

INFORMATION - ADOPTION PROCEEDINGS

More information is located in Chapter 8.08 of the Lummi Code of Laws.

This information and the forms are applicable if the child is free for adoption because the mother and the father are each in one of the following categories:

- 1) **consenting; OR**
- 2) **parental rights have been terminated by a court of law; OR**
- 3) **deceased; OR**
- 4) **for the father, no father's name is on the birth certificate; paternity has not been acknowledged or established under Title 11.05, and the father's identify is unknown.**

If the child is in the custody of Lummi Children's Services, you must coordinate with that office.

Court Forms Available

AD – 02	Petition for Adoption
AA – 03	Contact Information Sheet - Confidential
AD – 03	Order for Lummi Children Services to Prepare Pre-Adoption Report
AD – 04	Notice of Adoption Hearing
AD – 05	Consent to Adoption and Relinquishment of Parental Rights
AD – 06	Order Terminating Parental Rights Upon Consent
AD – 07	Findings and Conclusions Regarding Petition for Adoption
AD – 08	Adoption Decree
AD – 09	Contact after Adoption - Agreement
AD – 10	Contact after Adoption - Order

A. "ACCESS TO THE COURT - Instructions for Civil Cases"

Pick up a copy of this information sheet from the Clerk of Court's office and review it for the procedures to follow in civil cases.

B. FORMS PACKET

Note: You are the Petitioner, because you are petitioning the court to take action.

For Initial Filing - leave the "Case No." blank on these forms – that number will be provided by the Court Clerk's office after filing.

1. Petition for Adoption (Court Form AD – 02)

This form initiates the adoption proceeding. Completely fill out the blanks on the form, including checking all applicable boxes. Use the full legal names for all the persons listed on the form. Fill in information for both persons seeking adoption. If only one person is seeking adoption, leave the second set blank. The Petition must be notarized.

A petition filed by a married person must also be signed by the person's spouse unless it is shown that the spouse's whereabouts are unknown.

2. Contact Information Sheet

Use the confidential contact information sheet. **(Court Form AA – 03)**

3. Notice of Adoption Hearing (Court Form AD – 04)

This form sets the date for the adoption hearing. Get the date for the hearing from the Court Clerk's Office. You will need to obtain a date that is more than 60 days away from the date of filing. Serve the parties with the Petition for Adoption and the Notice of Adoption Hearing using the service instructions that are in the "ACCESS TO THE COURT - Instructions for Civil Cases" sheet. You will also need to give a copy of both documents to the Child Welfare Attorney's office, located in the Courthouse Building.

4. Order for Pre-Adoption Report by Lummi Children's Services (Court Form AD – 03)

This form initiates the preparation of a Pre-Adoption Report, which is required under the code. Completely fill out the form for both parents seeking adoption. If only one person is seeking adoption, leave that section blank.

For Hearing When Parent is Granting Consent – Forms For Filing at Court Hearing

If a parent is consenting to the adoption and relinquishment of their rights, the consent must be entered in front of a judge. Use the form "Notice of Hearing" (ZZ – 07) to schedule the court hearing. The child must be at least 30 days old at the time of the consent hearing. The adoption hearing can take place at the same time that the consent to adoption is entered, or at a later time.

The relinquishment of parental rights becomes null and void if the adoption is not completed within 9 months.

C. CONTACT BETWEEN CHILD AND BIRTH FAMILY

The Lummi Code places a preference on open adoption, in which the birth parents and their extended families have the right to reasonable visitation and communication with the child unless restricted by the Court. You may wish to make an agreement with members of the child's birth family regarding contact and visitation. Court Form AD - 09 is available that might be helpful for that purpose. You might find the parenting plan form used for non-parental custodians, (Court Form NP – 05), helpful for ideas. If an agreement cannot be reached, the judge has the option of using Court Form AD – 10 to order the nature of the contact.

D. ADOPTION HEARING

Appear at the time and date that was entered on your Notice of Hearing, unless the Clerk of Court has set another date.

Requirements for the Adoption hearing:

- A. Completed Pre-Adoption Report by Lummi Children's Services
- B. For each parent:
 1. Consent to Adoption document; **OR**
 2. Termination of Parental Rights order; **OR**
 3. Evidence that the parent is deceased, as evidenced by the testimony of someone with personal knowledge, or a death certificate; **OR**
 4. For the father, if paternity has not been established: the child's birth certificate showing that no father's name appears, and confirmation that the Lummi Court records show that no person has acknowledged or established paternity under the Lummi Code of Laws (that information is available through the Clerk of Court's office).
- C. Unless the court finds good reason that the child should not attend the hearing, the child must be brought to the adoption hearing.
- D. Bring a camera, and close family members, so that this occasion can be celebrated and remembered! (You must request permission from the judge to take photos during the hearing.)

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**IN THE TRIBAL COURT
FOR THE LUMMI NATION, WASHINGTON**

IN RE THE ADOPTION OF:

DOB: ___/___/___

Petitioner(s)

Case No.: _____ CVAD _____

PETITION FOR ADOPTION

Pursuant to Chapter 8.08 of the Lummi Code of Laws, the above-named petitioner(s) petition the court to adopt the above-named child for all legal intents and purposes. In support of this petition, the petitioner(s) provide the following information:

I. INFORMATION ON THE CHILD:

Name: _____

Gender: _____

Date of Birth: ___/___/___

Tribal Affiliation: _____; Enrollment, if any: _____

- Child has lived in the home of the Petitioner(s) since: ___/___/___
- Child's address is _____

Check all applicable sections:

- the court has taken jurisdiction over the child in a related dependency matter
- the child is an enrolled member of the Lummi Nation
- a parent of the child is an enrolled member of the Lummi Nation
- the child is one-quarter or more Lummi blood quantum
- the child is eligible for enrollment as a member of the Lummi Nation or would be eligible for enrollment if the child's eligible parent were enrolled
- the child is an Indian child who lives on the Lummi Reservation

The child is currently in the legal custody of:

- Lummi Children's Services, which approves this adoption proceeding.

1 _____

2 II. INFORMATION ON THE PETITIONER(S)

3 1. Full legal name of Petitioner:

4 Name: _____

5 D.O.B: ___/___/___

6 Tribal Affiliation: _____; Enrollment, if
any: _____

7 2. Full legal name of second Petitioner (if applicable)

8 Name: _____

9 D.O.B: ___/___/___

10 Tribal Affiliation: _____; Enrollment, if
any: _____

11 3. Petitioner(s) address:

12 _____
Address

13 _____
City, State, Zip Code

14 Lived at this location since: ___/___/___

15 4. Petitioner(s) marital status

16 Petitioner(s) is: husband and wife (*both spouses must join in the petition for adoption unless
it can be demonstrated that the other spouse's whereabouts are unknown*); a single parent
17 Other: _____

18 4. Suitability of Petitioner(s)

19 The Petitioner(s) is suitable as an adoptive parent for the child based on moral and physical
fitness, responsibility, and financial ability.

20 III. INFORMATION ON THE NATURAL FATHER

21 Name: _____

22 D.O.B: ___/___/___

23 Tribal Affiliation: _____; Enrollment,
if any: _____

24 The father agrees to the adoption of the child by the proposed adoptive parent, and a
Consent to Adoption in compliance with LCL 8.08.030 will be entered before entry of a
final adoption order.

- The father's parental rights have been terminated by a court of law.
- The father is deceased: a copy of the death certificate is attached or other proof of death will be made to the court before entry of a final adoption order.
- No father's name appears on the birth certificate, as shown on the attached birth certificate, and no person has acknowledged or established paternity under LCL Chapter 8.05.

