

**MOTION TO INTERVENE**

**IN THE \_\_\_\_\_ COURT  
FOR \_\_\_\_\_ COUNTY, STATE OF \_\_\_\_\_**

In the Matter of: \_\_\_\_\_, ) Case No.  
 )  
DOB: \_\_\_\_\_, ) MOTION TO INTERVENE  
 )  
A Person Under Eighteen Years of Age. )  
\_\_\_\_\_ )

COMES NOW the Petitioner, \_\_\_\_\_, the undersigned, and moves the Court to permit the \_\_\_\_\_ to intervene in this matter, a child custody proceeding involving an Indian child as defined by the Indian Child Welfare Act of 1978, 25 U.S.C. § 1903(1). As grounds for this motion, the Tribe states:

1. The child is an "Indian child" as defined by the Indian Child Welfare Act, 25 U.S.C. § 1903(4), in that the child is under age eighteen, date of birth \_\_\_\_\_, and is a member of, Enrollment No. \_\_\_\_\_, or is eligible for membership in, the \_\_\_\_\_.
2. The \_\_\_\_\_ is an Indian tribe as defined by the Indian Child Welfare Act, 25 U.S.C. § 1903(8), and this fact is entitled to judicial notice by virtue of publication in the Federal Register [list most recent publication of tribes entitled to federal services and benefits].
3. The Tribe is "the Indian child's tribe" as defined by the Indian Child Welfare Act, 25 U.S.C. § 1903(5), in that the child is a member of, or eligible for membership in, the Tribe.
4. The Indian Child Welfare Act, 25 U.S.C. § 1911(c), gives the Indian child's tribe the right to intervene at any point in a state court proceeding "for the foster care placement of, or termination of parental rights to, an Indian child."

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WHEREFORE, Petitioner requests the Court to grant the Motion to Intervene in the above-captioned proceeding.

\_\_\_\_\_, Signed

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby certify that a true and correct copy of this Motion was mailed to the opposing party, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: