



PONCA TRIBAL COURT

1800 Syracuse Avenue • Norfolk, NE 68701 • Phone: 402.371.8834 • Fax: 402.371.3238

Re: Name Change

Enclosed, please find the Petition that you may use to change a name through the Ponca Tribal Court. Please complete this Petition and return it to my office, along with a \$60.00 filing fee. If you cannot afford the filing fee, then please complete the enclosed Motion to Proceed In Forma Pauperis. The Judge has to approve or deny the Motion. Please note that the Ponca Tribal Council has determined that the filing fee may be waived for Ponca Members only.

I have also enclosed a Jurisdictional Affidavit that must be completed in order to file your Petition. Once I receive the Petition and the filing fee (or an Order signed by the Judge approving the Motion to Proceed), then the other party will be personally served with the paperwork and a scheduling order.

A pretrial conference will be set to determine what issues still need to be resolved. If issues are not resolved during the pretrial conference, then a trial date will be set. Pretrial conferences may be held by phone, so I have also enclosed telephonic hearing rules.

If you have any questions, please feel free to contact me at 402-371-8834, or via email at ruthanneg@poncatribes-ne.org.

Sincerely,

RUTHANNE GALLUP
Tribal Court Administrator

Enc: Petition; Motion to Proceed In Forma Pauperis, Jurisdiction Affidavit; Telephonic Hearing Rules

Approved 3-18-16 by Court

IN THE PONCA TRIBAL COURT

In Re: Change of Name of:) CIV
)
From: _____) PETITION
To: _____)
Date of Birth _____)

STATE OF _____)
) SS
COUNTY OF _____)

I, _____ am the Petitioner and my mailing address is

_____. I am an adult, and if I wish to
ONLY LIST IF YOU WANT THE OTHER PERSON TO KNOW
change the name of a minor child, I have legal custody of the minor child, who is
currently residing with me.

I declare the following:

1. Jurisdiction. That jurisdiction with the Ponca Tribal Court is proper because of the following:

The Petitioner is a member of the _____ Tribe and lives in the Ponca Service area; and the minor child(ren) are enrolled members or eligible for enrollment with the _____ Tribe and live in the Ponca Service Area.

2. Birth Date and Place. The person's name I wish to change was born on _____, _____ in _____, _____ County, State of _____. A copy of the birth certificate is attached to this Petition.

3. Parents. The father of the person is named _____, and he resides at _____. The mother of the person is named _____.

_____ and she resides at _____.

4. Reason for Name Change. I wish to list the following reason for changing the name:

NOW THEREFORE, I RESPECTFULLY REQUEST that the name of

_____ be changed to that of

_____. And that the birth record of the person be amended to reflect the change of name, and the Tribal Court notify the Tribal enrollment office of the respective Tribe of the change of name.

I declare under penalty of perjury that the foregoing is true and correct to the best of my ability.

Dated this _____ day of _____, _____.

Petitioner

SUBSCRIBED TO and sworn before me on _____.

[SEAL]

Notary Public

IN THE PONCA TRIBAL COURT

STATE OF _____)
) ss
COUNTY OF _____)

MOTION TO PROCEED
IN FORMA PAUPERIS

I, _____, being duly sworn upon by oath, say:
(Your Name)

- 1. I am unable to pay the costs of this action.
2. I am a member of the Ponca Tribe of Nebraska, enrollment # _____. The Ponca Tribal Council has determined that only enrolled members of the Ponca Tribe are eligible for a waiver of filing fees.
3. My family unit consists of _____ people (1 Self + _____ children + _____ adults)
4. My family unit has an average gross monthly income of \$_____, including (check all)
[] Employment \$_____ [] Food Stamps\$_____ [] Medicaid
[] Child Support\$_____ [] SSI\$_____ [] TANF \$_____
[] Other _____ [] Other _____
5. I receive no income from other sources. If I have no income and/or expenses, this is the reason why: _____

6. My family unit's average monthly expenses are \$_____, which include
Rent \$_____ Heating \$_____ Lights \$_____ Trash \$_____
Phone\$_____ Child Care\$_____ Food(Do not include food stamps) \$_____
Alcohol\$_____ Cigarettes \$_____ Car, insurance & gas for car \$_____
Other (explain) \$_____ Other (explain) \$_____

7. I own [] no real or personal property of more than nominal value. [] the following real or personal property that has more than nominal value: _____

8. I wish to add the following for consideration. _____

9. The phone number where I may be contacted at is _____.

10. Have you, on three or more prior occasions, brought an action or appeal in a Ponca Court that were dismissed on the grounds of being frivolous, malicious, or failing to state a claim upon which relief may be granted? () Yes () No

If yes, is the reason you are coming to court because you are in imminent danger of serious bodily injury? () Yes () No

11. I understand that a false statement or answer to any questions in this Motion may subject me to penalties of perjury.

