

IN THE SAC & FOX TRIBE OF THE MISSISSIPPI IN IOWA TRIBAL COURT  
Meskwaki Settlement  
307 Meskwaki Road  
Tama, Iowa 52339-9629

In Re the Custody of the Minor Child/Children:	Court Case No. (Clerk of Court will assign a number)
_____ DOB _____ _____ DOB _____ _____ DOB _____ _____ DOB _____	_____
_____ Petitioner,	<b>PETITION FOR CUSTODY OF MINOR CHILD/CHILDREN</b>
and	
_____ Respondent.	

Is there an active Order of Protection with respect to the parties?     YES     NO  
If Yes, Name of the Protected Party/ies: \_\_\_\_\_  
If Yes, (select one)     Permanent     Temporary    Expires on (date): \_\_\_\_\_  
Name of Court & Date issued: \_\_\_\_\_

(Attach "Order of Protection" to this petition, and also receive from the Clerk of Court's office a "Party's Confidential Information" form)

**REQUIRED: Attach Birth Certificate/s of Child/ren to this Petition**

I, the Petitioner, (print full legal name) \_\_\_\_\_, am the  
\_\_ Mother    \_\_ Father    \_\_ Other (state relationship to child/ren: \_\_\_\_\_),  
and being first duly sworn, upon oath, I respectfully represent to the Court that:

1. The Mother's full legal name is: \_\_\_\_\_
  - a. The Mother's date of birth is \_\_\_\_\_. Deceased Date: \_\_\_\_\_
  - b. The Mother \_\_\_\_\_ is \_\_\_\_\_ is not a member of the Sac & Fox Tribe of the Mississippi in Iowa.
  - c. The Mother currently resides at \_\_\_\_\_

2. The Father's full legal name is: \_\_\_\_\_.
- a. Paternity has been established by:
- i. \_\_\_\_\_ Paternity testing on \_\_\_\_\_. \* **A certified copy of this must be attached to the Petition.**
- ii. \_\_\_\_\_ Recognition of Parentage. \* **A certified copy of this must be attached to the Petition.**
- iii. \_\_\_\_\_ Court Order from \_\_\_\_\_ Court, issued on \_\_\_\_\_ . \* **A certified copy of this must be attached to the Petition.**
- b. Father's date of birth is \_\_\_\_\_. Deceased Date: \_\_\_\_\_
- c. The Father \_\_\_\_\_ is \_\_\_\_\_ is not a member of the Sac & Fox Tribe of the Mississippi in Iowa.
- d. The Father currently resides at \_\_\_\_\_.

3. The Mother and Father have the following child/children together:
- a. \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
- b. \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
- c. \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
- d. \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.

*(Add more pages if necessary)*

4. The following child/children is/are currently residing with (list by name):
- a. Mother: \_\_\_\_\_
- b. Father: \_\_\_\_\_
- c. Both parents: \_\_\_\_\_
- d. Other person/s Name of Person: \_\_\_\_\_ Residence: \_\_\_\_\_
- Names of Child/ren who live with this person: \_\_\_\_\_

5. The parties (Petitioner & Respondent) \_\_\_ do \_\_\_ do not reside together.
6. **As Petitioner, I am asserting that this Court has jurisdiction over this matter, pursuant to Title 6, Article 1, Section 6-1201 and I have read and understand it .**
7. There \_\_\_ is \_\_\_ is not an outstanding award of custody by a Court of competent jurisdiction, regarding any/all of the above-identified children. \* **If so, a certified copy of the Order must be attached to this petition.**
8. A custody matter \_\_\_ has \_\_\_ has not been filed in another Court, regarding any/all of the above-identified children. \* **If so, a copy of the documents must be attached to this Petition.**
9. The \_\_\_ Mother \_\_\_ Father \_\_\_ Other Person (Name: \_\_\_\_\_ ) is receiving per capita payment(s) of the minor child/children.
10. **I believe that awarding custody of the above-identified child/children to me, the Petitioner, will be the best means to secure the child's/children's sense of belonging to family, clan and Tribe for the following reasons (check all those that apply):**
- a. \_\_\_ The child/children asked for me to have custody;
  - b. \_\_\_ The (circle either that apply) Mother / Father has asked me to have custody of the child/children;
  - c. \_\_\_ The child's/children's interaction and relationship with me, siblings, clan and extended family and \_\_\_\_\_ (relationship to child) can best be provided by me;
  - d. \_\_\_ The child/children is/are adjusted to my home and will not be separated from his/her/their school and community;
  - e. \_\_\_ I am the person best suited to provide parental guidance to the child/children as required or suggested by Meskwaki beliefs, customs and tradition;
  - f. \_\_\_ The mental and physical health of all individuals involved is as described herein: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;
  - g. The \_\_\_ Mother \_\_\_ Father \_\_\_ Other has the greater capacity and disposition to give the child/children love, affection, and guidance, and to continue educating and raising the child/children in the child's Tribal ways in addition to the child's religion or creed;

