

PYRAMID LAKE TRIBAL COURT
P.O. BOX 257 / 221 HWY 447
NIXON, NV 8424

PETITION FOR CHILD CUSTODY, SUPPORT, AND/OR VISITATION

PACKET INCLUDES PETITION INSTRUCTIONS AND FILING PROCESS

**ATTENTION: THIS PACKET IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY
OR ADVOCATE. COUNSEL IS ALWAYS RECOMMENDED FOR LEGAL MATTERS.**

The laws governing the Pyramid Lake Paiute Reservation allow any person to represent him/herself in any legal action heard in the Pyramid Lake Tribal Court. However, filing Petitions/Application/Complaints with the Court and representing yourself in the Courtroom can involve complex legal matters. This packet only addresses a few legal issues involved in bringing your matter before Court.

When appearing pro se, Latin for “on one’s own behalf”, you are responsible for understanding the law that governs your case and for filing the correct legal documents. The laws and rules are set out in the Pyramid Lake Law & Order Code, the Federal Rules of Civil Procedure, and the Pyramid Lake Tribal Court Operational Procedures.

When you return to the Court and sign these documents for filing, the Court assumes that all documents are read carefully and all potential outcomes of litigation in this matter are understood.

****BEFORE FILING IN ANY PORTION OF THE PETITION, READ ALL MATERIALS
AND, IF NEEDED, REQUEST CLARIFICATION FROM THE COURT STAFF.****

1. Fill out the Petition for Child Custody, Support, and/or Visitation (herein after “Petition”) completely. Use blue or black ink only to fill out the forms and neatly print the information requested. DO NOT USE WITE-OUT or any other fluid/tape on the forms. The Complaint will not be accepted by the Court Personnel if correction fluid/tape is used.
2. On page 1, state your name(s) as Petitioner(s);
3. On page 1, list the minor child(ren) and their date of birth(s).
4. On Page 1, #1, the P.L.L.O.C. states that the Applicant/Petitioner must be a resident of the reservation for at least six (6) weeks prior to filing the complaint.
5. On page 1, #2, state the name of the natural mother and the natural father of the minor child(ren).
6. On page 1, #3, state what tribe the minor child(ren) are enrolled with.
7. On page 1, #4, state who sole care and custody should be awarded to; put both names if 50/50 or joint is requested.
8. On page 1, #5, state who should be allowed visitation and how you are requesting it be ordered.
9. On page 1, #6, state who is financially able to support minor child(ren),
10. On page 1, #7, state how much child support, if any, you are requesting from the Respondent.
11. On page 2, #1-8, state what else you are requesting in the Court Order.
12. On page 3, state your name.
13. On page 4, state why you are filing this Petition and remember to be thorough and submit any attachments you may need to as well.
14. Page 3 must be completely filled out, as the Court staff are not locators of addresses. Please state mailing and physical addresses as this is necessary for proper service of complaint. ****PLEASE BE ADVISED: We cannot and will not look into the Court management System to locate an address, as it is your responsibility.****
15. If you plan on returning to the Courthouse to file the Petition, wait to sign the Petition in front of staff so they may sign stating that the signature was witnessed. However, if you are mailing, emailing, or faxing the Complaint, have each area designated for a signature, notarized.

16. Once the Petition is completed and ready to be filed, submit the filing fee (\$50.00), the civil service fee (\$15.00 if in the boundaries of the PL Reservation, TBD if outside jurisdiction), and the complaint to Court Personnel. If the Respondent resides outside of the Pyramid Lake Reservation the Court staff will contact the county to determine the service fee, and you will be responsible to pay the fee to the County in question.
17. If you are submitting your Petition with an Application Waive Filing Fees (herein after: "Application") the Petition will not be filed until a decision on the Application is rendered. Should the Judge approve the Application, your petition will be filed, however, if it is denied, you will be contacted and must pay the filing fee prior to the Petition being filed. If the Application is approved, no filing fees will be assessed for thirty (30) days per Application.
18. Once the Petition is filed, Court staff will issue a Summons that must be served on the Respondent. The Summons and Petition will be forwarded to the Pyramid Lake Police Department (or applicable Police Department) for service. *Double check and make sure that the address noted for the Respondent is correct as incorrect addresses will slow the process and could add additional service fee charges.
19. Once the Respondent is served, he/she will have twenty (20) days to respond to the Petition. Once an Answer/Response is filed, along with the \$15.00 filing fee, a hearing will be scheduled and all parties will be served notice via mail. If the respondent chooses not to respond, the full twenty (20) days will be allocated and a hearing will be scheduled on the 21st day.
20. If you are unable to appear on the date provided, you may request that this matter be continued via Motion to Continue (herein after "Motion"). Submit Motion and payment (\$15.00) at least eight (8) working days prior to the hearing. Do not forget to send the opposing parties a copy of the Motion. If it is not submitted in a timely manner, you will be required to appear as the Judge may deny your motion and proceed with hearing.

