IN THE SITKA TRIBE OF ALASKA
SITKA TRIBAL COURT

Response To:
Complaint for Divorce with Minor Children

Sitka Tribe of Alaska
Sitka Tribal Court
204 Siginaka Way
Sitka, Alaska 99835
(907) 966-9627

Parent/Spouse A: _____

(Plaintiff)

Parent/Spouse B: _____

(Respondent)

RESPONSE TO COMPLAINT FOR DIVORCE WITH MINOR CHILDREN

I, _____[your name], state that the following facts are true and request the following relief:

1. **I am a resident** of ☐ the State of Alaska. ☐ _____.
2. **I am a tribal citizen.** ☐ Yes Enrollment #:_____ ☐ No
3. **My child(ren) are Tribal Citizen(s)?** ☐ Yes ☐ No
   If yes, Enrollment #(s): _____
4. **Date of marriage:** _____. **Place of marriage:** _____.
   Date of separation_____. **(Separate living spaces and finances)**
5. Does any party or children named in this case live outside of Sitka ☐ Yes ☐ No
6. Parent/Spouse A Physical and Mailing address _____
7. Parent/Spouse B physical and Mailing address _____
8. Domestic Violence concerns? ☐ Yes ☐ No, if yes please explain_____
9. **Change or Restore Name.**
   ☐ I want a new name that I did not have before this marriage.
   ☐ I want to restore (return to) a prior name. I want to change from my current name:

   _____ _____ _____
   First Name Middle Name Last Name

   to my former name:

   _____ _____ _____
   First Name Middle Name Last Name
10. **Minor Children (children under the age 18)**
    Are any children born or adopted during the marriage still minors? ☐ Yes ☐ No
    Is a spouse pregnant? ☐ Yes ☐ No

A. Children under the age of 18 [include unborn children]:

Full Name of Each Child	Date of Birth [estimate if unknown]	Names of the Parents

☐ More minor children of this relationship are listed on an attachment.

Both parents listed on the birth certificate(s)? ☐ Yes ☐ No

B. What is the current living arrangement for the children?
(attach on a separate typed document)

11. Court Cases

A. Does either parent/spouse or any of the children have previous, current, or pending court orders?
☐ Yes ☐ No ☐ I don't know

If yes, please provide case number and describe the kind of case and who's involved. _____

12. Parenting Plan

A. Decision-Making. [How the parents will make important decisions about the children. For example: educational, medical, and religious decisions.]

Joint Decision-Making: both parents discuss the issues and decide together, because they can communicate about the children, even though they may not get along otherwise. Joint decision-making is the most common arrangement.
Sole Decision-Making: one parent makes decisions about the children, because the parents are not able to communicate about the children, or one parent is unfit due to severe mental illness, substance abuse, or domestic violence issues. Both parents usually have access to school and medical records, both parents have the authority to make a decision in an emergency when the child is with them, and neither parent can move out of the state with the children without permission from the court or the other parent.

Because it is in the best interests of the children, I request

☐ joint decision-making.

☐ sole decision-making to ☐ Parent/Spouse A. ☐ Parent/Spouse B.

B. Proposed Living arrangements. [The children's schedule. Which parent the children will physically be with on particular days and times. **(attach on a separate typed document)**

Travel costs necessary for the children to see each parent should be divided as follows:

Do both parents live in the same town? ☐Yes ☐No

If no, what are the necessary travel costs and arrangements necessary?_____

C. Safety Concerns:

☐ I am concerned about the children's safety around Parent A☐ B☐, because:

_____

Therefore, I request that Parent A☐ B☐'s parenting time be restricted as follows:

_____

D. What Pets are to be considered:

List name(s), type of pet, current custody arrangement, and who should have custody.

_____

13. Child Support

☐ I want The State of Alaska Child Support Division to calculate and enforce child support

☐ Tribal Court should calculate and enforce child support

A. Child Support should start on:

☐ the separation date: _____

☐ the date when the court signs the final divorce decree.

☐ other: _____

B. Income and Employment Information.

Spouse/Parent A's Current or Most Recent Employer: _____.

Position /Salary_____.

Address: _____.

Dates of Employment: _____.

Spouse/Parent B's Current or Most Recent Employer: _____.

Position /Salary_____.

Address: _____.

Dates of Employment: _____.