- h. The \_\_\_\_\_ Mother \_\_\_\_\_ Father \_\_\_\_\_ Other is best suited to continue the child's/children's connection to his/her/their Tribe, clan and family background.
11. Domestic abuse \_\_\_\_\_ has \_\_\_\_\_ has not occurred in the household of the child/children.
12. Petitioner alleges that the following (*complete any that apply*):
- a. Physical harm between family or household members \_\_\_\_\_ has \_\_\_\_\_ has not occurred in the household of the child/children.
- b. Criminal sexual conduct against a minor family or household member by an adult or minor household family member \_\_\_\_\_ has \_\_\_\_\_ has not occurred.
- c. Emotional harm or damage to the child or an adult caused by the conduct of an adult or minor family or household member \_\_\_\_\_ has \_\_\_\_\_ has not occurred.
- d. The effect of domestic abuse on the child has been \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- e. There is or has been child protective services, assessments, or other legal interventions concerning the health or well being of the child/ren (if so, list dates, court cases, locations of court, and outcomes of cases)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
13. \_\_\_\_\_ (M) Mother \_\_\_\_\_ (F) Father \_\_\_\_\_ (O) Other has been convicted of the following crime/crimes, identified in Title 6, Article 1, Chapter V, Section 6-1504(b):
- a. \_\_\_\_\_ Murder in the first, second, or third degree, as defined in tribal, state or federal law;
- b. \_\_\_\_\_ Manslaughter in the first degree, as defined in tribal, state or federal law;
- c. \_\_\_\_\_ Assault in the first, second, or third degree, as defined in tribal, state or federal law;
- d. \_\_\_\_\_ Kidnapping, as defined in tribal, state or federal law;
- e. \_\_\_\_\_ Depriving another of custodial or parental rights, as defined in tribal, state or federal law;

- f. \_\_\_\_\_ Soliciting, inducing, or promoting prostitution involving a minor, as defined in tribal, state or federal law;
- g. \_\_\_\_\_ Receiving profit from prostitution involving a minor, as defined in tribal, state or federal law;
- h. \_\_\_\_\_ Criminal sexual conduct in the first degree, as defined in tribal, state or federal law;
- i. \_\_\_\_\_ Criminal sexual conduct in the second degree, as defined in tribal, state or federal law;
- j. \_\_\_\_\_ Criminal sexual conduct in the third degree, as defined in tribal, state or federal law;
- k. \_\_\_\_\_ Solicitation of a child to engage in sexual conduct, as defined in tribal, state or federal law;
- l. \_\_\_\_\_ Incest, as defined in tribal, state or federal law;
- m. \_\_\_\_\_ Malicious punishment of a child, as defined in tribal, state or federal law if also prohibited by Meskwaki beliefs, customs and tradition; or
- n. \_\_\_\_\_ Neglect of a child, as defined in tribal, state or federal law if also prohibited by Meskwaki beliefs, customs and tradition.

14. \_\_\_ Mother \_\_\_ Father \_\_\_ Other (relationship to children: \_\_\_\_\_ )  
 petitions this Court for \_\_\_ Sole \_\_\_ Joint **physical custody** of the children for the following reasons: \_\_\_\_\_

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15. \_\_\_ Mother \_\_\_ Father \_\_\_ Other (relationship to children: \_\_\_\_\_ )  
 petitions this Court for \_\_\_ Sole \_\_\_ Joint **legal custody** of the children for the following reasons: \_\_\_\_\_

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16. I request that the Tribal Court order visitation between \_\_\_\_ Mother \_\_\_\_ Father and the following minor child/children \_\_\_\_\_ with the following conditions: *(attach paper or documents as needed)*

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17. Petitioner \_\_\_\_ does \_\_\_\_ does not request(s) the Court to order Respondent to pay child support to be determined by the Court, consistent with the Sac & Fox Tribal Code, Title 6.

18. Other information important for the Court to know, and other specific requests being asked of the Court (attach more pages as needed).

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**Wherefore, I, the Petitioner, pray for an order granting custody and visitation as set forth in this Petition, and any other relief that is deemed appropriate by the Court.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Name

\*\*\*\*\*

**Note:** Wait to sign this page until before a Notary.

**VERIFICATION**

I (Petitioner) declare under penalty of perjury under the laws of the Sac & Fox Tribe of the Mississippi in Iowa that the information in the foregoing petition is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Filing Party

Date of Birth: \_\_\_\_\_



Complete the following ONLY IF  
**NO active Order of Protection exists**  
with respect to the Parties of this case.

Residential Address \_\_\_\_\_  
\_\_\_\_\_

Mailing Address (if different) \_\_\_\_\_  
\_\_\_\_\_

Phone Number \_\_\_\_\_

NOTARY  
Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_