



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: _____.



Petitioner v. Respondent

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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**:



Petitioner v. Respondent

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