

Petitioner's Packet



Dissolution

Contents:

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- 3) Plaintiff/Petitioner's Civil Guide
- 4) Address Authorization for Service
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- 6) Confidential Information Form
- 7) Proposed Parenting Plan
- 8) Request for Court Clerk Service

PETITIONER'S DIVORCE INFORMATION

To obtain a decree of dissolution (divorce) in Puyallup Tribal Court:

- At least one spouse must be a member of the Puyallup Tribe of Indians; AND
- The Petitioner must have resided in one of the following counties for at least 90 days prior to filing a petition: Pierce, King, Thurston, Snohomish, Kitsap, Mason. See the attached residence information.

BEFORE you file a petition for divorce, you must pay the \$30.00 non-refundable fee.

READ the applicable Puyallup Tribal law:

- Domestic Relations Code – Puyallup Tribal Code Chapter 7.08
- Civil Procedures Code – Puyallup Tribal Code Chapter 4.08

Available online at <http://www.codepublishing.com/WA/puyalluptribe/>.

AFTER you receive your packet, please complete all the required information. There can be no blanks on your returned forms.

RETURN your completed forms to the Court and pay the filing fee.

The Court Clerk will prepare a Summons and Response Packet for you to serve on the Respondent.

YOU are responsible for serving a copy of your Petition for Dissolution and a Summons on the Respondent. Someone other than you who is at least 18 years old must personally serve your response and any other documents on the Petitioner or you can mail the documents to the Petitioner via U.S. certified mail/return receipt requested but you must provide an address.

KNOW YOUR RIGHTS

You have important rights in the Puyallup Tribal Court:

- The right to be present before the Court;
- The right to present written and oral testimony;
- The right to subpoena witnesses;
- The right to submit relevant evidence to the Court for consideration; and
- The right to appeal final decisions of the Court.

This packet contains:

- Petition for Dissolution (Required)
- Statement of Address
- Confidential Information Form
- Residence Information (Listing of Counties and Cities)
- Parenting Plan (Required when there are minor children)
- Proof of Service (Required – return after you have completed service on the Respondent)

RESIDENCE INFORMATION SHEET

PETITIONER MUST BE RESIDENT OF ANY OF THE FOLLOWING PLACES FOR AT LEAST 90 DAYS PRIOR TO PETITION FILING DATE

Pierce County Washington Cities/Towns - Artondale, Ashford, Bonney Lake, Buckley, Carbonado, DuPont, Eatonville, Edgewood, Elbe, Elk Plain, Fife, Fircrest, Fort Lewis, Fox Island, Frederickson, Gig Harbor, Graham, Greenwater, Lakewood, McChord AFB, Midland, Orting, Parkland, Prairie Ridge, Puyallup, Roy, Ruston, South Hill, South Prairie, Spanaway, Steilacoom, Summit, Sumner, **Tacoma (County Seat)**, University Place, Waller, Wilkeson

King County Washington Cities/Towns - Algona, Ames Lake, Auburn, Baring, Beaux Arts Village, Bellevue, Black Diamond, Bothell, Bryn Mawr-Skyway, Burien, Carnation, Cascade-Fairwood, Clyde Hill, Cottage Lake, Covington, Des Moines, Duvall, East Hill-Meridian, East Renton Highlands, Eastgate, Enumclaw, Fall City, Federal Way, Hobart, Hunts Point, Inglewood-Finn Hill, Issaquah, Kenmore, Kent, Kingsgate, Kirkland, Lake Forest Park, Lake Marcel-Stillwater, Lake Morton-Berrydale, Lakeland North, Lakeland South, Lea Hill, Maple Heights-Lake Desire, Maple Valley, Medina, Mercer Island, Milton, Mirrormont, Newcastle, Normandy Park, North Bend Pacific, Ravensdale, Redmond, Renton, Riverbend, Riverton-Boulevard Park, Sammamish, SeaTac, **Seattle (County Seat)**, Shoreline, Skykomish, Snoqualmie, Tanner, Tukwila, Union Hill-Novelty Hill, Vashon, West Lake Sammamish, White Center, Woodinville, Yarrow Point

Thurston County Washington Cities/Towns - Bucoda, Grand Mound, Lacey, Nisqually Indian Community, North Yelm, **Olympia (County Seat)**, Rainier, Rochester, Tanglewilde-Thompson Place, Tenino, Tumwater, Yelm

Snohomish County Washington Cities/Towns - Arlington, Darrington, Edmonds, **Everett (County Seat)**, Gold Bar, Lake Stevens, Lynnwood, Marysville, Mill Creek, Monroe, Mountlake Terrace, Mukilteo, Oso, Smokey Point, Snohomish, Stanwood, Sultan, Tulalip

Kitsap County Washington Cities/Towns - Bainbridge Island, Bangor, Bremerton, East Port Orchard, Erlands Point-Kitsap Lake, Indianola, Kingston, Manchester, Navy Yard City, Olalla, Parkwood, **Port Orchard (County Seat)**, Poulsbo, Silverdale, Suquamish, Tracyton

Mason County Washington Cities/Towns - Allyn, Belfair, Grapeview, Hoodspport, Kamilche, Lilliwaup, Matlock, **Shelton (County Seat)**, Skokomish, Tahuya, Union

PLAINTIFF/PETITIONER'S CIVIL GUIDE

This guide is for informational purposes only and the accuracy of this information is not guaranteed. This information is not legal advice and is not a substitute for legal advice. Court Clerks cannot give you legal advice.

