1) be a member of the Shoshone or Arapaho Tribes or a non-enrolled member of the Tribes or any other Indian within a reservation; or (2) if not an Indian, you must be within the jurisdiction of the Tribal Court. S & A LOC § 9-5-1. Jurisdiction means the court has the right and power to interpret and apply the law. For example, the tribal court will have jurisdiction over a person living or present on the reservation but will not have jurisdiction over a non-Indian unconnected with the reservation.

A. If you and/or your spouse do not meet the requirements above, your spouse's *Petition for Divorce* is likely in the wrong court and will have to be filed in a court with jurisdiction.

4. **Time Limit to Answer.** If you have been served with a *Petition for Divorce* by your spouse, you need to file this *Response* within **twenty (20) days** or a default judgment may be entered against you. If you file late or do not file this *Response to Petition for Divorce*, your spouse may obtain a *Decree of Divorce* giving him/her everything requested.

A. Your *Response* should be filed with the Shoshone and Arapaho Tribal Court at 109 Norkok, Fort Washakie, WY 82514.

5. **Admit or Deny.** Carefully read through your Spouse's *Petition for Divorce* and list the paragraph numbers that you think are true statements and then list the paragraph numbers you believe are not true statements in the *Response*. If you do not know if a statement is true or not, list the paragraph number under the last section to show you need more information to answer.

5. **Service.** Within twenty (20) days of receiving the *Petition for Divorce*, you must file out this *Response* and "serve" your spouse with your *Response*. Service consist of delivering to your spouse a copy of the *Response* to show your spouse you have gotten the *Petition for Divorce* and have responded to the proper court.

6. Once a Petition and Response has been filed with the court, your case will have to be heard and decided by a judge at a trial. You or the other party will need to request a hearing by completing a ***Request for Setting*** [included in this packet]. It is ***strongly recommend*** you get an attorney for trial.

_____(your name)
_____(address)
_____(address)
_____(phone number)

SHOSHONE AND ARAPAHO TRIBAL COURT
Shoshone and Arapaho Tribes
Wind River Indian Reservation
Fort Washakie, Wyoming

IN THE MATTER OF:)
)
)
_____,)
PETITIONER (Print your Spouse's name))
) CASE NO.: _____
vs.)
)
)
_____,)
RESPONDENT (Print your name))

RESPONSE TO PETITION FOR DIVORCE

1. Respondent admits the allegations in Paragraphs _____
(list paragraphs that are **true** statements)
of Petitioner's *Petition for Divorce*.
2. Respondent denies the allegations in Paragraphs _____
(list paragraphs that you believe are **not true** statements)
of Petitioner's *Petition for Divorce*.
3. Respondent does not have enough information to either admit or deny the allegations in
Paragraphs _____.

THEREFORE, Respondent respectfully requests that the court find generally in his/her favor and against the Petitioner, and that the Petitioner take nothing by way of his/her *Petition for Divorce*.

DATED _____, 20____.
Month Day

Respondent (your signature)

CERTIFICATE OF SERVICE

I certify this _____ day of _____, 20____ the original of this document was filed with the Shoshone and Arapaho Tribal Court; and, a true and accurate copy of this document was served in accordance with S & A LOC Rules of Civil Procedure on the other party by:

- personally delivering the required papers to the Petitioner or upon some person over fourteen (14) years of age at the party's house or principle place of business, or
- upon order of the court, a publication illustrating the contents of the summons in a local newspaper at least once per week for four (4) weeks and by leaving an extra copy of the *Response* with the court for the party, or
- by any law enforcement officer or other person, not a party, eighteen (18) years of age or older.

Name of Person Serving (print) _____

Date _____ Time _____

Place of Service _____

Signature _____

(Stop) _____ (For the Clerk)

Subscribed and sworn to before this _____ day of _____, 20 ____.

Court Clerk or Notary Public

My commission Expires: