

**LUMMI TRIBAL COURT
LUMMI NATION, WASHINGTON**

IN RE THE MARRIAGE OF:

_____,

Petitioner,

and

_____,

Respondent

Case No.: _____ CVDM _____

☐ DECREE OF DISSOLUTION

☐ DECREE OF LEGAL SEPARATION

☐ DECLARATION CONCERNING
VALIDITY OF MARRIAGE

(With Dependent Child)

JUDGMENT/ORDER SUMMARIES

Restraining Order

☐ Does not apply ☐ Restraining Order is set forth in Attachment B.

Real Property Judgment:

☐ Does not apply ☐ Real Property Judgment is set forth in Attachment A.

Money Judgment:

☐ Does not apply ☐ Money Judgment is set forth in Attachment A.

FINDINGS OF FACT AND CONCLUSIONS OF LAW.

1. BASIS FOR FINDINGS

The findings are based on:

- ☐ agreement.
- ☐ an order of default signed by the court on this date or dated ____/____/____.
- ☐ a hearing before the court on ____/____/ 20____. The following persons attended:
- ☐ Petitioner.
- ☐ Respondent.
- ☐ Other: _____

2. IDENTIFICATION OF PETITIONER

Name: _____
First Middle Last

Date of Birth: ____/____/____

3. IDENTIFICATION OF RESPONDENT

Name: _____
First Middle Last

Date of Birth: ____/____/____

4. JURISDICTION.

The Court has jurisdiction under LCL 11.02.030 because one or both parties to the marriage is:

- ☐ an enrolled Lummi Tribal member as follows: ☐ Petitioner ☐ Respondent
☐ is living on the Lummi Indian Reservation as follows: ☐ Petitioner ☐ Respondent

5. DATE AND PLACE OF MARRIAGE.

The parties were married on ____/____/____ at _____
(city / state)

6. SEPARATION.

The parties separated on ____/____/____ -- ☐ are not separated.

7. STATUS OF THE MARRIAGE.

- ☐ The marriage is irretrievably broken.
☐ The petitioner wishes to be legally separated.
☐ Pursuant to LCL 11.02.040, the petitioner is petitioning for a declaration that the marriage is invalid. The court finds the following facts concerning the validity of the marriage: _____

8. DEPENDENT CHILDREN

8.1 Both of the parties are the legal parents of the following dependent children:

Name: _____ DOB: _____

Name: _____ DOB: _____

Name: _____ DOB: _____

Name: _____ DOB: _____

8.2 ☐ No child is expected to be born. ☐ A child is expected.

II. DECREE

IT IS THEREFORE DECREED that:

1. STATUS OF THE MARRIAGE.

- ☐ The marriage of the parties is hereby dissolved.
☐ The Petitioner and Respondent are hereby legally separated.
☐ The marriage of the parties is invalid under LCL 11.01.020 and/or 11.02.040.

2. AWARD OF PROPERTY.

- ☐ Does not apply.
☐ The community and separate property are awarded as set out in Attachment A to this Decree.
☐ The award of property is held in abeyance pending further order of this Court. A hearing on that issue will be held on ____/____/____ at _____. The issues to be determined at that time are: _____

3. PAYMENT OF LIABILITIES.

Unless otherwise provided herein, each party shall pay all liabilities incurred by that party since the date of separation. The division of liabilities of the parties incurred prior to that time is as follows:

- ☐ Does not apply.
☐ The community and separate liabilities of the parties are divided as set out in Attachment A to this Decree.

4. HOLD HARMLESS PROVISION.

- ☐ Does not apply.
☐ For each separate or community liability that has been assigned in this decree to be paid by one party, that party shall hold the other party harmless from any collection action relating to that liability, including reasonable attorney's fees and costs incurred in defending against any attempts to collect an obligation from the other party.

5. CHILD CUSTODY AND VISITATION

The parties shall comply with the Parenting Plan separately entered by the Court this date or on ____/____/____. The Parenting Plan is incorporated as part of this decree.

