

FAMILY COURT PETITION

Purpose: This form is used to request the court to consider petitions for:

- custody of a child;
- modification of a child custody order;
- visitation with a child;
- modification of a visitation order;
- support of a child; and
- modification of a child support order.

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.

How: You fill out this petition and you must serve a copy of the petition and summons on the parent or parents along with the notice of the time and place of the hearing on the petition. The clerk will set the time and place for the hearing.

Any party that desires custody must obtain a home study and an alcohol and drug evaluation. You may request a home study from Fort Peck Juvenile Services. The cost is \$50.00. You may request an alcohol and drug evaluation from Spotted Bull Treatment Center or any qualified agency. Allow 45-60 days for the home study and evaluations to be completed.

If the parent, parents or parties concerned with the child agree to the terms of custody, a custody agreement form is attached for all concerned parties to fill out and sign. The signed agreement will be presented to the judge for approval and a formal hearing will not be necessary.

Copies: The original is stored in the court case file.
A copy is given to the named child's parent(s) or guardian(s).
A copy is retained by the petitioner.

Note: The cost of filing this petition is \$25.00. If you want the court to serve this petition, the cost for service is \$25.00.

FORT PECK TRIBAL COURT
 ASSINIBOINE AND SIOUX TRIBES
 FORT PECK INDIAN
 RESERVATION POPLAR,
 MONTANA

IN THE MATTER OF: _____) Cause No. _____
 _____)
 _____)
 _____) FAMILY COURT PETITION
 _____)
 MINOR INDIAN CHILD(REN))
 _____)

Petitioner(s), _____ respectfully states
 the following:

1. That the child(ren) listed below is (are) now living at
 _____ and is (are) being cared for by
 _____.

Name of Child	Date of Birth	Enrolled
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

_____ (yes/no) The child(ren) are currently wards of the Fort Peck Tribal Court.
 _____ (yes/no) The child(ren) are currently under the care and supervision of the
 Bureau of Indian Affairs or the State of Montana.

The child(ren) have been living on the Fort Peck Reservation for the following
 length of time: _____.

2. That the following are the parent(s) and/or guardian of the child(ren):

Mother

a. Name: _____ Enrolled _____

Address: _____

Phone: _____

b. Father

Name: _____ Enrolled _____

Address: _____

Phone: _____

c. Guardian of the child(ren)

Name: _____ Enrolled _____

Address: _____

Telephone: _____

This is a cause of action for:

_____ CHILD CUSTODY; custody to _____.

_____ Modification; custody to _____.

_____ CHILD VISITATION; visitation time _____.

_____ Modification; visitation time _____.

_____ CHILD SUPPORT; amount of support _____.

_____ Modification; amount of support _____.

Explain, in detail, your reasons for bringing this action:

THEREFORE, the petitioner(s) requests the Court grant the relief requested herein and any additional relief the Court feels is just and proper.

The parties to this action are hereby advised of their following rights:

1. To retain counsel at their own expense.
2. To call witnesses.
3. To ask questions of all witnesses.
4. To be present at all hearings of this matter.
5. To testify.
6. To present evidence.

DATED this _____ day of _____, 20____.

Petitioner

Petitioner

SIGNED AND SWORN to before me this _____ day of _____,
20____.

CLERK OF COURT