

## Petition for Adoption

- Purpose:** This petition is used to request *adoption* of a child.
- Who may file:** A parent or someone having actual physical custody of a child may petition custody unless a divorce or adoption action is already in progress in court.
- Before Filing:** You will need to provide a copy of the child(ren)'s birth certificate(s) and enrollment, you must pay the filing fee at the Tribal Finance Department and get a copy of the receipt, and you must provide the clerk with the addresses of every person who has an interest in the matter. \*All parents' must be notified of the petition before the clerk can continue with a hearing. NO EXCEPTIONS!
- Procedure:** Once the Petitioner(s) file, the other party, the Respondent(s), will be *summoned* and will have 20 days to *answer* the petition. Once the 20 days is up, the clerk will set the time and place of for the hearing. The Petitioner(s) will also have to provide two (2) affidavits in support of this adoption from two (2) family or community members for each child.
- The Respondent(s) can give *Consent to Adoption* to the Petitioner. There is a form the Respondent(s) can fill out. The form must be notarized or signed in front of a clerk. If the Respondent(s) agree to this, the judge can produce an order without a formal hearing. If not, a formal hearing must be set according to the court docket.
- Petition:** The Court will keep the original documents and will give the Petitioner(s) and Respondent(s) copies of everything that is filed.
- Filing Fee:** Only Elders (55 and older) do not have to pay fees.
- The cost of this petition is \$100.00. Fee waivers are not available for anyone else. All non-elders must pay at the Tribal Finance Department and submit their receipt along with the petition before the clerk can accept and process any paperwork. The paid fee is required for all petitions.
- Note:** The Court will not accept any petition until the petition is complete. Meaning, all of the documentation and information needed are produced and fees are paid.

**IN THE FAMILY COURT OF THE FORT BELKNAP INDIAN COMMUNITY  
OF THE FORT BELKNAP INDIAN RESERVATION, MONTANA**

<b>IN THE MATTER OF:</b>	<b>CASE NO:</b>
	<b>PETITION FOR ADOPTION</b>
<b>MINOR CHILD(REN)</b>	

APPEARING NOW, \_\_\_\_\_, Petitioner in this action and respectfully submits aforementioned Petition. In support of the Petition, Petitioner sets forth the following.

1. That this Court has proper jurisdiction over this proceeding pursuant to the jurisdictional provisions of the Fort Belknap Tribal Code, as defined by Part V, Title VII, Section 1.5 Adoption, of the Fort Belknap Law and Order Code (Revised 1999).

2. Petitioner's Name: \_\_\_\_\_

a. DOB: \_\_\_\_\_

b. Age: \_\_\_\_\_

c. Tribal Enrollment: \_\_\_\_\_

d. Address: \_\_\_\_\_

e. Phone Number: \_\_\_\_\_

3. Petitioner's Name: \_\_\_\_\_

a. DOB: \_\_\_\_\_

b. Age: \_\_\_\_\_

c. Tribal Enrollment: \_\_\_\_\_

d. Address: \_\_\_\_\_

e. Phone Number: \_\_\_\_\_

Petitioner(s), \_\_\_\_\_, married at \_\_\_\_\_ and date of marriage on \_\_\_\_\_ day of \_\_\_\_\_.

Petitioner(s), \_\_\_\_\_, desire to adopt \_\_\_\_\_ as their own child(ren). The petitioner(s) wish the name of the child(ren) to be changed from \_\_\_\_\_ to \_\_\_\_\_.

4. The Natural Parents of the minor child(ren) are:

a. Mother: \_\_\_\_\_

b. Tribal Enrollment: \_\_\_\_\_

c. Address: \_\_\_\_\_

d. Father: \_\_\_\_\_

e. Tribal Enrollment: \_\_\_\_\_

f. Address: \_\_\_\_\_

5. The minor child(ren) is the \_\_\_\_\_ of Petitioner(s) and has resided with the petitioner(s) since he/she was \_\_\_\_\_ old.

6. The Petitioner(s) are requesting the Court to recognize their Adoption of their \_\_\_\_\_, and that they will continue to raise the child(ren) as their own, and that he/she will be entitled to all inheritance rights due as the natural child(ren) of Petitioner(s).

\* Please attach a copy of Birth Certificate and Tribal Enrollment Verification

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
PETITIONER

\_\_\_\_\_  
PETITIONER

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

\_\_\_\_\_  
Clerk of Court/Notary