IV. INFORMATION ON THE NATURAL MOTHER

Name: _____
 D.O.B: ___/___/___
 Tribal Affiliation: _____; Enrollment, if any: _____

- The mother agrees to the adoption of the child by the proposed adoptive parent, and a Consent to Adoption in compliance with LCL 8.08.030 will be entered before entry of a final adoption order.
- The mother's parental rights have been terminated by a court of law.
- The mother is deceased: a copy of the death certificate is attached or other proof of death will be made to the court before entry of a final adoption order.

V. REASONS FOR ADOPTION

It is in the best interest of the child to be adopted by the petitioner(s) because:

VI. PRIORITY FOR ADOPTIVE FAMILY

- The petitioner(s) is within the following priority(s) for adoptive families:
- Extended family member of child
 - Tribal member of the child's tribe
 - Member of other Indian tribe
 - Non-Indians who are sensitive to and willing to encourage and maintain the child's cultural heritage and contact with the child's tribe.

VII. INHERITANCE RIGHTS

A. The usual inheritance guidelines for a child will apply as to the adoptive parent

1 B. The inheritance guidelines for a child as to inheritance from the natural parent have been
2 preserved not preserved by the natural parent in the Consent to Adoption OR are
3 undetermined at this time.

4 PRAYER FOR RELIEF

5 WHEREFORE, the Petitioner(s) prays that the Court will take the following actions:

- 6 1) Notify and appoint Lummi Children's Services, or other qualified person, to make an
7 investigation and submit a report in accordance with LCL 8.08.040.
8 2) Set a time and place for the hearing which is no less than 60 days from the date of the filing
9 of this petition.
10 3) Provide Notice of Hearing to the Office of Reservation Attorney and to any parents whose
11 rights have not been relinquished or terminated.
12 4) Grant the Petition for Adoption and establish the proposed adoptive parent(s) as parent(s) of
13 the above-named child for all legal intents and purposes, with the understanding that an adoption
14 will not change the child's eligibility for enrollment in the Lummi Tribe.
15 5) Change the full legal name of the child to: _____
16 6) Grant such other and further relief as may be necessary.

17 DECLARATION

18 I declare under penalty of perjury under all applicable civil and criminal laws that 1) I have read
19 this Petition or it has been read to me; and 2) I understand the contents of the Petition and believe
20 the contents to be true and correct to the best of my knowledge, information, and belief, formed
21 after reasonable inquiry. Below is the address at which I can receive all legal documents, and I
22 understand I have the duty to update this address with the court if it changes.

23 Dated: _____
24 _____
25 Signature of Petitioner

Print or Type Name

Address

City, State, Zip Code

Telephone Number

26 SUBSCRIBED AND SWORN to before me
27 this _____ day of _____, 20__.

28 _____
29 Notary Public
30 My Commission Expires:

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and (if second petitioner)

I declare under penalty of perjury under all applicable civil and criminal laws that 1) I have read this Petition or it has been read to me; and 2) I understand the contents of the Petition and believe the contents to be true and correct to the best of my knowledge, information, and belief, formed after reasonable inquiry. I understand I have the duty to update my address with the court if it changes.

Dated: _____

Signature of Petitioner

Print or Type Name

Address

City, State, Zip Code

Telephone Number

SUBSCRIBED AND SWORN to before me
this _____ day of _____, 20__.

Notary Public
My Commission Expires:

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3 **IN THE TRIBAL COURT OF THE LUMMI NATION**
4 **LUMMI RESERVATION, WASHINGTON**

5 IN RE THE ADOPTION OF:

Case No.: _____ CVAD _____

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DOB: ___ / ___ / ___

ORDER FOR LUMMI CHILDREN'S
SERVICES TO PREPARE PRE-
ADOPTION REPORT

Clerk's Action Required

A Petition for Adoption having been filed in this matter,

IT IS HEREBY ORDERED that

1) The Lummi Children's Services (LCS) program shall prepare a Pre-Adoption Report in accordance with the requirements of LCL 8.08.040.

