


<p>BAY MILLS TRIBAL COURT</p> 	<p>COMPLAINT FOR DIVORCE <i>(With Minor Children)</i> Page 1 of 3</p>	<p>Case No: _____-____DM [Assigned by the Court]</p>
12449 W. Lakeshore Drive, Brimley, MI 49715		(906) 248-8810/248-8811, Fax (906) 248-5817

Plaintiff's Full Name _____ DOB: _____ Birth Place (State): _____ Address: _____ Phone: _____	V	Defendant's Full Name _____ DOB: _____ Birth Place (State): _____ Address: _____ Phone: _____
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Pursuant to BMIC Tribal Code Chapter X, the Plaintiff requests that the Court dissolve the marriage between the Plaintiff and Defendant by divorce. The Plaintiff states in support of this Complaint:

1. There is no other pending or resolved civil action arising out of the transaction or occurrence alleged in the complaint; **OR [CHECK ONE]**
 An action for Divorce regarding this marriage or custody or support was or has been commenced, or is pending in any other state or tribal court. **Yes** or **No**.
If yes, the complaint was previously filed in _____ Court, with docket number _____ and was assigned to Judge _____.
The action remains or is no longer pending.
2. Defendant has resided within the exterior boundaries of the Bay Mills Indian Community Reservation for at least 180 days immediately proceeding the filing of this complaint. [Note: Defendant must have this residency status per Tribal Code]. **AND**
 The parties' child(ren) reside within the exterior boundaries of the Bay Mills Indian Community Reservation. [Note: Jurisdiction over the minor child(ren) is where the child(ren) reside].
3. Plaintiff is or is not a Bay Mills Tribal Member **AND** the Defendant is or is not a Bay Mills Tribal Member **AND** the parties' child(ren) is/are or is not/are not a Bay Mills Tribal Member **OR** is/are or is not/are not eligible for enrollment in the Bay Mills Tribe.
4. Marriage Date: _____ Place: _____.
5. This is Plaintiff's _____ marriage. This is Defendant's _____ marriage.
1st, 2nd (specify) 1st, 2nd (specify)

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<i>Plaintiff</i> <i>Defendant</i>		

6. The Wife's name before the marriage was _____.
7. The parties separated on or about _____.
8. There has been a breakdown of the marriage relationship to the extent that the objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved.
9. The wife is not or is pregnant and the approximate delivery date is _____.
10. Plaintiff **OR** Defendant Does **OR** Does not need alimony. Because alimony is being requested, a Financial Statement is attached as exhibit 1.
11. There is or is no property to be divided.
12. Plaintiff is or is not and Defendant is or is not in the U.S. military service.
13. The parties' have minor child(ren) whose names and dates of birth are:

14. Plaintiff **OR** Defendant **OR** Both parties is/are fit and proper to provide for the care and custody of the minor child(ren).
15. Plaintiff **OR** Defendant Does **OR** Does not need support for the minor child(ren). Because child support is being requested, a Financial Statement is attached as exhibit 1.
16. Plaintiff states:
 - a. The child(ren) presently reside with Plaintiff **OR** Defendant **OR** Both parties at (address) _____, and for the last five years have resided with Plaintiff **OR** Defendant **OR** Both parties at (address) _____.
 - b. I have have not participated, as a party or witness or in another capacity, in another child custody proceeding concerning the child(ren).
 - c. I know do not know of a proceeding that could affect the current child custody proceeding, including a proceeding for enforcement or a proceeding relating to domestic violence, a protective order, termination of parental rights, or adoption.
 - d. I know do not know of any person who is not a party to this child custody proceeding and has physical custody of the child(ren) or claims rights of legal custody or physical custody of, or parenting time with, the child(ren).

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PLAINTIFF REQUESTS a Judgment of Divorce and

1. Regarding property Award to each party the property in his/her possession. **OR**
 Fairly divide between the parties.
2. Alimony is requested for: Plaintiff Defendant.
3. Change Wife's last name to _____.
4. Plaintiff **OR** Defendant **OR** Both parties have temporary and permanent custody of the minor child(ren).
5. Plaintiff **OR** Defendant **OR** Both parties pay temporary and permanent child support for support of the minor child(ren).
6. Plaintiff **OR** Defendant be awarded temporary and permanent parenting time with the minor child(ren).
7. Other: _____
_____.
8. Schedule an immediate hearing to decide the issues of temporary support, custody, and parenting time during the pendency of this action. I understand that there is a six month waiting period between filing this Complaint and a final divorce judgment.

By filing this Complaint, I voluntarily submit to the personal and subject matter jurisdiction of the Bay Mills Indian Community Tribal Court and the above facts support the assumption of jurisdiction over myself (Plaintiff) and the Defendant.

I declare that the statements above are true to the best of my information, knowledge, and belief.

Dated: _____
Plaintiff Signature