A civil case begins when the plaintiff/petitioner files a complaint/petition against a defendant/respondent with the Court. The complaint/petition is a statement of the “events complained of or the right sought to be declared or enforced and a statement of what relief is sought.” PTC 4.08.080

1. How do I file a civil complaint/petition?

STEP 1: Read this guide carefully

Read this guide, and the complaint/petition, carefully in its entirety before completing the complaint/petition.

STEP 2: Gather Documentation/Information

Locate documents and information that will help you complete the complaint/petition. This includes documents with information such as: dates that the events occurred, amounts in dispute, contact information for the defendant/respondent, etc.

STEP 3: Complete the Complaint/Petition

It is important to complete the complaint/petition with as much detail as possible so the judge has enough information to conduct an initial hearing. Accurately providing all the requested information will help prevent unnecessary delays in the process.

If, for genuine safety reasons, you are requesting your address to be confidential, then you must make this request to the Court while also providing your mailing address to the Court for service purposes. It is recommended that you file a Statement of Address form with this request and also leave your address blank on the petition to assist in ensuring that your address remains confidential.

STEP 4: File the Complaint/Petition

To file the complaint/petition with the Court, submit the complaint/petition, any supplemental documents, and pay the filing fee to the Court, located at 1451 East 31st St. Tacoma, WA 98404, during business hours (Monday through Friday 8:00 a.m. – 5:00 p.m., closed for holidays).

Step 4.1: Submit to the Court Clerk

Completed & signed complaint/petition

- Statement of Address
- Any supplemental documents
- Request for Court Clerk service (if applicable. *See* point 4)

Step 4.2: Pay the filing fee to the Court Clerk

- \$ Pay the \$20 filing fee or
- File a motion to request a fee waiver (if applicable)

Step 4.3: Receive from the Court Clerk

- Your receipt or a copy of the order waiving filing fees
- A file-stamped copy of your filings
- A file-stamped copy of your notice of hearing with date

2. What happens after I file the petition?

You are responsible for ensuring the defendant/respondent is served, which means, you must have someone personally give copies of the following documents to them:

- (1) a copy of the complaint/petition and any supplemental documents that you filed with the Court.
- (2) the summons issued by the Court Clerk.
- (3) the notice of hearing issued by the Court Clerk

Delays in service will keep your case from moving forward. A case cannot go forward if the defendant/respondent is not served or is not served properly.

3. How do I serve the defendant/respondent?

You cannot serve the defendant/respondent yourself. But, you can have anyone over the age of 18, who is not a party to the case, serve the defendant/respondent. *Whoever serves the defendant/respondent must file proof of service with the Court.*

You can also **request** the Court Clerk to serve the defendant/respondent by filling out a Request for Service form which is included in this packet. This method of service takes a minimum of 30 days. The Court Clerk can only serve the defendant/respondent if you provide a good address for them. To avoid delays be sure to provide an accurate address.

4. What happens if a defendant/respondent cannot be personally served and attempts by the Court Clerk to serve by mail fail?

If a defendant/respondent cannot be personally served or served by certified mail, return receipt requested, the plaintiff/petitioner can submit a Motion and Affidavit for Service by Publication to the Court. This form is available by request from the Court Clerk and are also available in

the lobby of the Court. This method of service is used only as a last resort and you must first make adequate, good faith efforts to locate the individual and a current address.

5. What happens at the initial hearing?

You must show up at the hearing. The judge will hear from the parties and based on the circumstances will make a decision on how to proceed.

6. What happens after the hearing?

What happens after the hearing depends on what the judge orders. Therefore, it is important to read any order issued by the judge and understand its contents because it will outline the next step in the process.

**IN THE COURTS OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In re:

_____ *Full Name(s) of minor child(ren) or vulnerable Tribal adult*

_____ *DOB(s) of minor child(ren) or vulnerable Tribal adult*

=====

_____,
_____,
Plaintiff(s)/Petitioner(s),

v.

_____,
_____,
Defendant(s)/Respondent(s).

Case No. _____

**ADDRESS AUTHORIZATION FOR
SERVICE BY:**

FIRST CLASS MAIL

EMAIL

OTHER: _____

YOU MUST COMPLETE THIS FORM IF YOU ARE A PARTY TO THIS CASE

My name is _____, and I am a party to this case.

I authorize to accept service by all parties and the court of all future pleadings, papers, and court orders for this case to the following address:

FIRST CLASS MAIL:

EMAIL: _____

OTHER: _____

(Optional) I also authorize to accept legal papers at the following:

Case No. _____

Address Authorization for Service

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I understand that it is my responsibility to inform this Court and the other party if my address changes while this case remains open. I must also provide the other party with a copy of a Notice of Address Change and file this with this Court.

Party Signature

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

Co-Party Signature (if any)

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

**IN THE COURT OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

<p>_____ , Petitioner,</p> <p>v.</p> <p>_____ , Respondent.</p>	<p>Case No. _____</p> <p>PETITION FOR DISSOLUTION OF MARRIAGE</p> <p><input type="checkbox"/> Contested <input type="checkbox"/> Uncontested <input type="checkbox"/> Minor children <input type="checkbox"/> No minor children</p>
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1. JURISDICTION

a. Puyallup Enrollment (Required)

The Petitioner is a member of the Puyallup Tribe of Indians.

Enrollment #: _____

The Respondent is a member of the Puyallup Tribe of Indians.

Enrollment #: _____

**N
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E** IF NEITHER PARTY IS A MEMBER OF THE PUYALLUP TRIBE OF INDIANS, THEN PUYALLUP TRIBAL LAW DOES NOT AUTHORIZE THIS COURT TO GRANT YOUR PETITION FOR DISSOLUTION.

b. Residency (Required)

The Petitioner has resided in the following county for the past 90 days (or longer):

King

Kitsap

Mason

Pierce

Snohomish

Thurston

**N
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E** IF YOU HAVE NOT RESIDED IN AT LEAST ONE OF THE ABOVE COUNTIES FOR AT LEAST 90 DAYS PRIOR TO TODAY, THEN PUYALLUP TRIBAL LAW DOES NOT AUTHORIZE THIS COURT TO GRANT YOUR PETITION FOR DISSOLUTION UNTIL YOU MEET THE RESIDENCY REQUIREMENT.

2. PARTIES

PETITIONER INFORMATION:

<i>First Name</i>	<i>Middle</i>	<i>Last Name</i>	<i>Date of Birth</i>
<i>Address</i>			<i>County</i>
<i>Phone Number</i>		<i>Attorney's Name(if applicable)</i>	

RESPONDENT INFORMATION: Contact Information is Unknown

<i>First Name</i>	<i>Middle</i>	<i>Last Name</i>	<i>Date of Birth</i>
<i>Address</i>			<i>County</i>
<i>Phone Number</i>		<i>Attorney's Name(if applicable)</i>	

IF CONTACT INFORMATION FOR RESPONDENT IS UNKNOWN:

**N
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E**

Puyallup Tribal law allows service by publication of notice in a newspaper of general circulation when the Respondent is not a resident of the Puyallup Reservation or the state of Washington or cannot be found therein and attempts at personal service or service by certified mail have failed. You must complete and file a *Motion and Affidavit to Proceed with Publication*. This form is available from the Court Clerk.

3. MARRIAGE

The marriage took place on: _____
(Month/Day/Year)

The marriage took place in _____
(City) (County) (State)

The Petitioner and Respondent live together.

The Petitioner and Respondent do not live together. _____
(Date of Separation (Month/Year))

4. GROUNDS FOR DIVORCE

**N
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The Puyallup Tribal Court is authorized to dissolve marriages of Puyallup Tribal members for any of the reasons listed below. These reasons can be found in the Puyallup Tribe's Domestic Relations Code at PTC 7.08.220(a)-(j).

Petitioner states the marriage should be dissolved because: (Check the appropriate box or boxes.)

a. Petitioner was under the legal age for marriage, unless after attaining the legal age such party for any time freely cohabited with the other as husband and wife.

b. That the former husband or wife of either party under a Tribal custom or other ceremony was living and the marriage with such former husband or wife was not properly dissolved.

Case Number _____

FC051910

Petition for Dissolution of Marriage (rev. 03/2020)

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- c. Unlawful voluntary sexual intercourse of a married person with one of the opposite sex.
- d. When either party has willfully abandoned the other, or caused the Petitioner to leave against his or her wishes, for the term of six months preceding commencement of the action.
- e. When one of the parties uses intoxicating drinks or narcotics habitually to the mental anguish of the other.
- f. When one party inflicts grievous bodily injury or grievous mental suffering upon the other.
- g. Neglect on the part of the husband to support his family according to his means, station in life, and ability.
- h. Inability to live together in agreement and harmony.
- i. The wife was pregnant at the time of marriage by another than her husband, husband having been ignorant thereof, and this action is commenced within a reasonable time after the fact is known to the husband.
- j. Voluntary separation of husband and wife for a period of one year or more.

5. CHILDREN

**N
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E** Puyallup Tribal law requires the Court’s decree of dissolution to provide for the custody and proper care of the minor children. (PTC 7.08.250) If you have minor children, **complete a parenting plan and attach it along with the birth certificates (photocopies OK) for each minor child to your petition.**

- Petitioner Respondent is pregnant.
- There are no dependent children of this marriage.
- The names, addresses, dates of birth and tribal enrollment of all dependent children, natural or adopted common to the parties are:

Name	Address	Date of Birth	Tribal Enrollment

The Parenting Plan for the above-named children is attached to this Petition and is incorporated by reference as though fully set forth herein.

Petitioner has no information or knowledge of any court proceeding in any other Tribal or State Court concerning the support or custody of the above-named children.

There are court proceedings concerning the custody and/or support of the above-named children. I have attached additional documents.

Case Number	Name of Court	Type of Case	Active or Closed?
Case Number	Name of Court	Type of Case	Active or Closed?
Case Number	Name of Court	Type of Case	Active or Closed?

6. PROPERTY

NOTE	<ul style="list-style-type: none"> • Puyallup Tribal law requires the Court’s decree to provide for the fair and just settlement of property rights between the Petitioner and Respondent. • Puyallup Tribal law also recognizes “community property”, which is property purchased by either spouse (or jointly) during the marriage. • “Separate property” means any property (real and personal) owned or claimed by an individual spouse before marriage and any gift to or inheritance by an individual spouse during the marriage.
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Real Property

INSTRUCTIONS

“Real property” includes land and anything affixed to it (like a house or barn).

1. Check the box that best describes your situation. **Only list real property that (a) you purchased together during the marriage and/or (b) has both parties on the title or deed.**
2. Write in the property’s location and its approximate value.
3. Check the box that best describes how the property will be divided or should be divided.
4. If you check the box that says “Other”, describe the arrangement.

- The Petitioner and Respondent do not own any real property together.
- The Petitioner and Respondent have agreed upon the division of any real property:
- The Petitioner proposes the following division of real property:
- Additional sheet attached.

Land (location) <input type="checkbox"/> Held in trust by BIA*	Value	Goes to: *Trust land may be subject to applicable tribal and federal laws. <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Sell/split proceeds <input type="checkbox"/> Other
House (location)	Value	Goes to: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Sell/split proceeds <input type="checkbox"/> Other
Other Structure (location)	Value	Goes to: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Sell/split proceeds <input type="checkbox"/> Other

Personal Property

INSTRUCTIONS

“Personal property” means everything but real property, including car, jewelry, household goods, computer, cell phone, etc.

1. Check the box that best describes your situation. **Only list personal property that you purchased during the marriage and/or that lists both parties on the title or deed.**
2. Write in the property’s location and its approximate value.
3. Check the box that best describes how the property will be divided or should be divided.
4. “Cultural items” means items used for ceremonial use or tribal cultural purposes, and includes, ceremonial regalia, feathers, art, books and other objects of cultural significance.
5. If you check the box that says “Other” then describe the arrangement.

- The Petitioner and Respondent do not own any personal property together.
- The Petitioner and Respondent have agreed upon the division of personal property.
- The Petitioner proposes the following division of personal property:
- Additional sheet attached.

Vehicle (list)	Value	Goes to: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Sell/split proceeds <input type="checkbox"/> Other
Equipment (list)	Value	Goes to: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Sell/split proceeds <input type="checkbox"/> Other
Household Item(s) (list)	Value	Goes to: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Sell/split proceeds <input type="checkbox"/> Other
Electronics (list)	Value	Goes to: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Sell/split proceeds <input type="checkbox"/> Other
Cultural Items (list)	Purpose	Goes to: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Other
Bank Account (list)	Value	Goes to: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Split balance <input type="checkbox"/> Other
Other (list)	Value	Goes to: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Sell/split proceeds <input type="checkbox"/> Other

7. DEBTS

NOTE

- “Community debt” is anything both spouses owe money on, such as a credit card, car loan, boat loan, personal loan, etc. If the debt was obtained during the marriage, it may be a community debt even if only one spouse’s name is on the debt instrument.
- Puyallup Tribal law holds both spouses responsible for the debts incurred by either spouse during the marriage. However, the separate property of the wife and minor children obtained while living separate and apart from the husband cannot be used to pay a community debt.
- In the state of Washington, BOTH spouses are still responsible to the creditor for the community debt even after divorce. Therefore, if the ex-spouse fails to pay for the debt s/he was ordered to pay, the creditor can come after the other ex-spouse. An agreed division does not require a creditor to go after only the spouse who was ordered to pay the community debt. If your ex-spouse fails to pay for the debt and you are forced to pay, you may sue your ex-spouse for damages that you incurred.

INSTRUCTIONS

1. Check the box that best describes your situation.
2. List community debts.
3. Estimate the amount owed.
4. Check the box indicating who will be responsible for the debt.
5. If you check the box that says “Other” then describe the arrangement.

- The Petitioner and Respondent do not owe any community debts.
- The Petitioner and Respondent have agreed upon the division of any community debts:
- The Petitioner proposes the following division of debts:
- Additional sheet attached.

Creditor	Amount	Responsible Person: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Divide payments <input type="checkbox"/> Other
Creditor	Amount	Responsible Person: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Divide payments <input type="checkbox"/> Other
Creditor	Amount	Responsible Person: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Divide payments <input type="checkbox"/> Other
Creditor	Amount	Responsible Person: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Divide payments <input type="checkbox"/> Other
Creditor	Amount	Responsible Person: <input type="checkbox"/> You <input type="checkbox"/> Respondent <input type="checkbox"/> Divide payments <input type="checkbox"/> Other

8. REINSTATE MAIDEN NAME

N The Court can only reinstate the maiden name of a spouse in a dissolution decree. If any party
O wishes to change his/her name in any other manner, or if a party wishes to change the name of any
T minor children, a Petition for Name Change must be completed and filed with the Court Clerk.
E This is a separate process from dissolution.

