



PONCA TRIBAL COURT

1800 Syracuse Ave. | Norfolk, NE 68701 • Phone: 531.371.1628 • 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 Motion to Proceed In Forma Pauperis. The Motion to Proceed In Forma Pauperis must be notarized, and the Judge has to approve the waiver of the filing fee. There will be no action taken until the filing fee is paid or waived by the Judge.

Once the Motion has been filed with the Court, then the other party will be personally served 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 the Tribal Court.

If you have any questions, please feel free to contact Tribal Court staff at 531-371- 1628 or via email at tribalcourt@poncatribene.gov.

Sincerely,

RUTHANNE GALLUP

Tribal Court Administrator

Enc: Motion to Modify; Motion to Proceed In Forma Pauperis, telephonic instructions

IN THE PONCA TRIBAL COURT

_____,) CASE # _____
Plaintiff/Petitioner,)
)
vs.)
)
_____,)
Defendant/Respondent.)

**MOTION TO MODIFY
FINAL ORDER**

STATE OF _____)
) ss
COUNTY OF _____)

1) INFORMATION REGARDING FILING FEE

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.**

2) INFORMATION ABOUT ME – THE PETITIONER

**ONLY COMPLETE IF YOU WANT THIS ADDRESS KNOWN TO ALL
PARTIES. THIS INFORMATION MUST BE PROVIDED TO THE COURT
SEPARATELY.**

My Full Legal Name: _____

My Address: _____
Street Apt #
City State Zip Code

My telephone number _____ My email – if I would like the Court to use it _____

3) INFORMATION ABOUT THE OTHER PARTY – THE RESPONDENT

Their Full Legal Name: _____

Their Address: _____
Street Apt #
City State Zip Code

Their telephone number _____ Their email – if known _____

4) Information about the change in circumstances.

For a final Order to be modified, there must have been a substantial change in circumstances. Because of these changes it would be in the best interest of justice and the parties and/or their children that the current Court Order be modified. The changes in circumstances are as follows: **Please list each change separately.** A separate paper may be attached.

(A) The change in circumstances is: _____

Because of that why should the Court Order be changed:

(B) The change in circumstances is: _____

Because of that why should the Court Order be changed:

(C) The change in circumstances is: _____

Because of that why should the Court Order be changed:

6) What I am requesting from the Court

I have shown that there has been a substantial change, and that it would be in the best interest of justice, the parties and/or their children that the following changes be made to the Order. A separate paper may be attached.

(A) This is what the new Court Order should state: _____

(B) This is what the new Court Order should state: _____

(C) This is what the new Court Order should state: _____

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

Dated this _____ day of _____, _____.

My signature

SUBSCRIBED TO and sworn before me on _____, 2026.

(SEAL) My commission expires:

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 _____ Tribe, 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. This is how I can live without any money coming in or going out to pay bills: _____

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 is _____.
The email address that I regularly use and check 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

Approved by Court 2026 0617

(SEAL) Commission Expires: _____

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 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, notarized written statements) only
- Status hearings
- Any other hearings where the Court has specifically allowed videoconference or telephonic appearances

Videoconference is viewed as personal appearance. To appear by videoconference, you must contact the Tribal Court Clerk by email at tribalcourt@poncatrib-ne.gov and request a link to use on your computer or smart phone. You may request the link earlier than the scheduled hearing date, and request to test the link on your computer or smart phone. You may also contact the offices below to schedule a room to appear by videoconference.

Ponca Tribe of NE Courtroom – 1800 Syracuse Avenue, Norfolk NE 68701	402-371-8834
Fred LeRoy Health & Wellness – 2602 J. Street, Omaha, NE 68107	402-734-5275
Ponca Tribe of NE in Ralston – 5805 S. 86th Circle, Ralston, NE 68127	402-315-2760
Ponca Health & Wellness – 1600 Windhoek Drive, Lincoln NE 68512	402-438-9222
Ponca Tribe of NE Office – 125 6th Street, Sioux City IA 51103	712-258-0500
Ponca Tribe of NE Headquarters – 2523 Woodbine Street, Niobrara NE 68760	402-857-3391

You are expected to 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 between 8 am and 9 am on the date 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. Regardless of where the Court is held **the number to check in is 402-371-8834.**

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 delay prior to your hearing.

If you choose, you may check-in for your telephonic hearing by e-mail to tribalcourt@poncatrib-ne.gov. This e-mail check-in must be made between 8 am and 9 am the day 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.