6. CHILD SUPPORT.

- ☐ Child support shall be paid in accordance with the Child Support Order entered by the Court this date or on ____/____/____. That order is incorporated as part of this decree.
☐ The issue of child support is reserved pending the entry of a child support order in accordance with LCL 11.06, which may be retroactive to the filing of the petition in this

1 matter. Either party may apply to the Lummi Child Support Program, or another appropriate
2 child support program, for assistance in establishing the order.

3 7. ATTORNEY'S FEES, OTHER PROFESSIONAL FEES AND COSTS.

4 ☐ Does not apply.

5 ☐ Attorney's fees, other professional fees and costs shall be paid as follows:

6 8. NAME CHANGES.

7 ☐ Petitioner 's name shall be changed to _____.

8 ☐ Respondent's name shall be changed to _____.

9 10. OTHER:

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19 TO THE CLERK OF COURT: You shall notify the appropriate tribal and state agencies of this
20 dissolution decree as required by law.

21
22 Dated: _____

23 Judge _____

ATTACHMENT A – DIVISION OF PROPERTY AND LIABILITIES

1. REAL PROPERTY

- ☐ The parties do not own real property.
☐ The parties own real property, described as follows (separately describe if more than one property):

Assessor's property tax parcel or account number:

or

Legal description of the property awarded (including lot, block, plat, or section, township, range, county and state) is attached.

or

Address and description:

The real property is awarded as follows: _____

2. PERSONAL PROPERTY TO BE AWARDED THE PETITIONER

- ☐ Does not apply.
☐ The Petitioner is awarded the following property, or percentage of property:

3. PERSONAL PROPERTY TO BE AWARDED TO THE RESPONDENT.

☐ Does not apply.

☐ The Respondent is awarded the following property, or percentage of property:

5. LIABILITIES TO BE PAID BY THE PETITIONER.

☐ Does not apply.

☐ The Petitioner shall pay the following community or separate liabilities:

Creditor

Amount

6. LIABILITIES TO BE PAID BY THE RESPONDENT.

☐ Does not apply.

☐ The Respondent shall pay the following community or separate liabilities:

Creditor	Amount

7. MONEY JUDGMENT

☐ Does not apply.

☐ Judgment is entered as follows:

- A. Judgment creditor _____
- B. Judgment debtor _____
- C. Principal judgment amount \$ _____
- D. Interest to date of judgment \$ _____
- E. Attorney fees \$ _____
- F. Costs \$ _____
- G. Other recovery amount \$ _____
- H. Principal judgment shall bear interest at _____ % per annum
- I. Attorney fees, costs and other recovery amounts shall bear interest at _____ % per annum
- J. Attorney for judgment creditor: _____
- K. Attorney for judgment debtor: _____
- L. Other _____

8. OTHER:

CONTINUING RESTRAINING ORDER.

☐ Does not apply.

☐ A continuing restraining order is entered as follows:

☐ The ☐ Petitioner ☐ Respondent is restrained and enjoined from disturbing the peace of the other party.

☐ The ☐ Petitioner ☐ Respondent is restrained and enjoined from going onto the grounds of or entering the ☐ home ☐ work place ☐ school of the other party.

☐ The ☐ Petitioner ☐ Respondent is restrained and enjoined from knowingly coming within or knowingly remaining within _____ (distance) of the ☐ home ☐ work place ☐ school of the other party.

☐ The ☐ Petitioner ☐ Respondent is restrained and enjoined from going onto the grounds of or entering the day care or school of the following named children: _____

☐ The ☐ Petitioner ☐ Respondent is restrained and enjoined from knowingly coming within or knowingly remaining within _____ (distance) of the day care or school of the following named children: _____

VIOLATION OF A RESTRAINING ORDER HEREIN WITH ACTUAL KNOWLEDGE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER LUMMI CODE OF LAWS 5.07.070 AND WILL SUBJECT THE VIOLATOR TO MANDATORY ARREST. LCL 5A.02.070.