

MINOR PETITION FOR TEMPORARY/SPECIAL GUARDIANSHIP

The forms in this packet are to be used as a **template**, the forms may not address all of your needs. Please read the instructions carefully before completing the forms. The Court Clerks **CANNOT** accept documents that do not conform to the instructions in this packet.

You should refer to the Comanche Nation Tribal Court Codes prior to filing any petition or pleadings for a complete understanding of the rules and procedures governing your case. Should you need assistance in preparing any documents, you must consult with an attorney at your own expense. This court does not have legal aid. The Court Clerks are prohibited by Ethical Code and Court Rules to provide legal advice and help parties prepare or type court documents. Different situations may require special procedures and the Court Clerks **CANNOT** advise you on how to proceed or what forms may be necessary in specific situations.

INSTRUCTIONS FOR FILING

IMPORTANT INFORMATION PLEASE READ!!!

1. Documents must be Printed or typed and **MUST BE LEGIBLE**. If the Court is unable to read your documents it may adversely affect your case.
2. Documents must be signed in front of the Court Clerk or a notary public when you are ready to file.
3. Filing fees, copy fees, etc. must be made in the form of a CASHIER'S CHECK or MONEY ORDER and must be payable to "Comanche Nation Tribal Court". Filing fees **MUST** be paid at the time of filing your petition. If you are unsure of the amount of the filing fees, contact the Court Clerk.
4. Submit original Documents and one (1) copy for each party to be served, and an additional copy if you want a copy of the document for your records. If the Court Clerk makes your copies, you will be charged a copy fee of \$0.50 PER PAGE.
5. Documents must have the **FULL ADDRESS** including street, city, state & zip of the parties to be served. Obtaining this information is **your** responsibility.
6. The forms are a guide to use in preparing the documents. **DO NOT** fill in the blanks and submit for filing. **IT MUST BE RE-TYPED**.
7. Petitions filed **MUST** have a copy of the relevant birth certificate and tribal enrollment card/CDIB and be submitted with the petition when filed. Obtaining these documents is **YOUR** responsibility.
8. Proof of Service of a Petition is **MANDATORY** for your case to proceed. Obtaining proof of service is **your** responsibility. If you request the Court Clerks to serve the documents on your behalf, service fees **MUST** be paid at the time of submitting Request of Service.

Court Clerks WILL NOT accept documents

that do not conform to these Instructions.

| GUARDIANSHIP OF MINOR | |
|--|---|
| Petition or Complaint | Filing Fee |
| Guardianship Minor | \$ 72.00 |
| Additional Court Costs | |
| Summons (each) | \$ 8.50 |
| Summon, Notice by Publication (Actual publication is to be done indepently at your own additional expense through a proper publishing source) | \$ 25.00 |
| Court Service (Only available if "Request for Service" is completed and filed) | |
| Within Territorial Jurisdiction | \$ 35.00 |
| Outside Territorial Jurisdiction | \$ 12.00 |
| Service (Independently done, may incur additional expense of Private Process Server. Proof of Service must be filed with the Court.) | |
| Copy Fees (provide all necessary copies of all filings or copy fees will apply to copies made by the Court Clerk.) | \$1.00 first page/\$0.50 each subsequent page |

**IN THE COMANCHE NATION TRIBAL COURT
DISTRICT COURT**

IN THE GUARDIANSHIP:)
_____))
(last name, first name of minor child))
DOB: _____))
A Minor Child.)
_____))
(last name, first name of minor child))
DOB: _____))
A Minor Child.)
_____))
(last name, first name of minor child))
DOB: _____))
A Minor Child.)

Case No.: PG-__-__
(this side to be completed by court staff)

PETITION FOR TEMPORARY/SPECIAL GUARDIANSHIP

COMES NOW, _____ and _____, and
submits his/her/their Petition for Temporary/Special Guardianship over the person and
property of the minor child(ren):

_____, DOB: _____
(Full legal name of minor child)

_____, DOB: _____,
(Full legal name of minor child)

_____, DOB: _____,
(Full legal name of minor child)

In support of his/her/their Petition, Petitioner(s) will show the following:

1. The Petitioner, _____, who is / is not (circle one) an enrolled
Comanche Member resides at
_____.

2. The Petitioner, _____, who is / is not (circle one) an enrolled Comanche Member resides at

_____.

3. _____ is a female or male (circle one) minor Indian child, enrolled with the Comanche Nation eligible for enrollment with the Comanche Nation OR is eligible for enrollment with the Comanche Nation and is the biological child of a member of the Comanche Nation.

4. _____ was born at

_____, and currently resides at _____.

5. _____ is a female or male (circle one) minor Indian child, enrolled with the Comanche Nation eligible for enrollment with the Comanche Nation OR is eligible for enrollment with the Comanche Nation and is the biological child of a member of the Comanche Nation.

6. _____ was born at

_____, and currently resides at _____.

7. _____ is a female or male (circle one) minor Indian child, enrolled with the Comanche Nation eligible for enrollment with the Comanche Nation OR is eligible for enrollment with the Comanche Nation and is the biological child of a member of the Comanche Nation.

8. _____ was born at

_____, and currently resides at _____.

9. This court has jurisdiction over the minor child(ren) pursuant to Section 201 of the Comanche Children and Family Relations Code.

10. The Petitioner is related to the minor child(ren) as follows:

11. The minor child(ren)'s current legal custodian and/or guardian is

_____ who is located at

_____.

12. The mother of the minor child is _____ whose address is

_____.

13. The father or alleged father of the minor child is

_____ whose address is _____.

14. The Petitioner states that Temporary/Special Guardianship is proper because

15. The petitioner states that minor child owns the following property, other than clothes and toys, and its alleged value is:

16. Petitioner states that service is necessary upon the following person(s) and their respective address(es):

WHEREFORE, the Petitioner requests the Court to issue a Temporary/Special Guardianship over the minor child in favor of the Petitioner and that proper notice of proceedings in this matter issue to all interested parties.

Petitioner
Address: _____
Phone: (____) ____-_____

****YOU MUST SIGN THE DOCUMENT BELOW IN FRONT OF A NOTARY PUBLIC OR THE COURT CLERK****

VERIFICATION

I, _____, certify that the foregoing facts as alleged in the Petition for Temporary/Special Guardianship are true and correct to the best of my knowledge.

Petitioner

Attest:

Court Clerk or Notary Public

My Commission Expires: _____