C. Child support can continue while the child is beyond 18 years old, if the child is (1) not married, (2) actively pursuing a high school diploma or equivalent level of training, and (3) living as a dependent with a parent. Or have a disability

Do you want support to continue after the children turn 18 years old? ☐ Yes ☐ No

D. Has Child Support Enforcement Division (CSED), any other child support agency, or any state or tribal court ordered anyone to pay child support for the children? ☐ Yes ☐ No

If yes, who was ordered to pay? ☐ Parent A ☐ Parent B _____

[Attach copy of child support order if you have it. Read about registering orders from another state or tribe at http://www.courts.alaska.gov/shc/family/shcforeign.htm.]

E. Has anyone applied for public benefits (Alaska Temporary Assistance Program, Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program, etc.) to support the children? ☐ No ☐ Yes, name of person: _____

14. Other Financial Issues Related to the Children

A. Alaska Permanent Fund Dividend (PFD)

☐ The children are not eligible to receive a PFD currently and/or will not be eligible to receive one in the future.

☐ The children are eligible to receive a PFD or will be in the future.

I request that the court designate ☐ Parent A ☐ Parent B ☐ _____ _____ as the authorized person to apply for the children's PFDs.

☐ The children's PFDs must be placed in a savings account. Both parents will have access to the account records, and both parents must agree before spending any money from the accounts.

☐ The PFDs may be spent on the children's expenses, in their best interests.

☐ Other arrangement for spending or saving the children's PFDs:

_____

B. Alaska Native Corporation (ANC) Dividend:

☐ The children are not eligible to receive an ANC dividend currently and/or will not be eligible to receive one in the future.

☐ The children are eligible to receive an ANC dividend or will be in the future.

☐ ANC dividends must be placed in a savings account. Both parents will have access to the account records, and both parents must agree before spending any money from the accounts.

☐ ANC dividends may be spent on the children's expenses, in their best interests.

☐ Other arrangement for spending or saving the children's ANC dividends:

_____

C. Federal Taxes: I request that the court designate ☐ Parent A ☐ Parent B to claim all the children as dependents on federal income taxes

☐ every year.

☐ in alternating years, where Parent A will have ☐ odd years. ☐ even years.

☐ I request that I claim the following children every year on my federal income taxes:

_____

and Parent B claim the following children every year on their federal income taxes:

_____

☐ Other arrangement for claiming the children as dependents on federal income taxes:

15. Property and Debt

☐ We have already divided all marital property and debt so there is none for this court to divide. We can each keep what we have in our possession or control.

☐ There is marital property and debt for the court to divide in a fair and equitable manner. Please list all property, who currently has the property, who should the property be awarded to, if the property was acquired before, during, or after the marriage and the value on a separate piece of paper and attach to filing. Please note you do not have to list every article of clothing etc… Include all bank account statements, retirement accounts, credit card statements for 1 year leading up to date of separation. Debts and balance statements. Native regalia and artifacts **(attach on a separate typed document)**

16. Other requests or information I want the court to know about:

[For example: lawyer's fees, spousal support, etc. If you want the court to award you lawyer's fees or spousal support before the end of the case, you must file a separate motion in addition to writing it in this section.]

_____

REQUEST FOR RELIEF

I REQUEST that the court:

1. End our marriage and issue a decree of divorce.
2. Enter a final order granting the parenting plan according, as requested in section 6 of this complaint.
3. Calculate child support and enter a child support order, as requested in section 7 of this complaint.
4. Enter a final order regarding financial matters related to the children, as requested in section 8 of this complaint.
5. Enter a final order and judgment regarding property and debt, as requested in section 11 of this complaint.
6. ☐ Change or restore my name, as requested in section 4 of this complaint.
7. ☐ Other: _____

Parent A: My Mailing Address is: _____
Parent A: My Phone Number is: _____
Parent A: My Email is: _____

Parent B's Mailing Address is: _____
Parent B's Phone Number is: _____
Parent B's Email is: _____

Do not sign until you are in front of a Court Clerk, Notary Public, or other person authorized to administer oaths.

I swear, or affirm, under penalty of perjury that all the information I provided in this petition is true and correct to the best of my knowledge and belief.

_____ _____
Date Petitioner's Signature

_____
Print Name

Subscribed and sworn to or affirmed before me at _____, Alaska on _____.
Date

_____

Tribal Court Clerk, Notary Public or Other Person
Authorized to Administer Oaths

(SEAL)

My commission expires: _____