

1 NAME: _____
ADDRESS: _____

2 _____

3 TELEPHONE: _____

Petitioner [] Pro Se

4 **IN THE TRIBAL COURT OF THE**
5 **FORT MCDOWELL YAVAPAI NATION (ARIZONA)**

6 _____) Case No.: _____

7 Membership # _____)
Petitioner,)

8 vs.)

9 _____)

10 Membership # _____)

11 Respondent.)
_____)

**PETITION FOR DISSOLUTION
OF MARRIAGE BY STIPULATION
OF PARTIES**

12 The above parties agree to this action and stipulate as follows:

13 **JURISDICTION**

14 **The Court has jurisdiction over this matter pursuant to the FMLOC § 1-7.**

15 **PARTIES**

16 1. **The Petitioner's name and address** _____

17 _____.

18 2. **The Respondent's name and address** _____

19 _____.

20 3. **The Petitioner [] is/ [] is not an enrolled member of the Fort McDowell Yavapai
Nation. If not enrolled, please specify tribe (or other) _____.**

21 4. **The Respondent [] is/ [] is not an enrolled member of the Fort McDowell Yavapai
Nation. If not enrolled, please specify tribe (or other) _____.**

22 5. **The parties stipulate that they were married on (Month) _____
23 (Day) _____ (Year) _____ at (location of marriage) _____
24 (If you have your Marriage License, attach a photocopy to this Stipulation and label it as
25 *Exhibit* "____.")**

FACTS

6. **The parties stipulate that continuance of their marital relationship is impossible, that the marriage is irretrievably broken and there is no reasonable prospect of reconciliation. Therefore, the parties request this Court to grant a final and absolute divorce pursuant to FMLOC § 10-16(b)**

7. **The parties stipulate that from this union, there are [] no [] in-common minor children from this marriage. (If no children, skip paragraphs 9, 10, 11, 12, & 13.)**

8. **My spouse and I are the parents of the following children who are under the age of 18:**

<u>Child's Name</u>	<u>Date of Birth</u>	<u>Age</u>	<u>Sex</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

9. **The parties stipulate that it is in the best interest of the minor child(ren) that the Court award custody of the child(ren) to: _____**

- [] Sole custody to the Petitioner.
- [] Sole custody to the Respondent.
- [] Joint custody with primary physical custody to the Petitioner.
- [] Joint custody with primary physical custody to the Respondent.

10. **The parties stipulate the following arrangement regarding custody and visitation of the parties' minor child(ren): _____**

(If you need more space, attach additional sheet).

11. **The parties stipulate that _____ will pay child support in the Amount of \$ _____ per month until the child(ren) reach the age of 18 or no longer dependent upon their parents. Payments will commence on or before _____ and will be paid every month thereafter to the [] Court Clerk [] Per Capita Deduction [] Payroll Deduction or [] directly to the person receiving the child support.**

Note: The Court is required to calculate child support utilizing the Arizona Child Support Guidelines and FMLOC § 10-24 to determine reasonableness.

12. **The parties stipulate that the child(ren)'s name will [] or [] will not be changed. If yes, specify:**

<u>Child's Present Name</u>	<u>Child's New Name</u>
_____	_____

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13. **The parties stipulate that the Petitioner’s separate property will not be part of the division of property at divorce.**

14. **The Community Property of the marriage shall be distributed accordingly:**

[] During the course of the marriage, the parties ***DID NOT*** acquire any community property for the court to consider, or there is not enough property for the courts to consider, or the parties have stipulated to its division. (Attached as ***Exhibit*** “____.”)

[] During the course of the marriage, the parties acquired community property as described on the attached Statement of Community Property, labeled as ***Exhibit*** “____.”
(On the attached sheet, please list the type of property, the value of the property, and whom the property should be awarded to.)

15. **The Debt of the marriage shall be distributed accordingly:**

[] During the course of the marriage, the parties ***DID NOT*** acquire any debt for the court to consider, or there is not enough debt for the courts to consider, or the parties have stipulated to its division. (Attached as ***Exhibit*** “____.”)

[] During the course of the marriage, the parties acquired debt as described on the attached Petitioner’s Statement of Debt, labeled as ***Exhibit*** “____.”
(On the attached sheet, please list the creditor’s name, balance owed and whom the debt should be awarded to.)

16. **The parties request the Court to be aware of the following additional facts, information, and matters, which was not provided above, labeled as *Exhibit* “____.”**

17. **The parties stipulate that they are both responsible for their own separate debt.**

18. **The parties stipulate that [] Petitioner’s [] Respondent’s maiden name _____
_____ be restored and she shall be known as _____
_____.**

19. **The _____ [] is [] is not requesting an award of spousal maintenance. The requested amount is: _____.**

20. **The parties understand that this agreement contained in this stipulation be made a part of and incorporated with the decree issued by this Court.**

21. **The parties understand that this agreement shall be binding and valid to the parties concerned.**

22. **The parties waive formal findings of fact and conclusion of law in this matter and that it is appropriate for the Court to enter the Decree of Divorce without further proof by**

1 either party.

2 **THEREFORE**, the Petitioner request the Court to grant the following:

3 **A. Enter a divorce decree dissolving the marriage between the Petitioner and the**
4 **Respondent on the grounds specified in this Petition.**

5 **B. Award the following custody over the minor child(ren) listed in this Petition as follows:**
_____.

6 **C. Parenting time (visitation) should be set out as follows:** _____
_____.

7 **D. Order _____ to pay child support to _____ in the**
8 **amount alleged in this Petition.**

9 **E. Award the community property as follows:**

10 Award Petitioner and Respondent the Property listed on the Statement of Community
11 Property according to the attached Stipulated Division of Community
12 Property, labeled as *Exhibit* "____."

13 Award Petitioner all of the Property listed on the Statement of Community Property,
14 labeled as *Exhibit* "____."

15 Award Petitioner none of the Property listed on the Petitioner's Statement of
16 Community Property, labeled as *Exhibit* "____."

17 There is no community property for this Court to consider.

18 **F. Award the community debt as follows:**

19 Divide the Debt to the Petitioner and the Respondent listed on the Statement of Debt
20 according to the attached Stipulated Division of Debt, labeled as *Exhibit* "____."

21 There are no debt for this Court to consider

22 **G. The Petitioner is is not requesting spousal maintenance. Amount requested:**
_____.

23 **H. Restore the Petitioner's or Respondent's maiden name alleged in this Petition.**

24 **I. _____ shall claim the minor child(ren) as dependents on their yearly**
25 **State/Federal Income Tax Returns.**

J. Order other relied not specified in this Petition that this Court deems fair and just under
the circumstances.

Dated this _____ day of _____, 20____.

Petitioner's signature

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WE HAVE READ THE FOREGOING STIPULATION AND WE UNDERSTAND THE CONTENTS THEROF AND IT IS TRUE TO THE BEST OF OUR KNOWLEDGE AND SIGN THIS DOCUMENT VOLUNTARILY.

Date: _____

Petitioner's signature

Print name

STATE OF ARIZONA)
) SS
County of _____)

SUBSCRIBED and SWORN to before me this ____ day of _____, 20__.

My Commission Expires:

By: _____

Notary Public or Court Clerk

Date: _____

Respondent's signature

Print name

STATE OF ARIZONA)
) SS
County of _____)

SUBSCRIBED and SWORN to before me this ____ day of _____, 20__.

My Commission Expires: _____

By: _____

Notary Public or Court Clerk