Petitioner's maiden name should be reinstated to:

First Name

Middle Name

Last Name

9. RELIEF REQUESTED

WHEREFORE, Petitioner requests that the Court provide the following relief:

- a. Enter a decree of dissolution.
- b. Make a just and equitable division of property as agreed upon by the parties or as proposed by the Petitioner.
- c. Make a fair division of the debts as agreed upon by the parties or as proposed by the Petitioner.
- d. Provide for the custody and proper care of the minor children as agreed upon by the parties or as proposed by the Petitioner.
- e. Restore Petitioner's maiden name: _____
(Maiden/Former Name)
- f. Enter any further relief which the Court deems fair and equitable.
- g. Other: _____

I certify, under penalty of perjury under the laws of the Puyallup Tribe of Indians, that the foregoing statement and any attachments are true and correct to the best of my knowledge and belief. Puyallup Tribal Code § 5.12.1180.

Party Signature

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

CONFIDENTIAL INFORMATION

Dissolution

This form must be completed with your petition for dissolution. The information you provide will not become a part of the Court's record. The information is used to complete an official Certificate of Dissolution that the Puyallup Tribal Court Clerk is required to forward to the Washington State Department of Health. The Washington State Department of Health uses this information to maintain vital records.

The Court Clerk will complete sections 1-5. You must complete sections 6a – 16. *Do not leave any of these sections blank.*



Certificate of Dissolution Declaration of Invalidity of Marriage or Legal Separation

Please Type or Print in Permanent Black Ink

	State File Number		
1. Court File Number			
Decree – I certify the marriage of the persons named below was ordered as a			
2. <input type="checkbox"/> Legal Separation <input type="checkbox"/> Dissolution of Marriage <input type="checkbox"/> Declaration of Invalidity	3. Date of Decree <small>MM / DD / YYYY</small>		
4. County of Decree			
5. Signature of Superior Court Clerk			
X			
To be Completed by Petitioner's Attorney or PRO SE			
Spouse A			
6a. Name <small>First Middle Last</small>	6b. Birth Last Name if Different		
6e. Current Residence (Number and Street)	6c. Date of Birth <small>(MM/DD/YYYY)</small>		
6f. City	6d. Birth State <small>(If not USA give Country)</small>		
6g. County	6h. State		
Spouse B			
7a. Name <small>First Middle Last</small>	7b. Birth Last Name if Different		
7e. Current Residence (Number and Street)	7c. Date of Birth <small>(MM/DD/YYYY)</small>		
7f. City	7d. Birth State <small>(If not USA give Country)</small>		
7g. County	7h. State		
8. Place of this Marriage - County	9. State <small>(If not USA give Country)</small>	10. Date of this Marriage <small>(MM/DD/YYYY)</small>	11. Number of Children <small>(Born alive of this Marriage)</small>
12. Petitioner <input type="checkbox"/> Spouse A <input type="checkbox"/> Spouse B <input type="checkbox"/> Both <input type="checkbox"/> Other (Specify)		13 Name of Petitioner's Attorney or PRO SE	
14. Petitioner's Attorney's Address			

↑

If you do not include the social security number of both spouses your dissolution might not be recorded in Washington State.

[FOR COURT USE ONLY]

**IN THE COURT OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In re custody of:

Name: _____

DOB: _____

Name: _____

DOB: _____

Name: _____

DOB: _____

Name: _____

DOB: _____

Minor child(ren)

=====

_____,
Petitioner(s),

v.

_____,
Respondent(s).

Case No.

PARENTING PLAN

SUBMITTED BY: (check one)

Petitioner

Respondent

ORDER OF THE COURT

I. PARENTS

Petitioner is Mother Father

Respondent is Mother Father

II. CHILDREN

Names _____ DOB _____

Children are enrolled in the Puyallup Tribe of Indians

Children are enrolled in another federally recognized Indian tribe:

III. RESTRICTIONS (Check One)

A. There are no special restrictions on either parents' rights and responsibilities with regard to the child(ren) (*skip to Part III if this box is checked*).

B. There are special restrictions established by Court order because of:

1. Child Abuse

2. Domestic violence

Case No. _____

Parenting Plan (1.2019)

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3. Mental or physical illness
4. Child abandonment or neglect
5. Abuse use of conflict with spouse which may be harmful to child(ren)
6. Alcohol or drug abuse
7. Kidnapping or denial of access to the child(ren) without good cause
8. Other (describe below) _____

9. Because of such restrictions Father's Mother's time with the child(ren) shall be restricted as follows:
 - Supervised by court-appointed monitor /designated person: _____
 - Restricted in location of visits: _____
 - No overnight visits Transport restrictions: _____
 - Other: _____

I. DECISION MAKING

Joint legal custody means the following decisions must be made by both parents: Changes to the minor's legal name, where the minors attend school, permission to attend events where parental permission is required, doctors, dentists, orthodontists and other health specialists, out-of-state and out-of-country travel, and extracurricular activities impacting both parents' time with the children.

Sole legal custody means the parent with legal custody may decide: Changes to the minor's legal name, where the minors attend school, permission to attend events where parental permission is required, doctors, dentists, orthodontists and other health specialists, out-of-state and out-of-country travel, and extracurricular activities.

