

**LUMMI TRIBAL COURT
LUMMI NATION, WASHINGTON**

IN RE THE MARRIAGE OF:

Case No.: _____ CVDM _____

_____,
Petitioner,

☐ PETITION FOR DISSOLUTION OF
MARRIAGE

and

☐ PETITION FOR LEGAL
SEPARATION

_____,
Respondent

☐ PETITION FOR DECLARATION THAT
MARRIAGE IS INVALID

(With Dependent Child)

☐ Check box if a Motion for a Temporary
Restraining Order has also been filed

(Attach separate sheets if necessary for any section.)

I. BASIS

1. PETITIONER

Name: _____
First Middle Last

Date of Birth: ____/____/____

Petitioner lives ☐ ON ☐ OFF the Lummi Nation Reservation.

Petitioner is ☐ enrolled Lummi ☐ enrolled other tribe ☐ non-tribal

2. RESPONDENT

Name: _____
First Middle Last

Date of Birth: ____/____/____

The Respondent lives ☐ ON ☐ OFF the Lummi Nation Reservation.

Respondent is ☐ enrolled Lummi ☐ enrolled other tribe ☐ non-tribal

PETITION FOR DISSOLUTION OF MARRIAGE (WITH CHILD)

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Lummi Tribal Court
2665 Kwina Road
Bellingham, WA 98226
(360) 312-2239

3. DEPENDENT CHILDREN

3.1 Dependent Children (only list those under 18 years of age)

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

Name: _____ DOB: _____

Name: _____ DOB: _____

Name: _____ DOB: _____

Name: _____ DOB: _____

3.2 Pregnancy

☐ No child is expected to be born.

☐ A child is expected. *Note: Under Lummi Tribal Code 11.05.015(a), A man is presumed to be the natural father of a child if He and the natural mother were married at the time of the child's birth or if the child was born within three hundred (300) days after the marriage was terminated.*

4. ALLEGATION REGARDING MARRIAGE.

☐ Petitioner seeks a dissolution of marriage, which is irretrievably broken.

☐ Petitioner seeks a legal separation

☐ Pursuant to LCL 11.02.040, the Petitioner alleges that the marriage was invalid for the following reason: _____.

5. DATE AND PLACE OF MARRIAGE.

The parties were married on ____/____/____ at _____
[Date] [City, State]

6. SEPARATION.

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

7. JURISDICTION.

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

☐ an enrolled Lummi Tribal member.

☐ is presently living on the Lummi Indian Reservation.

8. PROPERTY.

There is community or separate property owned by the parties. The court should make a fair and equitable division of all the property.

☐ The petitioner's recommendation for the division of property is set forth below. (List real estate, furniture, vehicles, pensions, insurance, bank accounts, etc.. Attach separate sheet if necessary).

1. The petitioner should be awarded the following property, or percentage of property:

2. The respondent should be awarded the following property, or percentage of property:

9. DEBTS AND LIABILITIES.

- ☐ The parties have no debts and liabilities.
- ☐ Each party should pay their own debts incurred since separation.
- ☐ The parties have debts and liabilities. The court should make a fair and equitable division of all debts and liabilities.
- ☐ The division of debts and liabilities should be determined by the court at a later date.
- ☐ The petitioner's recommendation for the division of debts and liabilities is set forth below:

1. The petitioner should be ordered to pay the following debts and liabilities:

<u>Creditor</u>	<u>Amount</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

2. The respondent should be ordered to pay the following debts and liabilities:

Creditor

Amount

10. CHILD CUSTODY AND CHILD SUPPORT

10.1 Custody and Visitation with Child(ren)

The petitioner request that a parenting plan for custody and visitation with the child(ren) be entered in accordance with the petitioner's proposed parenting plan, and declaration in support of the parenting plan, filed with the Court simultaneously with this petition.

10.2 Child Support

The petitioner requests that child support be set in accordance with the Lummi Child Support Guidelines.

☐ The child support amount should be determined by the court at a later date.

☐ The petitioner requests that a child support amount be set in accordance with the Petition for Child Support that is being simultaneously filed.

☐ The petitioner will be seeking the assistance from the Lummi Nation Child Support Program in establishing a child support amount.

11. OTHER:

II. RELIEF REQUESTED

The petitioner requests the Court to enter:

- ☐ a decree of dissolution of marriage
☐ a decree of legal separation, or
☐ a declaration of invalidity of marriage,

and to grant the relief checked below in accordance with the Petition:

- ☐ Divide the property and liabilities.
☐ Establish an order for custody and visitation with the child(ren)
☐ Establish an order for child support
☐ Change name of Petitioner to: _____.
☐ Change name of Respondent to: _____.
☐ Order payment of petitioner's attorney's fees, other professional fees and costs.
☐ Other:

I declare under penalty of perjury of the laws of the Lummi Nation that 1) I have read this Petition or it has been read to me; and 2) I understand the contents of the Petition and believe the contents to be true and correct to the best of my knowledge, information, and belief, formed after reasonable inquiry. Below is the address at which I can receive all legal documents, and I understand I have the duty to update this address with the court if it changes.

Dated: _____

Petitioner

Print or Type Name

Address

City, State, Zip Code

Telephone Number

1
2 JOINDER (if applicable)

3 The respondent joins in the petition. By joining in the petition, the respondent agrees to the entry
4 of a dissolution decree, in accordance with the petition, without further notice.

5 I declare under penalty of perjury of the laws of the Lummi Nation that 1) I have read this
6 Petition or it has been read to me; and 2) I understand the contents of the Petition and believe the
7 contents to be true and correct to the best of my knowledge, information, and belief, formed after
8 reasonable inquiry. Below is the address at which I can receive all legal documents, and I
9 understand I have the duty to update this address with the court if it changes.

Dated: _____

Signature of Respondent

Print or Type Name

Address

City, State, Zip Code

Telephone Number