



Yurok Tribal Court

Yurok Tribal Court
PO Box 1027 / 230 Klamath Blvd.
Klamath, CA 95548
(707) 482-1350 phone
(707) 482-0105 fax

Court File Number: _____
Case Type: FAMILY LAW

Petitioner,

v.

Respondent

ORDER RE: MARRIAGE Annulment due to Invalidity

The Court having received a Petition regarding Marriage – Annulment due to Invalidity and having held a hearing on _____, now makes the following findings and orders.

The following parties appeared at the hearing:

Petitioner

Respondent

Petitioner's Attorney/Advocate/Spokesperson: _____

Respondent's Attorney/Advocate/Spokesperson: _____

Other(s): _____

Neither party was required to appear by the Court.

The Court finds the following information to be true:

1. Membership and Residency

- ☐ The Petitioner is a member of the Yurok Tribe.
- ☐ The Petitioner resides on the Yurok Reservation. Length of time: _____
- ☐ The Respondent is a member of the Yurok Tribe.
- ☐ The Respondent resides on the Yurok Reservation. Length of time: _____

2. The Petitioner and Respondent were married on: (date) _____ and the Marriage Certificate was issued by: (State/Tribal Authority) _____.

3. The marriage ceremony took place at: (City, State): _____

4. The parties were separated as of date: _____.



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5. The following children are common to the parties, through birth or adoption:

Child's Name	Date of Birth	Age	Sex	Tribal Affiliation	Enrollment#
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

☐ The following case has been filed in regards to Custody & Parenting Time regarding the children:
Court: _____ Case No.: _____

6. The wife is currently ☐ pregnant ☐ not pregnant.

7. The Court finds that the Annulment due to Invalidity was contested by: ☐ Petitioner ☐ Respondent
☐ Neither Party.

8. ☐ The Court finds the marriage is invalid due to a finding that the following is true:

- a. ☐ Age – The ☐ Petitioner ☐ Respondent was under the age of 18 when married without the consent of their parents (if 14 or older at time of marriage) or emancipated by Court Order of competent jurisdiction (if 16 or older at time of marriage). The ☐ Petitioner ☐ Respondent has not voluntarily cohabited with the other party since reaching the age of consent.
- b. ☐ Prior Undissolved Marriage – The ☐ Petitioner ☐ Respondent was still legally married to a third person not a party to this case at the time of the marriage above.
- c. ☐ Consanguinity – The parties are kin to each other as second cousins or more closely related.
- d. ☐ Incapacity – At the time of the ceremony date above, the ☐ Petitioner ☐ Respondent was unable to consent to the marriage by reason of:
 - ☐ Mental Incapacity – The ☐ Petitioner ☐ Respondent lacked the ability to understand they were getting married.
 - ☐ Incapacitated due to Substance Abuse – The ☐ Petitioner ☐ Respondent was under the influence of alcohol or other substances to such an extent that they could not realize they were getting married; they have not voluntarily cohabited with the other party since the incapacity was corrected.
- e. ☐ Force – The ☐ Petitioner ☐ Respondent was forced to get married and they have not voluntarily cohabited with the other party since the cessation of force.



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- f. ☐ Fraud involving the essentials of marriage – The ☐ Petitioner ☐ Respondent made a misrepresentation about the essentials of marriage and the ☐ Petitioner ☐ Respondent would not have gone through with the marriage if they had been truthful, and ☐ Petitioner ☐ Respondent has not voluntarily cohabited with the other party once the fraud was discovered.
- g. ☐ Duress – The ☐ Petitioner ☐ Respondent was pressured to get married, and the ☐ Petitioner ☐ Respondent has not voluntarily cohabited with the other party since that pressure has lifted.

9. ☐ The Court does not find that the marriage is invalid for the following reason:

10. Property information:

- ☐ There are no assets or debts from this marriage that the Court needs to divide.
- ☐ There are assets to be granted as Separate Property due to the invalidity of the marriage as ordered below.

11. Spousal Support:

- ☐ There is no order for spousal support due to the invalidity of the marriage.

The Court Orders the following:

- ☐ The Court orders the following assets and debts below be listed as **Separate Property**:

Asset/Debt	Confirmed to:



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Case Number:

☐ The Court orders the following Name Change for ☐ Petitioner ☐ Respondent:

Current Legal Name	Requested Name after Dissolution

☐ The Court Orders the following Other Orders of the Court:

☐ The Court does not find that the marriage is invalid as the moving party has failed to meet the burden to establish invalidity. The annulment is not granted and this case is dismissed. Either party may file for a dissolution of marriage or legal separation should they so choose.

☐ The Court declares the marriage invalid on the basis of the Court's findings stated in Section 8 above and grants an annulment of the marriage:

It is so Ordered.

DATE: _____

Judge, Yurok Tribal Court