To avoid having problems and ending up back in court, both parents should communicate with each other and cooperate in making other decisions together.

- Mother and Father have joint legal custody of the minor children.
- Sole legal custody is with Mother Father.

Special provisions for decision making, if any: _____

II. RESIDENTIAL PARENT AND CUSTODIAN

Physical custody determines where the child will live. Joint or shared physical custody means the child will live with each parent according to a residence schedule. Sole physical custody means the minor child will live with one parent and the other parent has no parenting time allocated. Primary physical custody means the minor child will live with one parent and the other parent has parenting time allocated.

- Mother and Father shall have joint physical custody of the minor children.

Sole or Primary physical custody shall be with Mother Father.

This parent is the residential parent and custodian for the purposes of all applicable state and federal laws. This designation shall not affect either parent's rights or responsibilities under the plan.

III. RESIDENTIAL SCHEDULE

The following schedule provides where the child(ren) will live and what contact they will have with each parent. The parents can, by agreement, change the following dates and times, but any agreements should be signed, dated, and in writing.

- A. Pre-School Age: Prior to age five, the child(ren) will live with Father Mother, and the time spent with the other parent will be as follows:

<u>Age</u>	<u>Time With:</u>
0-6 months	<input type="checkbox"/> Mother <input type="checkbox"/> Father
6 months-1 year	<input type="checkbox"/> Mother <input type="checkbox"/> Father
1 year-3 years	<input type="checkbox"/> Mother <input type="checkbox"/> Father
3 years-5 years	<input type="checkbox"/> Mother <input type="checkbox"/> Father

After the child(ren) reach(es) age 5, paragraphs C, D, E, and F below will provide where the child(ren) will live and what contact he/she/they will have with each parent.

- B. School Year Schedule: The school year begins one week before the beginning of the child(ren)'s school year and ends at the end of the school year. If the child(ren) is/are not in school the schedule runs from September 1st through May 31st.

The child(ren) will spend school weekdays with Father Mother, except the following school weekday nights, if any, shall be spent with the other parent:

Weekday night _____ from _____ a.m./p.m. to _____ a.m./p.m. as follows:

- 1st weekend of each month with: Mother Father
2nd weekend of each month with: Mother Father
3rd weekend of each month with: Mother Father
4th weekend of each month with: Mother Father
5th weekend of each month with: Mother Father

- C. Summer Schedule: The summer schedule begins the Saturday following the end of the child(ren)'s school year and ends one week before the beginning of the next school year. If the child(ren) is/are not in school, the schedule runs from June 1st through August 31st.

The child(ren) will spend the summer with Mother Father, except the following times shall be spent with the other parent: _____

- D. Special Days and Holidays: The child(ren) will spend special days and holidays with each parent as follows: Where "alternating" is selected, the parent with custody will be indicated or the system to determine custody will be indicated.

	<u>Mother</u>	<u>Father</u>	<u>Alternating</u>	<u>Other (write name):</u>
Martin Luther King, Jr. Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Chief's/Presidents' Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Memorial Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
4 th of July	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Labor Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Fishing Wars Recognition Day (9/8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Chief Leschi Day (second Monday in October)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Veteran's Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Thanksgiving	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Christmas Eve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Christmas Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Mother's Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Father's Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____
Birthdays	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> _____

Other days or special arrangements: _____

E. Spring Vacation: Spring vacation begins the first day of the Spring vacation from school and ends the Sunday before the return to school.

The child(ren) will spend Spring vacation with Father Mother Alternating, except the following times shall be spent with the other parent: _____

F. Winter Vacation: Winter vacation begins the first day of the Winter vacation from school and ends the Sunday before the return to school.

The child(ren) will spend winter vacation with Father Mother Alternating, except the following times shall be spent with the other parent: _____

G. Transportation: of child(ren) between parents will be provided by:

Father Mother, except that the other parent shall provide the following transportation:

IV. DISPUTE RESOLUTION

A. When the mutual decision-making is designated, but cannot be achieved, or when there is conflict regarding residential arrangements, the parents shall make a good faith effort to resolve the dispute through the following dispute resolution process:

Counseling Mediation Court Other (specify): _____

B. When disputes arise, preference shall be given to carrying out the existing parenting plan unless the contesting parent establishes bad faith, fraud, duress or coercion on the part of the other parent.

V. CHILD SUPPORT: Child support should be set at \$0.00 per month because no request for child support is being made other: _____

Child support should be established. The party requesting child support will contact the Puyallup Tribe Child Support Program to initiate a child support action pursuant to PTC 7.24, the Parental Responsibility Act.

A. Health Care: The cost of the uninsured health care shall be paid by: Father Mother, except that [%] of the cost shall be paid by the other parent.

B. Day Care: The current monthly day care expenses of the child(ren) are \$. The cost of the day care shall be paid by Father Mother, except that [%] of the cost shall be paid by the other parent.

C. Other Costs: Father Mother shall pay \$ per month for the following other costs or special needs: _____

D. Health Insurance: Both parents shall be ordered to maintain any health insurance on the minor child(ren) which is available through a present or future employer or other organization; provided that the employer or other organization pays part or all of the premiums. If the child receives services from the Indian Health Service or its contracting entity, then this requirement is waived.