Your Signature _____ Date _____
SUBSCRIBED AND SWORN BEFORE ME ON THIS _____ DAY OF _____, 20____

Notary _____ Commission Expires _____

IN THE PONCA TRIBAL COURT

_____,)
)
Plaintiff,)
)
vs.)
)
_____,)
)
Defendant)

CASE # _____

JURISDICTIONAL AFFIDAVIT

STATE OF _____)
) ss
COUNTY OF _____)

COMES NOW Affiant, after being duly sworn and under penalty of perjury, and states as follows:

- 1) My name is _____.
 - 2) My mailing address is _____.
 - 3) My telephone number is _____.
 - 4) My physical address, where I primarily reside, is _____
located in _____ County in the state of _____.
 - 5) I ()am a member of the _____ Tribe, my enrollment
number is _____. This () is () is not a federally recognized Tribe.
I () am not a member of a Tribe.
My child is a member of the _____ Tribe, enrollment# _____.
 - 6) I understand that this information is being provided to determine if I reside within
the territorial jurisdiction of the Ponca Tribe of Nebraska.
 - 7) I understand that I am providing this information under oath and penalty of
perjury, with legal consequences if I knowingly make a false statement in this document.
- FURTHER AFFIANT SAYETH NOT
DATED this _____ day of _____, 20_____.

Affiant

SUBSCRIBED TO and sworn before me on _____.

[SEAL]

Notary Public

**PONCA TRIBAL COURT
INSTRUCTIONS FOR VIDEOCONFERENCE AND/OR TELEPHONIC APPEARANCES**

You may appear by videoconference or by telephone for hearings in the Ponca Tribal Court if you have received prior permission from the Court to do so, or if the hearing for which you will be appearing will not require evidence (such as testimony from witnesses, documents, or other physical evidence) to be taken. Parties at the following types of hearings may always appear by videoconference or telephonically, unless the Court orders otherwise:

- Pretrial conferences
- Temporary hearings by affidavit (sworn written statements) only
- Status hearings
- Any other hearings where the Court has specifically allowed videoconference or telephonic appearances

To appear by videoconference, you must go to the nearest tribal office:

Ponca Tribe of Nebraska Administration Building, 1800 Syracuse Avenue, Norfolk, NE 68701
Fred LeRoy Health and Wellness Clinic, 2602 J Street, Omaha, NE 68107
Ponca Tribe of Nebraska Office, 1701 E Street, Lincoln, NE 68508
Ponca Tribe of Nebraska Office, 125 Sixth Street, Sioux City, IA 51103
Ponca Tribe of Nebraska Headquarters, 2523 Woodbine Street, Niobrara, NE 68760

You must notify the tribal office coordinator that you are there to appear for Court by videoconference. You must check in within fifteen (15) minutes of your scheduled hearing time. You will be escorted to the Videoconference room. You will be expected to stay in that room and follow the Rules of Conduct for the Ponca Tribal Court. As stated in the Rules of Conduct, "Anyone not giving the proper respect to the process of Justice may be removed from the Courtroom".

Your hearing may not happen at the scheduled time, as the Court will frequently schedule a number of hearings for the same time and take them in order. The Order of the hearings will be determined by the Tribal Court Judge and the Tribal Court Administrator and be based upon: 1. Time of Arrival of the parties. 2. Representation by counsel. 3. Nature of the Hearing. 4. Anticipated length of the hearing. 5. Any other factors that need to be considered.

To appear by phone, you must call the Court to check in within 15 minutes of your scheduled hearing, and provide to the Court a telephone number where you can be reached when your telephonic hearing is ready to begin. The numbers to call are as follows:

- **If the Court is being held in Norfolk: 402-371-8834**
- **If the Court is being held in Omaha: 402-734-5275**
- **If the Court is being held in Lincoln: 402-438-9222**

Your hearing may not happen at the scheduled time, as the Court will frequently schedule a number of hearings for the same time and take them in order as listed above. Thus, you should be prepared for a short delay prior to your hearing.

If you choose, you may check-in for your telephonic hearing by e-mail to tribalcourt@poncatribene.org. This e-mail check-in must be made within 15 minutes of your scheduled hearing, and provide a telephone number where you can be reached when your hearing is ready to begin.

FAILURE TO APPEAR BY VIDEOCONFERENCE OR TO CALL AND CHECK IN , OR FAILURE TO ANSWER AT THE NUMBER PROVIDED AFTER THE CHECK-IN, WILL BE TREATED BY THE COURT AS A FAILURE TO APPEAR AFTER PROPER NOTICE.