

## Petition for Customary Adoption

- Purpose:** This petition is used to request *customary adoption* of a child.
- Who may file:** A parent or someone having actual physical custody of a child may petition for custody unless a divorce or adoption action is already in progress in the 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 for the hearing. The Petitioner(s) will also have to have two (2) affidavit's in support of this adoption from two (2) family or community members for each child.
- The Respondent(s) can give *Consent to Customary 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:** Elders (55+) do not have to pay any fees.
- The cost of filing this petition is \$25.00. You may apply for a fee waiver but must still pay \$10 for the cost of service. The Fee Waiver Application can be turned in with the petition and the judge determines if you qualify. The \$10.00 is required for all petitions.
- Note:** The Court will not accept the Petition until the Petition is complete. Meaning, all of the documents 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 CUSTOMARY 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 1.8 Customary 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: \_\_\_\_\_

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.

Although the Petitioner(s) do not wish to terminate or alienate any parental/child relationships or rights, the petitioner(s) are concerned for the physical and financial welfare of minor child in the event of the petitioner(s) death before the minor child attains the legal age. That the petitioner(s) feel the minor child(ren) is entitled to all insurances and land, the same as their natural child(ren).

6. The Petitioner(s) are requesting the Court to recognize their Customary 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