

**NON-REMOVABLE MILLE LACS BAND OF CHIPPEWA INDIANS
DISTRICT _____**

IN THE COURT OF CENTRAL JURISDICTION

In the Matter of the Guardianship of:

Case File No. _____

**PETITION FOR APPOINTMENT
OF GUARDIAN FOR
MINOR CHILD(REN)**

Minor Child(ren).

NOTE: If guardianship is being petitioned for more than one child and the children's parents are not the same, a separate petition for each child must be filed.

1. Court Proceedings.

- No court proceeding is pending in the Mille Lacs Band Court of Central Jurisdiction or elsewhere concerning the child(ren)'s care and custody.
- There is a pending proceeding in the Court of Central Jurisdiction. (If this guardianship arises from an active Child Protection case, notice of the filing of this Petition must be given to all parties involved in the Child Protection case.)
- There is a pending proceeding in the following court:

Name of Court	State	Type of Proceeding

2. The petitioner is: (Check all that apply)

- A member of the child(ren)'s extended family. The relationship of the petitioner to the child(ren) is: _____.
- A prospective guardian
- A person with an interest in the child(ren).

The child her/himself if the child is fourteen (14 years of age older).

3. This is a petition for:

General Guardianship. (This guardianship provides for custody of the child(ren) until the child(ren) reach eighteen (18) years old, but does not terminate parental rights.)

Emergency Guardianship. (This guardianship is effective for no longer than 180 days.) List what specific authority or powers regarding the minor child(ren) the petitioner(s) requests the Court to order:

A. _____

B. _____

C. _____

D. _____

4. Information about the Petitioner(s):

Petitioner's Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Currently residing on the Mille Lacs Band Reservation? Yes No

Telephone Number: _____

Email Address (if any): _____@_____

Relationship to Child(ren): _____

Mille Lacs Band Member? Yes No Enrollment Number: _____

Affiliated with another Tribe? Yes No Tribe: _____

Occupation: _____ Unemployed? Yes No

Place of Employment: _____ Retired? Yes No

Co-Petitioner's Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Currently residing on the Mille Lacs Band Reservation? Yes No

Telephone Number: _____

Email Address (if any): _____@_____

Relationship to Child(ren): _____

Mille Lacs Band Member? Yes No Enrollment Number: _____

Affiliated with another Tribe? Yes No Tribe: _____

Occupation: _____ Unemployed? Yes No

Place of Employment: _____ Retired? Yes No

5. Information about the Child(ren):

(A) Child's Name: _____

Date of Birth: _____ Unmarried? Yes No

Street Address: _____

City: _____ State: _____ Zip Code: _____

Currently residing on the Mille Lacs Band Reservation? Yes No

Telephone Number: _____

Mille Lacs Band Member? Yes No Enrollment Number: _____

Affiliated with another Tribe? Yes No Tribe: _____

In the custody of the Mille Lacs Band through Family Services? Yes No

The following person has the primary care and custody of the child:

Custodian's Name: _____ Relationship to child: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

(B) Child's Name: _____

Date of Birth: _____ Unmarried? Yes No

Street Address: _____

City: _____ State: _____ Zip Code: _____

Currently residing on the Mille Lacs Band Reservation? Yes No

Telephone Number: _____

Mille Lacs Band Member? Yes No Enrollment Number: _____

Affiliated with another Tribe? Yes No Tribe: _____

In the custody of the Mille Lacs Band through Family Services? Yes No

The following person has the primary care and custody of the child:

Custodian's Name: _____

Custodian's Name: _____ Relationship to child: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

(C) Child's Name: _____

Date of Birth: _____ Unmarried? Yes No

Street Address: _____

City: _____ State: _____ Zip Code: _____

Currently residing on the Mille Lacs Band Reservation? Yes No

Telephone Number: _____

Mille Lacs Band Member? Yes No Enrollment Number: _____

Affiliated with another Tribe? Yes No Tribe: _____

In the custody of the Mille Lacs Band through Family Services? Yes No

The following person has the primary care and custody of the child:

Custodian's Name: _____ Relationship to child: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

6. Information about the Parents:

Mother's Name: _____ Deceased Unknown

Street Address: _____

City: _____ State: _____ Zip Code: _____

Enrolled Mille Lacs Band member? Yes No

Currently residing on the Mille Lacs Band Reservation? Yes No

Telephone Number: _____

Email Address (if any): _____@_____

Does the mother consent to the guardianship? Yes No

Father's Name: _____ Deceased Unknown

Street Address: _____

City: _____ State: _____ Zip Code: _____

Enrolled Mille Lacs Band member? Yes No

Currently residing on the Mille Lacs Band Reservation? Yes No

Telephone Number: _____

Email Address (if any): _____@_____

Does the father consent to the guardianship? Yes No

7. Jurisdiction.

The Mille Lacs Band Court of Central Jurisdiction has jurisdiction over this matter pursuant to 8 MLBSA § 3201 et seq.

