

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

In RE the Paternity of:

\_\_\_\_\_ ,

DOB: \_\_\_\_\_ ;

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

Court Case No.

\_\_\_\_\_

- PETITION TO ESTABLISH
- PATERNITY
- VISITATION
- CHILD SUPPORT
- CUSTODY

AND/OR

PETITION FOR COURT ORDER TO PLACE  
PARENT ON BIRTH CERTIFICATE

[PRINT ALL INFORMATION LEGIBLY]

Is there an active Order of Protection with respect to the parties?  YES  NO

If "yes", Name of Protected Party/ies: \_\_\_\_\_

Name of Court & Date issued: \_\_\_\_\_

(Attach Order)

Date Issued: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

I am the Petitioner, and being first duly sworn, upon oath, respectfully represent to the Court that:

1. Petitioner's Contact Information

**IMPORTANT: DO NOT INCLUDE THE FOLLOWING INFORMATION, in a. – d. below, IF THERE IS AN ACTIVE ORDER OF PROTECTION BETWEEN ANY OF THE PARTIES IN THIS CASE. Inform Clerk staff and complete a confidential form.**

- a. My phone number is: \_\_\_\_\_
- b. My mailing address is: \_\_\_\_\_
- c. The physical address where I reside is: \_\_\_\_\_
- d. My residence is .....  on the Meskwaki Settlement.  
 not on the Meskwaki Settlement.
- e. I am the child's: \_\_\_ Mother \_\_\_ Father \_\_\_ Other : \_\_\_\_\_ .
- f. The child was born in the state of \_\_\_\_\_ at the hospital/location of \_\_\_\_\_ .

2. The Alleged Father of the child is (FULL legal name) \_\_\_\_\_ ,  
his date of birth \_\_\_\_\_ , born in state \_\_\_\_\_ . If deceased, date \_\_\_\_\_ .

**Additional information concerning the Alleged Father, if known:**

Alleged Father's Race: \_\_\_\_\_ Alleged Father's Hispanic Origin: \_\_\_\_\_

Alleged Father's Highest Level of Education: \_\_\_\_\_

Alleged Father's Social Security Number: \_\_\_\_\_

3. Alleged Father can receive mail at address: \_\_\_\_\_ .

4. The Alleged Father/Father \_\_\_\_\_ is \_\_\_\_\_ is not an enrolled member or descendant of the Sac & Fox Tribe of the Mississippi in Iowa.
5. The **Legal Mother of the child** is (*FULL legal name*) \_\_\_\_\_, her date of birth is \_\_\_\_\_, born in state \_\_\_\_\_. If deceased, date \_\_\_\_\_.
6. Legal Mother can receive mail at address \_\_\_\_\_.
7. The Mother \_\_\_\_\_ is \_\_\_\_\_ is not an enrolled member or descendant of the Sac & Fox Tribe of the Mississippi in Iowa.
8. The Mother and Alleged Father have the following child/children together:
- \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
  - \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
  - \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
  - \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
- (Add more pages if necessary)
9. The following child/children is/are currently residing with:
- Mother: \_\_\_\_\_
  - Alleged Father/Father: \_\_\_\_\_
  - Both parties: \_\_\_\_\_
  - Other person \_\_\_\_\_ at \_\_\_\_\_.
10. The parties \_\_\_\_\_ do \_\_\_\_\_ do not reside together.
11. This Court has jurisdiction over this matter, pursuant to Title 6, Article 1, Chapter VIII Section 6-1801 through 1805.
12. I swear that **one of the following statements are true** and apply to this petition (check box “a” OR “b”):
- a. **The paternity of the child HAS NOT BEEN previously established** by paternity testing, recognition of parentage or Court Order.
- b. **The paternity of the child HAS BEEN previously established** by (*must mark at least ONE*):
- Operation of law because the parents were married. [Attach license or other proof]
  - Adjudication of paternity, entered by (*court*) \_\_\_\_\_ on (*date*) \_\_\_\_\_. [Attach]
  - Acknowledgment of paternity executed on (*date*) \_\_\_\_\_. [Attach]
  - Other (*specify*) \_\_\_\_\_. [Attach]