E. Tax Exemptions: Father Mother shall have the right to claim the child(ren) as exemption(s) for federal income tax purposes. Provided, however, that the parent required to pay support may claim exemption(s) for federal income tax purposes only if he/she is current in the payment of support; provided further, that the parent receiving child support shall annually sign the necessary consent forms to permit the parent required to pay support to claim the child(ren) as exemption(s) for federal income tax purposes.

VI. OTHER TERMS AND CONDITIONS

These additional terms and conditions shall apply to the extent they do not conflict with any special restrictions or conditions set forth above or by Court order.

A. Except in the event of illness, injury, or other form of emergency, neither parent will deny the minor child access to the other parent during their scheduled period as a form of punishment or acceptance of a child's preference to cancel. Neither parent will schedule activities which conflict with the other parent's time with the children without that parent's permission.

- B. The custodial parent will transfer the children in a neat, clean manner and properly fed (unless requested otherwise).
- C. Each parent shall be accorded equal access to all medical and educational records, documents, images, and formats; and shall provide written authorization of full access to the other parent, as may be required by the person, agency or institution maintaining any counseling, treatment, or other such records and files. Information concerning minor medical or emergency medical procedures will be shared as soon as possible with the other parent.
- D. Both parents may attend any school, religious, or community activity in which the children participate regardless of which parent has overall responsibility for the supervision, payment, transportation, etc. of such activity. Either parent may enter the children into additional activities considered safe and age appropriate, which occur exclusively during that parent's scheduled period of access, and do not involve the other parent's time or money. Neither parent however, may enroll the children into any activity which involves the other parent's participation or resources without first obtaining the other parent's written consent.
- E. Use of Alcohol/Illegal Substances Prohibited. The parent exercising custody of the children shall not possess any illegal drugs (or drugs that are illegal without a prescription) or contraband, and shall not consume in excess any alcohol, drugs or medications which could cause an adverse or impaired effect, or any combination of alcohol, drugs and/or medications which could result in an adverse or impaired effect. This prohibition also applies to household members, family members, or associates in the child's presence while in the home. The minors shall not be exposed to second hand smoke while in the parent's residence or vehicles.
- F. Communication. Parents shall maintain respectful communications with each other and shall avoid disparaging the other parent and their families to the children. Parents shall communicate directly with each other on matters concerning the child and may not use the child or significant others as a messenger between them. Parents shall not communicate about the child in the child's presence.
- (1) All parties are prohibited from making extrajudicial statements or otherwise discussing the issues in this matter with the minor in any oral or written manner (including electronic communications and social media). Extrajudicial statements are oral or written statements made outside of court proceedings and are generally subject to hearsay rules and objections if the party making the statement knows or reasonably should know that it will have a substantial likelihood of materially prejudicing the proceedings.
 - (2) This order prohibits the parties' discussion of issues in this matter in any social media or other electronic or digital forum or format.
 - (3) Petitioner and Respondent are further prohibited from discussing the issues in this matter with third parties if (1) they are not a party to this case; and (2) they do not provide a legal, educational, medical, dental, spiritual, or other service that creates a confidential service provider-client relationship.
 - (4) This order shall not be construed to prohibit contact between the parties and their respective advocates or counselors, nor is it intended to prohibit discussion between the parties that

would be protected by applicable provider-client confidentiality (such as doctor-patient confidentiality).

(5) This order shall not be construed to prohibit discussion between the parties and a government agency performing an inquiry or investigation.

- G. Vacations/Out of State Travel. The parents shall provide each other with travel plans (dates and times, carriers, hotels, and phone numbers) as soon as they become known to the traveling parent. The traveling parent shall telephone or will have the child(ren) phone the other parent the day of arrival, as well as other times throughout the vacation. Parents shall also exchange email addresses and allow email exchanges with the children.
- H. Permissions. Parents shall not unreasonably withhold permission for a child's activity, including international travel, completing required documentation for travel, summer camp, medical attention, or other activities.
- I. Babysitter. Before a babysitter or other childcare provider is called to provide care for a child, the parent seeking such care shall immediately advise the other parent by phone, email, text or other appropriate means and give that parent the opportunity to provide such care unless restrictions on that parent's visitation or interaction with the child exist.
- J. Grandparent Visitation. Neither parent shall unreasonably deny the children's access to maternal and paternal grandparents and other close family; provided, such grandparent or family member does not have a history of violence or child abuse or neglect and agrees to abide by all conditions set forth herein. Time with grandparents or close family members shall not take place in a manner that deprives the parent exercising custody of time with the children over such parent's objections. Visitation with maternal grandparents and maternal relatives is at Mother's discretion, and visitation with paternal grandparents and paternal relatives is at Father's discretion.
- K. Per Capita Payments. The Puyallup Tribe strictly governs the distribution and management of Per Capita payments. The parents agree to manage the child's per capita payments in accordance with Puyallup Tribal Law.
- L. Relocation. If one parent plans to move at least 25 miles away, that parent must give at least 60 days written notice of the intended move to every person entitled to court-ordered residential time or visitation with the child. If the moving parent has less than 60 days to relocate (such as a military reassignment), such parent must give notice no more than five (5) days after the parent finds out about the move. The non-moving party must file an objection with this Court within 30 days of receiving such notice.
- M. Catastrophic Events. In the event of the death of a parent, the surviving parent shall immediately assume responsibility of sole custody for the child(ren) identified herein. In the event of serious, extended, or debilitating illness or injury of one parent, the other parent shall assume temporary primary care until such time such afflicted parent shall sufficiently recover to resume the responsibilities of providing adequate shared parenting.
- N. Updated Contact Information. The parties shall notify the Court *and all parties* of any change in contact information via written notice.

