



Salt River Pima-Maricopa Indian Community Court

100005 E. Osborn Rd. / Scottsdale, AZ 85256-9722 / (480) 362-6315

Your Name: _____

Your Address: _____

Your Phone No: _____

_____,

Plaintiff,

v.

_____,

Defendant,

Case No.

SEPARATE MAINTENANCE COMPLAINT

COMES NOW, the Petitioner, _____
Indian/ Non-Indian in this action who alleges:

1. That petitioner and the said Respondent, _____ Indian/ Non- Indian;
2. Were married on or about the _____ day of _____, _____.
3. That on or about the _____ day of _____ the Respondent did
in violation of (SRPMIC Code of Ordinance, Chap. 10, Article II.) § 10-16, (Divorce or
Separate
Maintenance), (a) (1) Grounds. /a- _____

(Please refer to the Separate Maintenance code included in this packet).

4. That the Salt River Pima-Maricopa Indian Community Court has jurisdiction over
this matter.
5. That _____ child(ren) were born of this marriage as follows:

NAME

DOB

AGE

____/____/____

____ years old

____/____/____

____ years old

_____ / / _____ years old
_____ / / _____ years old
_____ / / _____ years old

6. That Custody of the above named child(ren) be awarded to Petitioner or Respondent.

7. That reasonable visitation be awarded to Petitioner or Respondent, as follows:
(state how you would like visitation to be awarded):

8. That the Child Support be awarded to Petitioner or Respondent, in the amount of
\$_____ Per _____ .

9. I have/ have Not filed an action for absolute divorce on the grounds of SRPMIC
§ 10-16, b-_____ *(Please refer to the Divorce code included in this packet)* with a case
number of: _____ .

WHEREFORE, Petitioner prays that the foregoing establishes grounds for Separate Maintenance and prays the Court to grant a decree of separation from the Respondent. And award to the Petitioner the requested relief.

Petitioner

SRPMIC CIVIL COURT COVERSHEET

THIS FORM MUST BE FILLED OUT COMPLETELY BEFORE WE CAN TAKE YOUR FILING

1. Have you filed any papers with Juvenile Court regarding this matter? ☐ NO ☐ YES
2. Do you know if anyone else has filed any papers with Juvenile Court regarding this matter?
☐ NO ☐ YES IF YES, Who: _____
3. Do you have a previous Court Order that pertains to what you are filing now?
☐ NO ☐ YES IF YES, which Court issued that Order: ☐ CIVIL COURT ☐ JUVENILE COURT
What is the date of the last order? _____
What is the Court Case Number? _____
4. What was it regarding: (example: Custody -- Support -- Visitation -- etc.): _____
5. Will you need any assistance at the court hearing? Example: interpreter, sign language. Etc.
☐ NO ☐ YES IF YES, What type of assistance/interpreter is needed? _____

PETITIONER'S INFORMATION

NAME: _____

ADDRESS: _____

PHONE NUMBER: (_____) _____ - _____

CELL/PAGER: (_____) _____ - _____

TRIBE: _____ ENROLLMENT NUMBER: _____

SSN: _____ - _____ - _____ D.O.B.: ____/____/____

HOW LONG HAVE YOU LIVED ON THE SRPMIC RESERVATION? _____

ARE YOU: ☐ SINGLE ☐ MARRIED ☐ DIVORCED ☐ SEPERATED

RESPONDENT'S INFORMATION

NAME: _____

ADDRESS: _____

PHONE NUMBER: (_____) _____ - _____

CELL/PAGER: (_____) _____ - _____

TRIBE: _____ ENROLLMENT NUMBER: _____

SSN: _____ - _____ - _____ D.O.B.: ____/____/____

HOW LONG HAVE YOU LIVED ON THE SRPMIC RESERVATION? _____

ARE YOU: ☐ SINGLE ☐ MARRIED ☐ DIVORCED ☐ SEPERATED

Sec. 10-16. Divorce or Separate Maintenance.

(a) *Separate maintenance.*

- (1) **Grounds.** The court may grant or issue a decree of separate maintenance when one spouse willfully deserts or abandons the other spouse or when facts exist which would be grounds for granting an absolute divorce. An action for separate maintenance may be brought by a spouse without the necessity of an action for absolute divorce. The action for separate maintenance for the judgment of separate maintenance shall not bar the plaintiff from maintaining an action for absolute divorce upon the same grounds.
- (2) **Proceedings.** The proceedings shall be commenced and conducted as actions for divorce and the court may award such sums for alimony and child support to be paid by the husband or wife as the court shall adjudge the circumstances and situations of the parties warrant.
- (3) **Amendment of judgment.** The court may at any time after entry of final judgment amend, alter or change the provisions of the judgment with respect to the sum to be paid, as the circumstances may require.

(b) *Divorce.* The court may grant or issue a divorce from the bonds of matrimony in any of the following cases:

- (1) When adultery has been committed by either party.
- (2) When one of the parties has been convicted of a felony and sentenced to imprisonment therefore and has not been convicted on the testimony of the other party, but such action may not be brought until one year after final judgment of the conviction; a pardon shall not be a defense to such action.
- (3) When either party has willfully deserted the other for a period of three (3) months or for the habitual intemperance of either party.
- (4) Where the husband or wife is guilty of excesses, cruel treatment or outrages toward the other, whether by the use of personal violence or other means.
- (5) When the husband has neglected for the period of three (3) months to provide the wife with the common necessities of life, having the ability to provide the same, or failing to do so by reason of his idleness or dissipation.
- (6) Prior to the marriage either party shall have been convicted of a felony or infamous crime in any state or country without the knowledge of the other party of such fact at the time of such marriage.
- (7) In favor of the husband when the wife at the time of the marriage was pregnant by a man other than the husband and without the husband knowledge at the time of such marriage.