13. 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 is attached.**
14. 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 are attached.**
15. The \_\_\_Mother \_\_\_Alleged Father/Father is receiving per capita payment/s of the minor child/ren.
16. **[Complete this item only if Paternity has NOT been previously established]**

I believe that the Alleged Father\_\_\_\_\_is the biological father of the minor child/children for the following reasons (check those that apply):

- a. \_\_\_\_\_There was sexual intercourse between the mother and the alleged father at the possible time of conception;
  - b. \_\_\_\_\_The alleged father and mother lived together at the possible time of conception of the child/children;
  - c. \_\_\_\_\_The mother did not reside with another man nor was the mother seeing another man at the possible time of conception;
  - d. \_\_\_\_\_The alleged father's family has recognized and accepted child/children as member(s) of his family;
  - e. \_\_\_\_\_The alleged father has publicly acknowledge child/children as his own;
  - f. \_\_\_\_\_The alleged father's name is on the Birth Certificate(s)
17. **[Complete this item only if Paternity has NOT been previously established]**

Petitioner moves the Court for an Order establishing paternity with the following evidence:

- a. \_\_\_\_\_Requiring genetic and blood tests of the Mother, Child/Children and alleged father to establish paternity.
- b. \_\_\_\_\_Compelling testimony, if available of the statistical probability, of the alleged father's paternity.
- c. \_\_\_\_\_Allowing the testimony of her physician concerning the medical circumstances of her pregnancy and condition and characteristics of the child/children upon birth.
- d. \_\_\_\_\_Hearing all other evidence relevant to the issue of paternity of the child/children.

18. Upon the establishment of paternity, Petitioner \_\_\_\_\_ requests \_\_\_\_\_ does not request that the Tribal Court order **visitation** between the father and the minor child/children with the following conditions: \_\_\_\_\_
19. Upon establishment of paternity, Petitioner \_\_\_\_ does \_\_\_\_ does not request the Court to order the father to pay **child support** to be determined by the Court, consistent with the Sac & Fox Tribal Code.
20. I understand that according to Sec. 6-1802 of the Tribal Code, once paternity has been established, each parent of a child born out of wedlock has legal custody of the child unless the Tribal Court grants custody to one of the parents or another person or transfers legal custody to an agency. The Court may set further hearings before granting a permanent custody order.

**WHEREFORE THE PETITIONER REQUESTS THE COURT GRANT THE FOLLOWING**

**Statement A** \_\_\_\_\_ (**Petitioner’s Initials, if statement applies**) **WHEREFORE**, Petitioner prays for an order requiring paternity testing and if paternity is established, ordering all appropriate relief for the benefit of the child/children.

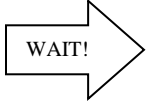
**Statement B** \_\_\_\_\_ (**Petitioner’s Initials, if statement applies**) **WHEREFORE**, Petitioner prays for an Order recognizing the Paternity of the child and for an Order to issue for the purposes of changing the child’s Birth Certificate.

**Statement C** \_\_\_\_\_ (**Petitioner’s Initials, if statement applies**) **WHEREFORE**, Petitioner prays for an Order of custody to issue after paternity is established.

\_\_\_\_\_ (**Petitioner’s Initials required here**) **I, the Petitioner, understand that this form is a generic tool provided to me as a guideline only**, and may be modified by me to serve my purposes. By accepting this form I am also acknowledging it is **not legal advice**, and I have read the following statement issued by the Court: *“This form is intended only to guide you in presenting your issues and arguments to the Court. This form should not be used as a substitute for the advice of competent legal counsel. This form may not be appropriate for your particular needs or issues.”*

I, the Petitioner (print name), \_\_\_\_\_, have read this petition and swear or affirm that the information stated therein is true and correct.

\*\*\*\*\*



Wait to sign and date **this page** until you are **BEFORE** a Notary.  
Take photo ID with you when you go to sign.

\*\*\* I HEREBY STATE, UNDER PENALTY OF PERJURY, THE FOREGOING IS TRUE.

DATED: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Petitioner*

\_\_\_\_\_  
Printed Full Legal Name

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

NOTARY

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_