VII. COMPLIANCE WITH THIS PLAN

If a parent fails to comply with a provision of this plan, the other parent’s obligations under the plan are not affected. **FAILURE TO COMPLY MAY RESULT IN BEING HELD IN CONTEMPT OF COURT OR OTHER APPROPRIATE ACTION.** Neither parent may withhold visitation as a means of enforcing the terms of this Parenting Plan.

VIII. MODIFICATION

Unless an emergency exists, neither party may petition to modify this parenting plan less than 180 days from the date of its entry. Agreed changes may be made at any time and must be filed with the Court to be valid and enforceable.

If the parents cannot agree on a change, they may pursue the dispute resolution process set forth in this parenting plan.

The court will not modify a prior custody decree or a parenting plan unless it finds, upon the basis of facts that have arisen since the prior decree or plan or that were unknown to the court at the time of the prior decree or plan, that a substantial change has occurred in the circumstances of the child or the nonmoving party and that the modification is in the best interest of the child and is necessary to serve the best interests of the child.

IX. NOTICE

Any notice required or permitted in this parenting plan shall be in writing and shall be deemed given if delivered in person or if mailed, to the addresses provided by the parents in this parenting plan; provided, such notices may be delivered using electronic means when the parent being noticed waives, in writing, the formal notice required herein.

X. VALIDITY OF PLAN

Any provision of this parenting plan deemed invalid or unenforceable shall be deemed to be deleted with all remaining provisions remaining in full force and effect.

XI. SIGNATURES

By signing below, the parties acknowledge that they have reviewed and understand this parenting plan and have had the opportunity to ask the Court questions about the parenting plan.

Father Signature

Mother Signature

/s/

Father Print Name - Electronic Signature

/s/

Mother Print Name - Electronic Signature

Date

Date

PLEASE TAKE NOTICE: THIS PARENTING PLAN IS NOT VALID UNTIL APPROVED BY A PUYALLUP TRIBAL JUDGE .

**IN THE COURT OF THE PUYALLUP TRIBE OF INDIANS
FOR THE PUYALLUP INDIAN RESERVATION
TACOMA, WASHINGTON**

In re:

Name(s) of Minor Child(ren) or Vulnerable Tribal Adult

DOB(s)

Plaintiff(s)/Petitioner(s),

v.

Defendant(s)/Respondent(s).

Case No. PUY-CV-_____

**REQUEST FOR COURT CLERK TO
EFFECT SERVICE OF PROCESS BY
CERTIFIED MAIL**

NOTICE TO PLAINTIFF(S)/PETITIONER(S)

1. Plaintiff(s)/Petitioner(s) may use this form when: (1) you are filing a new or amended civil complaint/petition with this Court and (2) you want the Court Clerk to effect service of process on the other party(ies) by certified mail/return receipt.
2. Note: The Court Clerk cannot complete service of process by personal service on your behalf; personal service on the other party(ies) is your responsibility to arrange to be accomplished in accordance with Puyallup Tribal Civil Procedures Code § 4.08.100(a).
3. For the Court Clerk to fulfill your request, you must provide the name and mailing address of the other party(ies) where the certified mail will be directed. If you do not or cannot provide a mailing address for the other party(ies) at the time of filing, then the Court Clerk must reject your request.
4. COVID-19 Delays Service: In light of the COVID-19 pandemic, the Court has found that service of process by certified mail/return receipt may take sixty days or more to be accomplished. As a result, the Court must schedule hearings at least sixty days out to fulfill your request.

COMES NOW, Plaintiff(s)/Petitioner(s) and requests the Clerk of the Court to effect service of process on Defendant(s)/Respondent(s) by certified mail, return receipt requested, in accordance with Puyallup Tribal Civil Procedures Code § 4.08.100(b).

The Defendant(s)/Respondent(s) last known mailing address(es) is(are):

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

Name: _____
Address: _____

IF THE CERTIFIED MAIL IS RETURNED AS “UNDELIVERABLE,” “UNCLAIMED,” OR FOR OTHER REASONS, THE COURT CLERK WILL NOT ATTEMPT REDELIVERY (EXCEPT DUE TO TYPOGRAPHICAL ERROR) UNLESS A NEW REQUEST FORM IS FILED WITH AN UPDATED MAILING ADDRESS.

I certify, under penalty of perjury under the laws of the Puyallup Tribe of Indians, that the foregoing statement and any attachments are true and correct to the best of my knowledge and belief. Puyallup Tribal Code § 5.12.1180.

Party Signature

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)

Co-Party Signature (if any)

Date

/s/

Print Name – Party Electronic Signature

Attorney/Advocate Bar No. (if applicable)