

MOTION TO MODIFY

The form in this packet are to be used as a **template**, the form may not address all of your needs. Please read the instructions carefully before completing the forms. The Court Clerks **CANNOT** accept documents that do not conform to the instructions in this packet.

You should refer to the Comanche Nation Tribal Court Codes prior to filing any petition or pleadings for a complete understanding of the rules and procedures governing your case. Should you need assistance in preparing any documents, you must consult with an attorney at your own expense. The Court Clerks are prohibited by Ethical Code and Court Rules to provide legal advice and help parties prepare or type court documents. Different situations may require special procedures and the Court Clerks **CANNOT** advise you on how to proceed or what forms may be necessary in specific situations.

INSTRUCTIONS FOR FILING

IMPORTANT INFORMATION PLEASE READ!!!

1. Documents must be Printed or typed and MUST BE LEGIBLE. If the Court is unable to read your documents it may adversely affect your case.
2. Documents must be signed in front of the Court Clerk or a notary public when you are ready to file.
3. Filing fees, copy fees, etc. can be made by DEBIT CARD, CASHIER'S CHECK or MONEY ORDER and must be payable to "Comanche Nation Tribal Court". Filing fees MUST be paid at the time of filing your petition. If you are unsure of the amount of the filing fees, contact the Court Clerk.
4. Submit original Documents, a copy fee will apply to all copies made by the court clerk over 50 pages in length. If the Court Clerk makes your copies, you will be charged a copy fee of \$10.00 for any copies over 50 pages.
5. Documents must have the FULL ADDRESS including street, city, state & zip of the parties. Obtaining this information is **your** responsibility.
6. Motion forms filed MUST have a copy of the relevant tribal enrollment card/CDIB and be submitted with the Motion when filed. Obtaining these documents is **YOUR** responsibility.
7. Proof of Service of a Motion form is MANDATORY for your case to proceed. Obtaining proof of service is **your** responsibility. Your case will not be set down for a hearing until the Clerk receives proof of service on the parties.

Court Clerks WILL NOT accept documents
that do not conform to these Instructions.

MOTION TO MODIFY	
Petition or Complaint	Filing Fee
Post Order Decree or Application to Modify /Vacate	\$40.00
In relation to Divorce, Custody, Paternity, Guardianship	
Additional Court Costs	
Summons (each) PER PERSON SUMMONED	\$15.00
SUMMONS BY PUBLICATION (Actual Publication is to be done independently at your own additional expense through a proper publishing source)	\$35.00
SERVICE Outside of Territorial Jurisdiction (by certified mail through the Court Clerk)	\$15.00
SERVICE (Independently done, may incur additional expense of Private Process Server. Proof of Service must be filed with the Court)	
COPY FEES (filer must provide all necessary copies of filings or a copy fee will apply to all copies made by the court clerk over 50 pages in length)	\$10.00 flat fee for copies made by the court clerks over 50 pages.

**IN THE COMANCHE NATION TRIBAL COURT
DISTRICT COURT**

	)	
	)	
	)	
	)	Case No. ____ - ____ - ____
	)	

MOTION TO _____

COME NOW, _____, and submits his/her/their Motion to
_____. In support of their Motion, Movants will show the
following:

1. I am asking the Court for the following:

2. I am making this motion based upon the following facts to the best of my knowledge:

☐ I have attached additional pages of documents to support my request.

3. ☐ I am asking for an emergency order without notice to the other party and without a hearing because the following immediate and irreparable harm will occur if an emergency order is not issued before the next hearing:

_____ I understand that an emergency order, if issued, will only be in effect until my
Initials hearing date.

4. _____ I understand that I am responsible for serving copies of this motion and all
Initials attachments to the other party because they are entitled to notice and opportunity to contest my motion.
Once Served, the other party has ten (10) days to respond to my motion unless the Court sets a different time period.

5. _____ I understand that after the ten (10) day response period has passed, I am responsible for contacting the court to request a hearing date in regards to my proposed motion.

WHEREFORE, the Movants request the Court to _____.

Movant
Address: _____

Phone: (____) ____ - _____

****YOU MUST SIGN THE DOCUMENT BELOW IN FRONT OF A NOTARY PUBLIC OR THE COURT CLERK****

AFFIDAVIT

Comanche Nation)
)
State of Oklahoma) ss:

I, _____, swear and depose;
Print Full Name

I am the ☐ Current legal guardian ☐ Natural mother/father ☐ Interested Party in this action

My contact information is:

Address: _____

City/State/Zip: _____

Telephone: (____) _____

I acknowledge that I am responsible for keeping the Court and the other parties informed of any changes in my contact information and that my failure to do so may cause delays in my case.

I swear under penalty of perjury under the laws of the Comanche Nation that the foregoing is true and correct to the best of my knowledge.

Date : _____

Affiant's Signature: _____

SUBSCRIBED AND SWORN to before this _____ day of _____ 20____.

Notary Public in and for the State of Oklahoma
Or/Comanche Nation Court Clerk

My commission expires:
