

## FORM IX-18C – RESPONSE TO PETITION FOR DIVORCE

### **THE STEPS – DIVORCE – MINOR CHILDREN – DEFENDANT**

1. **Read all of these instructions** before starting on the forms to make sure that your spouse qualified to file a divorce in the Wind River Tribal Court. If you are printing and completing this form, it must be completed with a pen, and must be legible or it will not be accepted.

2. **Respondent.** In Tribal Court, when your spouse files for a *Petition for Divorce*, she/he becomes the Petitioner and you are referred to as the Respondent.

3. **Jurisdiction.** To file for divorce in Tribal Court, the Respondent [you] must either (1) be an enrolled member of the Northern Arapaho Tribe or Eastern Shoshone Tribe, or a non-enrolled member of the Tribe, or a member of any other Federally-recognized Tribe who resides within the Wind River reservation; **or** (2) if you are not a member of a Federally-recognized Tribe, you must be somehow otherwise within the “jurisdiction” of the Court through the “minimum contacts” standard. Jurisdiction means that the court has the right and power under the law to judge your divorce, and minimum contacts generally means that you have some kind of connection to the reservation, whether through business or family or otherwise. If neither (1) nor (2) is true, your spouse has filed their divorce in the wrong court, and you may raise an objection to the jurisdiction of this court by filing form IX-18J (“*Motion to Dismiss for Lack of Personal Jurisdiction*”) which is included in this packet.

4. **Time Limit to Answer.** If you have been served with a *Petition for Divorce* by your spouse, you need to file this *Response* within **twenty (20) days** or a default judgment may be entered against you. If you file late or do not file this *Response to Petition for Divorce*, your spouse may obtain a *Decree of Divorce* giving him/her everything requested.

A. Your *Response* should be filed with the Wind River Tribal Court at 109 Norkok, Fort Washakie, WY 82514.

5. **Admit or Deny.** Carefully read through your Spouse’s *Petition for Divorce* and list the paragraph numbers that you think are true statements and then list the paragraph numbers you believe are not true statements in the *Response*. If you do not know if a statement is true or not, list the paragraph number under the last section to show you need more information to answer.

5. **Service.** Within twenty (20) days of receiving the *Petition for Divorce*, you must file out this *Response* and serve your spouse with your *Response*. Service consist of delivering to your spouse a copy of the *Response* to show your spouse you have gotten the *Petition for Divorce* and have responded to the proper court.

6. **If necessary, schedule a hearing.** Once both a *Petition* and *Response* has been filed with the court, if you cannot come to a settlement agreement with your spouse without the help of the court, your case will have to be heard and decided by a judge at a trial. You or the other party will need to request a hearing by completing a ***Request for Setting*** [included in this packet]. It is ***strongly recommended*** you get an attorney for trial.

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**WIND RIVER TRIBAL COURT**

Shoshone and Arapaho Tribes  
Wind River Indian Reservation  
P.O. Box 608  
Fort Washakie, Wyoming 82514  
307-332-6702

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IN THE MATTER OF: \_\_\_\_\_ )  
 )  
 )  
PETITIONER (Print your Spouse's name) \_\_\_\_\_ )  
 )  
vs. \_\_\_\_\_ ) CASE NO.: \_\_\_\_\_  
 )  
 )  
RESPONDENT (Print your name) \_\_\_\_\_ )

**RESPONSE TO PETITION FOR DIVORCE**

COMES NOW, \_\_\_\_\_ (print your name), Respondent,  
hereby submits this Response to Petitioner's *Petition for Divorce*. Respondent notes the following:

1. Respondent admits the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs/sections that are **true** statements)  
of Petitioner's *Petition for Divorce*.
2. Respondent denies the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs/sections that you believe are **not true** statements)  
of Petitioner's *Petition for Divorce*.
3. Respondent does not have enough information to either admit or deny the allegations in Paragraphs \_\_\_\_\_.

**WHEREFORE**, Respondent respectfully requests that the court find generally in his/her favor and against the Petitioner, and that the Petitioner take nothing by way of his/her *Petition for Divorce*.

**DATED** \_\_\_\_\_, 20\_\_\_\_.  
Month Day

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Respondent (your signature)

(Stop)

(For the Clerk)

Subscribed and sworn to before this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Court Clerk or Notary Public

My commission Expires:

**CERTIFICATE OF SERVICE**

I certify this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the original of this document was filed with the Wind River Tribal Court; and, a true and accurate copy of this document was served in accordance with S & A LOC Rules of Civil Procedure on the other party by:

personally delivering the required papers to the Petitioner or upon some person over fourteen (14) years of age at the party's house or principle place of business, or

upon order of the court, a publication illustrating the contents of the summons in a local newspaper at least once per week for four (4) weeks and by leaving an extra copy of the *Response* with the court for the party, or

by mail to the following address:

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

Name of Person Serving (print) \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_

Place of Service \_\_\_\_\_

Signature \_\_\_\_\_