

**In the Nooksack Tribal Court
For the Nooksack Indian Tribe
Deming, Washington**

In re the Custody of:	Child,	No.
and	Petitioner(s),	PETITION FOR CUSTODY (NTC 15.17)
	Respondent(s).	

I. Basis

1.1 Identification of Petitioner(s)

Name (first/last) _____ Birth date _____

Last known residence (county and state only) _____

Relationship to child _____

Tribal status: Nooksack Tribal Member, enrollment number: _____ Member of other federally recognized tribe: _____ enrollment number: _____ Non-tribal

Name (first/last) _____ Birth date _____

Last known residence (county and state only) _____

Relationship to child _____

Tribal status: Nooksack Tribal Member, enrollment number: _____ Member of other federally recognized tribe: _____ enrollment number: _____ Non-tribal

1.2 Identification of Respondent(s)

List each parent, any alleged biological parent, guardian, custodian, and any other person with court ordered time with the child. Do not list any parent whose rights have been terminated by court order.
(Please attach an additional page if necessary.)

Name (first/last) _____ Birth date _____

Last known residence (county and state only) _____

Relationship to child _____

Tribal status: Nooksack Tribal Member, enrollment number: _____ Member of other federally recognized tribe: _____ enrollment number: _____ Non-tribal

Name (first/last) _____ Birth date _____

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Name (first/last) _____ Birth date _____

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Relationship to child _____

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1.3 Child for Whom Custody is Sought

Name (first/last) _____ Age _____

A true and correct copy of the child's birth certificate is attached to this petition.

1.4 Identification of all Adults Living in Petitioner(s)' Household

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

Name (first/last) _____ Age _____

(Please attach an additional page if necessary.)

1.5 Jurisdiction Over the Child

This court has exclusive original and continuing jurisdiction over this proceeding for the reasons below.

- The child is an Indian Child who resides or is domiciled on the Nooksack Tribal land; or
- The child is an enrolled member of the Nooksack Indian Tribe; or
- The child is eligible for enrollment in the Nooksack Indian Tribe.
- The child has been placed in temporary care on Tribal land or in any care facility licensed or approved by the Nooksack Indian Tribe for placement of Indian children, unless the child has been placed by a court or social service agency having a written agreement to do so with the Tribe.

1.6 Other Proceedings

I do do not know of any paternity proceedings or other custody proceedings which have taken place in regard to my child. The following is a description of all proceedings I am aware of in regards to my child:

1.7 Visitation

Respondent (name) _____: Visitation should be as set forth in the attached proposed Parenting Plan which is incorporated by reference as part of this Petition; or as follows:

- Visitation should be limited because (name) _____ has engaged in the conduct which follows:
 - Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions.
 - Physical, sexual or a pattern of emotional abuse of a child.
 - A history of acts of domestic violence as defined in Nooksack Tribal Code Chapter 20A.01.040 or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.
- Other:

Respondent (name) _____: Visitation should be as set forth in the attached proposed Parenting Plan which is incorporated by reference as part of this Petition; or as follows:

- Visitation should be limited because (name) _____ has engaged in the conduct which follows:
 - Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions.
 - Physical, sexual or a pattern of emotional abuse of a child.
 - A history of acts of domestic violence as defined in Nooksack Tribal Code Chapter 20A.01.040 or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.
- Other:

1.8 Child Support

Support for the dependent child should be set pursuant to Nooksack Tribal Code Chapter 14.07

1.9 Health Insurance Coverage

Either or both parents should be required to maintain or provide health insurance coverage consistent with Nooksack Tribal Code Chapter 14.07.060.

1.10 Continuing Restraining Order

- Does not apply.
- (Name) _____ should be restrained or enjoined from disturbing the peace of the other party or of the child.
- (Name) _____ should be restrained or enjoined from going onto the grounds of or entering the home, work place or school of the other party or the day care or school of the child.
- (Name) _____ should be restrained or enjoined from knowingly coming within or knowingly remaining within (distance) _____ of the home, work place or school of the other party or the day care or school of the child.
- A continuing restraining order should be entered which restrains or enjoins (name) _____ from molesting, assaulting, harassing, or stalking (name) _____.
- (Name) _____ should be restrained or enjoined from removing the child from the state of Washington.
- (Name) _____ should be required to surrender any deadly weapon in his or her immediate possession or control or subject to his or her immediate possession or control to the sheriff of the county having jurisdiction of this proceeding, to his or her lawyer or to a person designated by the court. Clear and convincing reasons for this request are set forth in paragraph 1.12 below

- Other:

1.11 Adequate Cause

The child has been in the physical custody of _____ since (date) _____.

1.12 Best Interest of the Child

The requests made in this petition are in the best interests of the child because:

1.13 Other

(Please attach additional pages as necessary.)

II. Relief Requested

The petitioner *requests* that the court enter an order finding that there is adequate cause for hearing this petition and giving petitioner custody of the child listed in paragraph 1.3 of this petition and requiring either or both parents to maintain or provide health insurance coverage for the child consistent with Nooksack Tribal Code Chapter 14.07.060. The petitioner also *requests* the relief described below.

- Determine support for the dependent child pursuant to the Nooksack Tribal Code Chapter 14.07 Child Support Schedule.
- Approve my proposed Parenting Plan, or order visitation pursuant to paragraph 1.9.
- Award the tax exemptions for the dependent children as follows: _____

- Enter a continuing restraining order.
- Enter a domestic violence antiharassment protection order protecting (name) _____ from (name) _____. *If you check this box, contact the clerk/court for Domestic Violence forms or for Antiharassment forms.*
- Order payment of day care expenses for the children.
- Order payment of attorney fees, spokesperson fees, and/or other professional fees and costs.
- Other: _____

Date Signature of Petitioner Print or Type Name

Date Signature of Petitioner Print or Type Name

1 **IN THE NOOKSACK TRIBAL COURT**
2 **FOR THE NOOKSACK INDIAN TRIBE**
3 **DEMING, WASHINGTON**

4 In re the Custody of:

Case no.

5 Child,

CONSENT TO CUSTODY

6 Petitioner(s),

7 and

8 Respondent(s).

9 _____
10 State of Washington)
11) SS
12 County of Whatcom)

13 I, _____, being first sworn on oath, depose and say that my
14 relationship to the above-named youth is:

15 biological mother biological father legal custodian

16 My date of birth is: _____

17 I reside at: _____

18 I have received a copy of the Petition for Custody filed in this matter, I have read that petition, and I believe
19 that custody of the youth as proposed will be in the youth's best interest. Therefore, I give my consent to the
20 Nooksack Tribal Court to grant custody of the youth as requested in the petition.

21 _____
Respondent Signature

22 Dated: _____

23 _____
Court Clerk/Notary Public

24 Notary: Commission expires: _____

Residing at: _____