IF THERE ARE ANY FURTHER QUESTIONS, PLEASE DO NOT HESITATE TO CALL THE PYRAMID LAKE TRIBAL COURT AT (775) 574-1094.

**IN THE PYRAMID LAKE TRIBAL COURT IN AND FOR THE
PYRAMID LAKE INDIAN RESERVATION
WASHOE COUNTY, NEVADA**

Petitioner,)	Case No. PL.DM-CS-_____ - _____
)	
vs.)	PETITION FOR CHILD
)	CUSTODY, SUPPORT, and/or
Respondent.)	VISITATION
_____)	

Petitioner(s), _____
respectfully petitions the above-entitled Court for an Order of Child Custody, Visitation
and Support for said minor child(ren), to wit:

MINOR CHILD(REN) NAME	MINOR CHILD(REN) D.O.B.
1.	
2.	
3.	

The Petition states the following:

1. That the Petitioner(s) is/are members of the Pyramid Lake Indian Tribe and/or reside(s) on and within the exterior boundaries of the Pyramid Lake Indian Reservation;
2. That _____ is the natural mother and _____ is the natural father of said minor child(ren).
3. That said minor child(ren) is/are enrolled member(s) of: _____
4. That sole/joint care and custody be awarded to: _____
5. That _____ be allowed visitation as follows: _____
6. That _____ is financially able to support said minor child(ren) and that he/she will continue to provide for the health, welfare and well-being of said minor child(ren).
7. Child Support in the amount of \$_____ per month.

WHEREFORE, the Petitioner(s) pray for the following:

1) _____

2) _____

3) _____

4) _____

5) _____

6) _____

7) _____

8. And for such other and further relief as this court may deem just and proper.

Done and dated this _____ day of _____, 20__.

Petitioner

Subscribed and sworn to before me on this _____ day of _____, 20__

Notary Public/Court Clerk

VERIFICATION

I, _____, under penalty of perjury, makes the following assertions: That I am the Petitioner, in the above-entitled action; that I have read the foregoing PETITION FOR CHILD CUSTODY, SUPPORT, AND/OR VISITATION and know the contents thereof; that the same is true of my own knowledge, except for those matters therein contained stated upon information and belief, and as to those matters, I believe them to be true.

Signature of Petitioner

Date

Subscribed and sworn to before me on this _____ day of _____, 20__

Notary Public/Court Clerk

**IN THE PYRAMID LAKE TRIBAL COURT
IN AND FOR THE PYRAMID LAKE INDIAN RESERVATION
WASHOE COUNTY, NEVADA**

AFFIDAVIT

I, _____, being first duly sworn on oath, affirm that I am the affiant in this cause that the statements made herein are true and correct to the best of my knowledge, recollection and belief, as follows:

DATE: _____ SIGNATURE: _____

Subscribed and Sworn to before me on this _____ day of _____, 20__.

Notary Public/Court Clerk

PLEASE PROVIDE THE FOLLOWING CASE INFORMATION TO THE COURT WHEN SUBMITTING THE PETITION {This portion must be completed or the petition will not be accepted.}

PETITIONER'S NAME: _____
MAILING ADDRESS: _____
PHYSICAL ADDRESS: _____
EMAIL ADDRESS: _____
PHONE NO(s): (H) _____ (W) _____

RESPONDENT'S NAME: _____
MAILING ADDRESS: _____
PHYSICAL ADDRESS: _____
EMAIL ADDRESS: _____
PHONE NO(s): (H) _____ (W) _____

\$50.00 Filing Fee when Petition is returned and Filed with the Court
Service fee/Inside Jurisdiction \$15.00
Service fee/Outside Jurisdiction TBD