2) The Pre-Adoption Report shall be filed within 45 days of this order. If further time is needed, the LCS shall submit a request for additional time, giving the basis for the request, for consideration and approval from the Court.

3) The petitioners shall make themselves available for an investigation by LCS of the propriety and advisability of the adoption, and the petitioner(s)' suitability to be an adoptive parent. The Petitioner(s) can be located by LCS as follows:

PROPOSED ADOPTIVE PARENT:

Name: _____

Address: _____

Home phone _____; Cell phone: _____

Work place: _____

Work address _____

Work phone _____

PROPOSED ADOPTIVE PARENT:

Name: _____

Address: _____

Home phone _____; Cell phone: _____

Work place: _____

ORDER FOR LUMMI CHILDREN'S SERVICES TO PREPARE PRE-
ADOPTION REPORT

Page 1

Court Form AD - 03 8/8/11

Lummi Tribal Court
2665 Kwina Road
Bellingham, WA 98226
(360) 312-2239

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Work address _____

Work phone _____

4) OTHER:

5) The Clerk of Court is directed to send this order to Lummi Children's Services.

Dated this _____ day of _____, 20__

Judge
Lummi Tribal Court

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3 **IN THE TRIBAL COURT**
4 **FOR THE LUMMI NATION, WASHINGTON**

5 IN RE THE ADOPTION OF:

Case No.: ____ CVAD ____

6 _____,
7 DOB: __/__/__

NOTICE OF ADOPTION HEARING

8 _____,
9 _____,
10 _____
11 Petitioner(s)

[X] Clerk's Action Required

11 **TO:**

_____ , Mother

12 _____ , Father

13 Child Welfare Attorney, Office of Reservation Attorney

14 **YOU ARE HEREBY GIVEN NOTICE** that the attached Adoption Petition shall be heard on
15 _____ at _____. If the matter is not ready for entry of an
16 adoption on that date, a schedule will be established by the Court for later proceedings in this
17 matter.

18 Dated: _____

Signature of Petitioner

Print or Type Name

Address

City, State, Zip Code

Telephone Number

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25 NOTICE OF ADOPTION HEARING

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3 IN THE TRIBAL COURT
4 FOR THE LUMMI NATION, WASHINGTON

5 IN RE THE ADOPTION OF:

Case No.: _____ CVAD _____

6 _____,
7 DOB: ___/___/___

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CONSENT TO ADOPTION AND
RELINQUISHMENT OF
PARENTAL RIGHTS AND OBLIGATIONS
BY:

Petitioner(s)

MOTHER
 FATHER

12 In accordance with LCL 8.08.030, I hereby consent to adoption and relinquishment of my
13 parental rights and obligations as provided below:

14 I. PARENT INFORMATION

15 I am the mother father of _____
16 (DOB ___/___/___). I have the following tribal affiliation: _____
17 _____. I am enrolled (if applicable) in the _____
18 _____ Tribe.

19 II. CONSENT TO ADOPTION AND RELINQUISHMENT

20 I realize that it is not in the best interest of the above-named child to reside with me and that it is
21 the desire of petitioner(s) to adopt the child as their own. I hereby confirm that I desire to
22 relinquish my parental rights regarding the above-named child to the petitioner(s) and hereby
23 consent that the petitioner(s) adopt the child. I understand that my decision to relinquish the
24 child is an extremely important and that it is with the utmost concern for the future well-being of
25 my child that I reach this decision.

CONSENT TO ADOPTION AND RELINQUISHMENT OF
PARENTAL RIGHTS AND OBLIGATIONS
Page 1

Lummi Tribal Court
2665 Kwina Road
Bellingham, WA 98226
(360) 312-2239

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III. LEGAL EFFECT

I understand that the legal effect of this relinquishment will be to take away from me all legal rights and obligations with respect to the above-named child, except the right of reasonable visitation and communication by myself and my extended family unless restricted by the Court.