8. Basis for Guardianship.

Explain why a guardianship is necessary and in the best interest of the child(ren):

It is necessary to appoint, through an *ex parte* motion, an Emergency Guardianship for the child(ren) until a hearing can be held on this petition because immediate and irreparable injury, loss, or damage will result to the child(ren) before the child(ren)'s parent, guardian or custodian can be heard in opposition. State the reasons for the *ex parte* relief and what efforts were made to notify the parent(s), guardian and/or custodian of the filing of this petition:

I wish to serve as the child(ren)'s guardian for the following reason(s):

9. Child(ren)'s Assets and Income.

The child(ren)'s assets are:

Description of Assets (e.g. bank accounts, property) <input type="checkbox"/> None	Estimated Value
	\$

	\$
Total	\$

The child(ren)'s income is:

Description of Income (e.g. Social Security benefits, insurance)	Estimated Value
<input type="checkbox"/> None	
	\$
	\$
Total	\$

10. Requirements for Consideration as Potential Guardian.

As the petitioner for guardianship, I declare that:

- I am willing to submit to a finger-print criminal background check. I understand that unless there is an active child protection case involving the child(ren) or I am indigent, the Court may require me to pay a background check fee to the Mille Lacs Band Family Services Department.
- I am willing submit to a urinalysis.
- I am willing to undergo a homestudy conducted by the Mille Lacs Band Family Services Department.
- If I have a diagnosed mental illness which may impair my ability to carry out guardianship duties, I will execute the necessary releases of information so that the Court may ensure that the child(ren)'s best interest is protected. I do **not** have a diagnosed mental illness.
- If I have a history of chemical dependency, I will submit to assessments, provide proof of attendance at recovery meetings, and/or provide the testimony of reliable Mille Lacs Band members attesting to my sobriety. I do **not** have a history of chemical dependency.
- I have not declared bankruptcy during the five (5) years preceding the filing of this petition.

- I have no conflict of interest that would preclude or substantially impact my ability to act in the child(ren)'s best interest.

11. Reporting requirements.

- By checking this box, I am acknowledge that if I am appointed as the child(ren)'s guardian, I am required to provide an inventory and appraisal (if required by the Court) of the child(ren)'s belongings and estate within forty-five (45) days after my appointment.
- By checking this box, I am acknowledge that if I am appointed as the child(ren)'s General Guardian, I am required to file an Annual Report on or about the anniversary of the guardianship or at such time is ordered by the Court. (An Emergency Guardian is not required to file an Annual Report.)

12. Proposed Successor Guardian(s)

The following person(s) are proposed to be successor guardian(s) to serve in the event the Petitioner cannot carry out the duties of guardian:

A. _____

B. _____

Potential successor guardians must be willing to submit to a background check at the time this petition is filed and are subject to the same eligibility factors found at 8 MLBS § 3208 and are subject to the placement preferences set out at 8 MLBS § 3165.

Petitioner(s) requests the Court grant me guardianship of the above-named minor child(ren). I am the most suitable and best qualified person among those available, and I am willing to discharge my responsibilities in the best interest of the child(ren). As required by 8 MLBS § 3213, I certify that if I am appointed as the minor child(ren)'s guardian, I will encourage and arrange for the child(ren) to maintain cultural ties with the Mille Lacs Band, to be informed of Band traditions and customs, to attend powwows and ceremonies, and to have the opportunity to learn the native language.

Petitioner(s) requests a date for hearing this Petition and after the hearing, issue an order appointing Petitioner(s) as Guardian for the above-named child(ren).

I declare under penalty of perjury that everything I have stated in this document is true and correct. **(Sign in front of Clerk of Court)**

Dated: _____

Petitioner's Signature

Petitioner's Printed Name

Subscribed and sworn before me on this _____ day _____, 20____.

Clerk of Court

Dated: _____

Co-Petitioner's Signature

Co-Petitioner's Printed Name

Subscribed and sworn before me on this _____ day _____, 20____.

Clerk of Court