**IN THE DISTRICT COURT OF THE ABSENTEE SHAWNEE TRIBE**

IN THE MATTER OF: )

)

) CASE NO. PG-

)

) Minor Indian children. )

**EMERGENCY PETITION FOR APPOINTMENT OF A GUARDIAN**

**COMES NOW** the Petitioner , representing

her/him/themselves, and for this cause of action alleges and states:

1. **THAT** this Court has jurisdiction to hear and decide this matter pursuant to of the Absentee Shawnee Tribal Code.

2. **THAT** the Petitioner

*(Choose one of the following)*

is a member of the Absentee Shawnee Tribe of Oklahoma,

is a member of the \_\_\_\_\_\_\_\_\_\_Tribe;

is a nonmember but eligible for membership with the Absentee Shawnee Tribe **OR**

is a non-Indian, who voluntarily submits to the jurisdiction of the Court.

3. **THAT** the petitioner(s) is/are the: aunt uncle sister brother or

other: to the child(ren).

4. **THAT** the Petitioner does \_\_\_\_\_ or does not\_\_\_\_\_ have a criminal record.

List all charges\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

5. **THAT** the Petitioner does \_\_\_\_\_ or does not\_\_\_\_\_ have criminal felonies.

List all felonies\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

6. **THAT** the Petitioner has\_\_\_\_\_ or has not\_\_\_\_\_ had any DHS findings.

7. **THAT** the Petitioner(s) seeks a guardianship at this time because:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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8. **THAT** the minor child(ren), who are the subject of this action, are members or eligible for membership with the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Tribe.(Please list Tribe)

9. THAT the minor child(ren):

DOB: TRIBE:

DOB: TRIBE:

DOB: TRIBE:

currently reside with and have lived there since: .

10. THAT the minor child(ren) do not at the present time have a court appointed guardian and a guardian needs to be appointed to provide for his/her/their care and maintenance and to oversee his/her/their affairs.

11. That the names of the child(ren)’s closest blood relatives are:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of Mother |  | Tribe |  | |
| Name of Father |  | Tribe |
| Name |  | Relationship |  | Tribe |
| Name |  | Relationship |  | Tribe |

12. THAT to the best of my knowledge, information and belief, the parents of the child(ren)

*(Choose appropriate response.)*

are in agreement with the guardianship over the child(ren) being awarded to me.

I do not know the opinion of the parents of the child(ren) because I have been unable to locate said parents.

13. THAT the child(ren):

*(Choose appropriate reponse)*

do not possess any real or personal property and, therefore, no bond is required. **OR**

the child(ren) possess the following property: list real property, if any, and any personal property (not including any personal clothing or toys), such as trust funds, bank accounts, Social

Security income, etc.

valued at approximately $ .

14. THAT the Petitioner(s) are fit and proper person(s) to be appointed as guardian to

oversee the care and maintenance of

15. List any other open court cases regarding the children and yourself. Specify the court, the

nature of the case and any decisions/orders entered. If possible, attach copies of orders.

**WHEREFORE**, the Petitioner(s) pray

that this Court will make and issue an Order appointing him/her/them to be the guardian of said

children at a hearing be set on this matter as soon as the Court deems necessary.

Petitioner

**VERIFICATION**

I, , petitioner herein, being duly sworn to tell the truth and being of lawful age above 18 years of age, hereby state that I have prepared and read the attached petitioner and verify that all of the factual allegations contained in the petition are in fact true and correct to the best of my knowledge and belief, under penalty of perjury.

Petitioner

**ACKNOWLEDGMENT OF NEED TO CONSULT AN ATTORNEY, COURT RULES AND ABSENTEE SHAWNEE TRIBAL CODE OF LAWS.**

I, , petitioner herein, acknowledge that I am aware that an attorney should be consulted about procedure, legal rights, and advice in connection with this proceeding and my failure to hire an attorney to represent me in this case may result in the loss of or waiver of important legal rights that I may have. I understand that the Absentee Shawnee Tribe and the provisions of the Absentee Shawnee Tribe Code of Laws govern the procedures in the court and that I should review and consult the constitution and code of laws and become familiar with these provisions in order to properly handle my case.

Petitioner

**CERTIFICATION**

I, , Clerk of the District Court or notary public, certify that the petitioner, , personally appeared before me on , 20 , and being duly sworn, executed the above verification and acknowledgment in my presence.

Dated this day of , 20 .

Court Clerk or Deputy Court Clerk