I understand that the legal effect of an adoption order, when entered, will be to establish the child, for all legal purposes, as the child of the adoptive parent(s) who will thereafter assume all rights and obligations with respect to the child.

I understand that neither this relinquishment, nor an adoption order, will affect my child's tribal enrollment or eligibility for enrollment as a member of the Lummi Nation.

I wish the child to retain not retain the rights to inheritance from me that my child had before this relinquishment of parental rights.

IV. APPROVAL OF COURT

I understand that this consent is given subject to the approval of the Lummi Tribal Court, and it will have no force or effect until approved by the Court. I understand that an order terminating my parental rights will be entered upon the Court's acceptance of this consent. I do not challenge the jurisdiction of the Lummi Tribal Court in this matter.

V. FINALITY

I understand that I can withdraw this consent at any time prior to entry of the final decree of adoption. I understand that I must submit my request to withdraw this Consent and Relinquishment in writing to the Clerk of the Court, Lummi Tribal Court, 2616 Kwina Road, Bellingham, WA 98226.

I understand that after the Decree of Adoption is entered, this Consent and Relinquishment becomes final and cannot be withdrawn unless I can show beyond a reasonable doubt, within six months of this date, that the consent and relinquishment was given as a result of fraud, coercion or duress.

1 I UNDERSTAND THAT THIS CONSENT TO ADOPTION AND RELINQUISHMENT OF PARENTAL
2 RIGHTS AND OBLIGATIONS IS NULL AND VOID IF THE ADOPTION IS NOT COMPLETED
3 WITHIN 9 MONTHS.

3 VI. INDIAN CHILD WELFARE ACT

4 I understand that the Indian Child Welfare Act, 25 U.S.C. Sec. 1901 et seq., does not apply and
5 that the governing law in this matter is the Lummi Code of Laws.

6 VII. VOLUNTARINESS

7 This consent is voluntarily executed. In providing my consent, I am not acting under any fraud,
8 coercion or duress. I understand that I have the right to consult with an attorney and receive
9 advice as to the consequences of this consent and relinquishment. I have read, or have had read
10 to me, the foregoing and enter into it with full understanding.

11 VIII. PARENT'S DECLARATION AND SIGNATURE

This section must be recorded before a Judge:

12 I declare under penalty of perjury under all applicable civil and criminal laws that I wish to agree
13 to entry of an adoption order and relinquishment of my parental rights as provided in the foregoing
14 consent, and further certify that the foregoing is true and correct to the best of my knowledge and
15 belief.

15 Dated: _____

Signature of Parent

Print or Type Name

Address

City, State, Zip Code

19 CERTIFICATION

20 I certify that the above-named parent appeared before me to sign or affirm his/her consent. I
21 further certify that I, or the parent's legal counsel, fully explained to the parent the terms and
22 consequences of the consent and that the parent fully understood them.

23 Dated: _____

Judge
Lummi Tribal Court

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4 IN THE TRIBAL COURT
FOR THE LUMMI NATION, WASHINGTON

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6 IN RE THE ADOPTION OF:

Case No.: _____ CVAD _____

7 DOB: ___/___/___

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER TERMINATING
PARENTAL RIGHTS UPON CONSENT OF:

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10 _____
Petitioner(s)

[] MOTHER
[] FATHER

11
12 This matter having come before the Court for entry of a Consent to Adoption and
13 Relinquishment of Parental Rights and Obligations, and _____
14 _____ having entered that consent and relinquishment on the record
of this court, the Court enters the following Findings of Fact, Conclusions of Law, and Order:

15 1. The Consent for Adoption and Relinquishment of Parental Rights and Obligations
16 complies with the requirements of LCL 8.08.030 and is accepted by this Court. Placement for
17 adoption is in the best interest of the child, and returning the child to the care of the birth parent
would be contrary to the child's welfare.

18 2. The parental rights and obligations of the named parent are hereby terminated and the
child is free for adoption.

19 3. This Order is null and void if the adoption is not completed within 9 months.

20 DATED: _____, 20__

21 _____
Judge
Lummi Tribal Court

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25 FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
TERMINATING PARENTAL RIGHTS

Lummi Tribal Court
2665 Kwina Road
Bellingham, WA 98226
(360) 312-2239

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3 IN THE TRIBAL COURT
4 FOR THE LUMMI NATION, WASHINGTON

5 IN RE THE ADOPTION OF:

Case No.: ____ CVAD ____

6 _____,
7 DOB: __/__/__

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER TERMINATING
PARENTAL RIGHTS UPON CONSENT OF:

8 _____,
9 _____,
10 Petitioner(s)

[] MOTHER
[] FATHER

11
12 This matter having come before the Court for entry of a Consent to Adoption and
13 Relinquishment of Parental Rights and Obligations, and _____
14 _____ having entered that consent and relinquishment on the record
of this court, the Court enters the following Findings of Fact, Conclusions of Law, and Order:

15 1. The Consent for Adoption and Relinquishment of Parental Rights and Obligations
16 complies with the requirements of LCL 8.08.030 and is accepted by this Court. Placement for
adoption is in the best interest of the child, and returning the child to the care of the birth parent
17 would be contrary to the child's welfare.

18 2. The parental rights and obligations of the named parent are hereby terminated and the
child is free for adoption.

19 3. This Order is null and void if the adoption is not completed within 9 months.

20 DATED: _____, 20__

21 Judge
Lummi Tribal Court

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25 FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER
TERMINATING PARENTAL RIGHTS

Lummi Tribal Court
2665 Kwina Road
Bellingham, WA 98226
(360) 312-2239

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3 IN THE TRIBAL COURT
4 FOR THE LUMMI NATION, WASHINGTON

5 IN RE THE ADOPTION OF:
6 _____,
7 DOB: ___/___/___
8 _____,
9 _____,
Petitioner(s)

Case No.: _____ CVAD _____

FINDINGS OF FACT AND CONCLUSIONS
OF LAW REGARDING PETITION FOR
ADOPTION

10 THIS MATTER came before the Court for hearing on ___/___/___ on the
11 Petition for Adoption. Appearing were the petitioner(s); the child; and _____
12 _____.

13 This Court having reviewed the record and the evidence, enters the following Findings of Fact
14 and Conclusions of Law:

15 FINDINGS OF FACT

- 16 1) The court has jurisdiction over this matter under LCL 8.01.020 because:
- 17 the court has taken jurisdiction over the child in a related dependency matter
 - 18 the child is an enrolled member of the Lummi Nation
 - 19 a parent of the child is an enrolled member of the Lummi Nation
 - 20 the child is one-quarter or more Lummi blood quantum
 - 21 the child is eligible for enrollment as a member of the Lummi Nation or would be eligible
22 for enrollment if the child's eligible parent were enrolled
 - 23 the child is an Indian child who is domiciled on the Lummi Reservation

24 2) The necessary persons were notified of this hearing in accordance with LCL 8.08.050.

25 3) The Lummi Children's Services program has submitted a written report in compliance
with LCL 8.08.040. The report indicates that the adoption is in the best interests of the child,
taking into consideration the physical and mental condition of the child, petitioner(s) and the
petitioner(s)'s family; the parent(s) of the child; the home environment, family life, health
facilities, and resources of the petitioner(s), the child's cultural heritage and Indian status; the

1 martial status of the petitioner(s), other children, if any, of the petitioner(s); and other relevant
2 factors.

3 4) The child has the following tribal affiliation: _____,
and is enrolled (if applicable) in the _____ Tribe.

4 5) As to the natural mother:

5 A Consent to Adoption was entered on ___/___/___ in compliance with LCL
6 8.08.090.

7 The mother's parental rights were terminated on ___/___/___

8 The mother is deceased.

9 6) As to the natural father:

10 A Consent to Adoption was entered on ___/___/___ in compliance with LCL
11 8.08.090.

12 The father's parental rights were terminated on ___/___/___.

13 No father's name appears on the birth certificate, and no person has acknowledged
14 or established paternity under LCL Chapter 8.05, so that there is no recognized father
15 for the purposes of LCL 8.01.010(d) and 8.08.020(d).

16 The father is deceased.

17 7) The Court has considered and made every effort, consistent with the best interests of the
18 child, to adhere to the adoptive priorities established in LCL 8.08.060(e). The petitioner(s) is
19 within the following priority(s):

20 Extended family members

21 Tribal members of the child's tribe

22 Other Indians

23 Non-Indians who are sensitive to and willing to encourage and maintain the child's
24 cultural heritage and contact with the child's tribe.

25 8) The Office of Reservation Attorney received 60 day notice of the adoption under LCL
8.08.050, or has waived the full 60 days notice.

9) The Petitioner(s) understand that the Petitioner(s)' rights and obligations as a parent will be
established with the adoption, and that a parent also has responsibilities towards the child to fulfill
the child's rights under LCL 8.01.001.

1 10) Petitioner(s) would like the full legal adoptive name of the child to be _____

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3 11) The Court is satisfied that the child is eligible and suitable for adoption, and that the
4 adoptive home and petitioner(s) are adequate and capable of the proper care of the child. The
5 Court is satisfied as to the financial ability, moral and physical fitness, and responsibility of the
6 Petitioner(s).

7 12) [If child is 12 years of age or older] The child's wishes have been taken into
8 consideration. The child wishes to be adopted by the Petitioner(s).

9 13) The Court finds that the best interests of the child will be promoted by the adoption.

10 14) The Court should grant preference to an open adoption to avoid permanently depriving the
11 child of connections to, or knowledge of, the child's natural family.

12 15) Other:

13 CONCLUSIONS OF LAW

14 1) The requirements under Chapter 8.08 of the Lummi Nation Code of Laws have been
15 fulfilled for this Court to permit the adoption of the above-named child.

16 2) The child will have all the rights of inheritance from his adoptive parent(s) that naturally
17 born children have from their parents. The child has has not retained rights of inheritance
18 from the relinquishing parent.

19 16) An agreement has been reached as to birth family's contact with the child, which is
20 separately adopted as an order of the court; The child's natural extended family have a right
21 of reasonable visitation and communication with the child. Any restrictions shall be set out in a
22 separate document.

23 3) The adoption will not affect the child's tribal enrollment or eligibility for enrollment as a
24 member of the Lummi Nation.

25 4) Entry of Decree:

An Adoption Decree shall be entered consistent with these findings of fact and
conclusions of law.

The child is placed in the legal custody of the Petitioner(s) for a period of
_____ months (*not more than nine*) prior to entry of a final Decree of Adoption.

1 The Lummi Children's Services shall write a supplementary written report as to the
2 welfare of the child, the current situation and conditions of the adoptive home, and the
3 adoptive parents within the next 60 days. If the Court is satisfied that the interest of the
child are best served by the proposed adoption, a final Decree of Adoption may be
entered.

4 Signed this _____ day of _____, 20__.

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7 Judge
Lummi Tribal Court
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3 IN THE TRIBAL COURT
FOR THE LUMMI NATION, WASHINGTON

4 IN RE THE ADOPTION OF:

Case No.: ____ CVAD ____

5 _____,
6 DOB: __/__/__

DECREE OF ADOPTION

7 THIS MATTER having come before the Court on __/__/__, and Findings of Fact and
8 Conclusions of Law having been separately entered that establish the basis for entry of this
9 Decree,

10 IT IS HEREBY ORDERED AND DECREED that

11 1) _____, born on __/__/__
(full legal name)
12 at _____, _____ is adopted as the legal child of :
(city and state)

13 _____
(full legal names(s))

14 who is/are: husband and wife; step-parent; single parent; other: _____

15 2) The child's full legal name is changed to _____
16 _____.

