



PONCA TRIBAL COURT

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

Re: Motion to Modify Current Court Order

Enclosed, please find a Motion to Modify a current Court Order that you may use to file through the Ponca Tribal Court. Please complete this Motion and return it to my office, along with the filing fee. For Ponca members only, if you cannot afford the filing fee, then please complete the enclosed Affidavit. The Affidavit must be notarized, and the Judge has to approve the waiver of the filing fee. Please note no action will be taken until the filing fee is paid, or the Affidavit has been approved by the Judge.

Once the Motion has been filed with the Court, then the other party will be notified and a pretrial conference will be scheduled. You are allowed to appear by phone and/or videoconference at the pretrial conference. However, if a trial date is set, then you must appear in person for the trial.

Mediation is encouraged, and may soon be required before the Court will modify an existing Order regarding custody of children. For more information regarding mediation, please contact me.

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

Sincerely,

RUTHANNE GALLUP
Tribal Court Administrator

Enc:

IN THE PONCA TRIBAL COURT

_____ ,)	CASE # _____
)	
Plaintiff,)	
)	
vs.)	MOTION TO MODIFY
)	EXISTING ORDER
_____ ,)	
)	
Defendant)	

STATE OF _____)
) ss
 COUNTY OF _____)

I, _____ am a party to this action and my mailing
 Address I wish to provide to the Court and the other party is: _____

The Other party is _____ and their mailing address is last
 known to be _____

I understand that there is a filing fee to modify the current court order. The filing fee of \$25.00 is attached. For members of the Ponca Tribe only, the Affidavit to waive the filing is attached. **Please note, no action will be taken on this Motion until the filing fee is paid, or the Affidavit approved by the Judge.**

There has been a substantial change in circumstances and because of these changes; the current Court Order should be modified. The changes in circumstances are as follows:
Please list each change you are stating separately. A separate paper may be attached.

1. (a) The current Order states: _____

(b) The changes in circumstances are: _____

2. (a) The current Order states: _____

(b) The changes in circumstances are: _____

3. (a) The current Order states: _____

(b) The changes in circumstances are: _____

Wherefore, I am respectfully requesting the Order to be changed to reflect the following:
Please list each change you are requesting separately. A separate paper may be attached.

1. _____
2. _____
3. _____

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

Dated this _____ day of _____, _____.

Complainant

SUBSCRIBED TO and sworn before me on _____
[SEAL]

My commission expires: _____ Notary Public _____

I have mailed a copy of this Motion to _____
on this date _____.

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