

PETITION FOR ACCEPTANCE OF JURISDICTION

**IN THE _____ TRIBAL COURT
_____ RESERVATION**

_____,)
Tribal Division of Social Welfare) Case No.
)
In the Matter of: _____,) PETITION FOR ACCEPTANCE OF
) JURISDICTION AND AWARD
Date of Birth: _____,) OF TEMPORARY CUSTODY
)
A Person Under Eighteen Years of Age.)
_____)

COMES NOW the Petitioner, Tribal Division of Social Welfare, the undersigned, and requests the Tribal Court to accept jurisdiction of the child custody proceeding involving the above-named child, which is pending in _____ Court, for _____ County, State of _____, Docket No. _____. This proceeding is being transferred to the Tribe pursuant to the Indian Child Welfare Act, 25 U.S.C. § 1911(b). The Tribal Division also requests the court to award temporary custody of the above-named minor child to the Tribal Division until such time as a hearing can be scheduled to determine whether custody should continue. As grounds therefore, the Tribal Division states:

1. That the minor child is a member of, Enrollment No. _____, or eligible for membership in, the _____ Tribe.
2. That the natural mother/father of the minor children is a member of the Tribe, Enrollment No. _____.
3. That the dependency and neglect proceeding involving the above named minor child, pending in the _____ Court, for _____ County, State of _____, Docket No. _____, was based upon acts of dependency or neglect by the natural mother/father.
4. That the Tribe filed a motion to Transfer Jurisdiction and Dismiss the State Court

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Proceeding, Docket No. _____, requesting transfer of the case to the Tribal Court pursuant to the Indian Child Welfare Act, 25 U.S.C. § 1911(b).

5. That it is in the best interests of the minor child that this Court accept jurisdiction of the State Court Proceeding, Docket No. _____, that is pending in the _____ Court, for _____ County, State of _____.

6. That the natural father/mother, due to his/her acts of dependency or neglect, is presently unable to properly provide for the care and maintenance of the above-named minor child, making the child a dependent or neglected child as defined by Tribal law, [Insert Tribal Law & Code Citation if available].

7. That it is in the best interests of the minor child that temporary custody of the minor child be awarded to the Tribal Division of Social Welfare until such time as a hearing is conducted to determine whether custody should continue with the Tribal Division.

WHEREFORE, Petitioner requests that the Tribal Court accept jurisdiction of the child custody proceeding that was pending in the _____ Court, for _____ County, State of _____, Docket No. _____, and award temporary custody of the minor child to the Tribal Division of Social Welfare until such time as a hearing is conducted to determine whether custody should continue.

DATED this _____ day of _____, 20__.

_____, Signed

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I hereby certify that a true and correct copy of this Motion was mailed to opposing counsel, this _____ day of _____, 20____.

By: