

Case Number: \_\_\_\_\_

\_\_\_\_\_  
Name of Petitioner

v.

**PETITION FOR LEGAL SEPARATION**

\_\_\_\_\_  
Name of Respondent

**1. INFORMATION ABOUT ME, THE PETITIONER**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Last four SSN: XXX-XX-\_\_\_\_\_

I currently reside in \_\_\_\_\_ for \_\_\_\_\_ years and/or \_\_\_\_\_ months in a row.

Tribal Enrollment: \_\_\_\_\_ Number: \_\_\_\_\_

**2. INFORMATION ABOUT, MY SPOUSE, THE RESPONDENT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Last four SSN: XXX-XX-\_\_\_\_\_

I currently reside in \_\_\_\_\_ for \_\_\_\_\_ years and/or \_\_\_\_\_ months in a row.

Tribal Enrollment: \_\_\_\_\_ Number: \_\_\_\_\_

**3. INFORMATION ABOUT MY MARRIAGE: (Attach Marriage License)**

Date of Marriage: \_\_\_\_\_

City and state, or county where we were married: \_\_\_\_\_

We have been living separate and apart since: \_\_\_\_\_

**4. DESIRE TO LIVE SEPARATE AND APART:**

My marriage is irretrievably broken (my marriage is over) and I and/or my spouse desire to live separate and apart. (This must be a true statement, or you cannot file for a Petition of Legal Separation.)

True  False

**5. (A) CHILDREN:**

There are NO children of this marriage; or

All children of this marriage have reached the age of majority and are not dependent on either parent.

The following children have been born to us:

Name	Age:	Date of Birth
_____	_____	_____
_____	_____	_____
_____	_____	_____

**(B) PREGNANCY:** Wife is pregnant.  Yes  No

**6. SPOUSAL MAINTENANCE/SUPPORT (Check the boxes that apply to you):**

- Neither party is entitled to Spousal Maintenance/Support OR
- Petitioner OR  Respondent is entitled to Spousal Maintenance/Support because: (Circle one or more of the box(es) below that apply. At least one reason must apply to get spousal maintenance/support.)
- Person lacks sufficient property to provide for his or her reasonable needs;
  - Person is unable to support himself or herself through appropriate employment;
  - Person lacks earning ability in the labor market adequate to support himself or herself; and/or,
  - Person contributed to the educational opportunities of the other spouse or had a marriage of long duration and is not of an age that precludes the possibility of gaining employment adequate to support himself or herself.

**INFORMATION ABOUT PROPERTY AND DEBTS**

**7. (A) PROPERTY ACQUIRED DURING THE MARRIAGE: (Check one box)**

- My spouse and I did not acquire community property during the marriage, or
- My spouse and I acquired community property during our marriage, and we should divide it as follows: (List the property and the value of the property, and check the box to tell the Court who should get the property.)
- Other: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

WARNING: You must be specific. You must describe the property that should go to you and then check the box. For example, under the household furnishing you could say, blue and white living room sofa, and then check the box to say whether it should go to you or your spouse. Never list an item and then check both the Petitioner box and the Respondent box.

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY	YOU (Petitioner)	Your Spouse (Respondent)	VALUE
<input type="checkbox"/> Real estate at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Legal Description: _____			
<input type="checkbox"/> Real estate at: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Legal Description: _____			

Household furniture and appliances:

_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Household furnishings:

_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Other:

_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Pension/Retirement fund/profit sharing/stock plan 401K:

_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

Motor vehicles, RV's Motorcycles, ATV's Boats etc.:

Make: _____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
Model: _____			
Year: _____			
VIN: _____			
Lien Holder: _____			

Make: \_\_\_\_\_   \$ \_\_\_\_\_  
 Model: \_\_\_\_\_  
 Year: \_\_\_\_\_  
 VIN: \_\_\_\_\_  
 Lien Holder: \_\_\_\_\_

Make: \_\_\_\_\_   \$ \_\_\_\_\_  
 Model: \_\_\_\_\_  
 Year: \_\_\_\_\_  
 VIN: \_\_\_\_\_  
 Lien Holder: \_\_\_\_\_

Make: \_\_\_\_\_   \$ \_\_\_\_\_  
 Model: \_\_\_\_\_  
 Year: \_\_\_\_\_  
 VIN: \_\_\_\_\_  
 Lien Holder: \_\_\_\_\_

**(B) PROPERTY ACQUIRED BEFORE MARRIAGE:** (Check all boxes that apply)

- I do not have any property that I brought into the marriage (separate property).
- My spouse, the Respondent does not have any property that he or she brought into the marriage.
- I have property that I brought into the marriage (separate property). I want this property awarded to me as described below.
- My spouse, the Respondent, has property that he or she brought into the marriage. I want this property awarded to my spouse as described below.

Separate Property: List property and the value of the property and check the box to tell the Court who should get the property.

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY	(Petitioner) You	(Respondent) Your Spouse	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

**8. (A) DEBITS INCURRED DURING THE MARRIAGE:** (Check one box)

- My spouse and I did not incur any community debit during the marriage, OR
- We should divide the responsibility for the community debts incurred during the marriage as follows:

DESCRIPTION OF PROPERTY/ VALUE OF PROPERTY	(Petitioner) You	(Respondent) Your Spouse	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

**(B) SEPARATE DEBTS: (Check all boxes that apply)**

- My spouse and I do not have any debts that were incurred prior to the marriage, OR
- I have separate debt that I incurred prior to the marriage which should be paid by my as described below:
- My spouse has separate debt that he or she incurred prior to the marriage which should be paid by my spouse as described below:

DESCRIPTION OF DEBT/ AMOUNT OF DEBT:	(Petitioner) You	(Respondent) Your Spouse	Value
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____
_____	<input type="checkbox"/>	<input type="checkbox"/>	\$ _____

**9. TAX RETURNS:** After the Judge signs the Order of Legal Separation, the parties will file state and federal taxes as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**10. WRITTEN AGREEMENT, CHECK ONLY IF TRUE:**

- My spouse and I have a written agreement signed by both of us about the information of a spouse, and division of property/debt, and I have attached a copy of the written agreement.

**REQUEST TO THE COURT:**

**A. LEGAL SEPARATION:** An order of legal separation.

**B. SPOUSAL MAINTENANCE/SUPPORT:**

- Order neither party to pay spousal maintenance/support OR
- Order spousal maintenance/support to be paid by  Petitioner, or  Respondent in the amount of \$ \_\_\_\_\_ per month, beginning with the first day of the month after the Judge signs for Legal Separation continuing until the person receiving the spousal maintenance/support is deceased, or for \_\_\_\_\_ months.

**C. COMMUNITY PROPERTY:** Make a fair division of all community property as requested in this Petition.

**D. COMMUNITY DEBTS:**

Order each party to pay community debts as requested in the Petition, and to pay any other community debt unknown to the party. Order each party to pay and hold the other party harmless from debts incurred by him or her since the parties separation on (date): \_\_\_\_\_.

**E. SEPARATE PROPERTY AND DEBTS:** Award each party his or her separate property and debt.

**F. OTHER ORDERS I AM REQUESTING** (Explain request here):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RESPECTFULLY SUBMITTED:**

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Petitioner Address

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Home Phone

\_\_\_\_\_  
Cell/Work Phone

\_\_\_\_\_  
Email Address