17 3) This order and decree of adoption does not affect the child's enrollment status or
18 eligibility for enrollment as a member of the Lummi Nation.

19 4) The child will have all the rights of inheritance from his adoptive parent(s) that natural-
20 born children have from their parents. The child has has not retained rights of inheritance
from the relinquishing parent.

21 5) This is an open adoption. An agreement has been reached as to birth family's
22 contact with the child, which is separately adopted as an order of the court; The child's
23 natural extended family have a right of reasonable visitation and communication with the child.
24 Any restrictions are set out in a separate document.

25 DECREE OF ADOPTION
Page 1

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Lummi Tribal Court
2665 Kwina Road
Bellingham, WA 98226
(360) 312-2239

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6) Pursuant to LCL 8.08.060, the Clerk of Court shall forward this Decree of Adoption to the Bureau of Vital Statistics and to the Bureau of Indian Affairs for amendment of their records and issuance of a new birth certificate.

Signed this _____ day of _____, 20__.

Judge
Lummi Tribal Court

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**IN THE TRIBAL COURT
FOR THE LUMMI NATION, WASHINGTON**

In Re the ADOPTION of:

Case No.: _____ CVAD _____

DOB ___/___/___

**AGREEMENT FOR BIRTH FAMILY
CONTACT AFTER ADOPTION; ORDER**

Petitioner(s)

AGREEMENT

A. This agreement is binding on the signers to this agreement until the child reaches 18 years of age. This agreement may be enforced by this Court, but a violation does not affect the finality of the adoption. This agreement may be amended by the court upon good cause shown, and may also be amended in writing by mutual agreement. After age 12, the child's wishes will be considered.

B. The adopting parents agree that the following named members of the child's birth family may have contact with the child after adoption as further detailed below. *[For each named family member, specify the allowed type(s) of contact : (e.g. phone; letter; photos; visits; family events; other); frequency; and any restrictions. Attach additional pages if needed]*

Name:	Relationship to child:
Allowed type(s) of contact; frequency; and any restrictions:	

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Name:	Relationship to child:
Allowed type(s) of contact; frequency; and any restrictions:	

Name:	Relationship to child:
Allowed type(s) of contact; frequency; and any restrictions:	

Name:	Relationship to child:
Allowed type(s) of contact; frequency; and any restrictions:	

Name:	Relationship to child:
Allowed type(s) of contact; frequency; and any restrictions:	

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Name:	Relationship to child:
Allowed type(s) of contact; frequency; and any restrictions:	

C. GENERAL PROVISIONS

1. The adopting parents and the named relative agree that the described contact by that person is in the best interests of the child.

The signers of this agreement agree all contacts must be conducted in a manner that does not damage the child’s emotional and physical well-being. The named family member shall take steps during contacts to prevent the child from being in the presence of verbally abuse conduct, physical violence, or age-inappropriate language. The named family member agrees that no contact may take place while that family member is using or under the influence of alcohol or an illegal drug or substance. During a contact, the named family member will prevent the child from having contact with other persons whose ability to have contact with the child is restricted or forbidden. The named family member agrees to not disparage to the child the adoption, the adopting parent(s), or the adopting parent(s)’s authority, parenting style, or parenting skills.

3. The parties agree that, in the event of any violation of this agreement by a named family member, as to the conduct and behavior standards in paragraph 2 above, the adopting parent(s) is authorized to immediately end the contact and to place conditions or restrictions on subsequent contact. Such a decision can be reviewed afterwards by the Court, however the adopting parent(s) has the authority to take immediate action to stop or prevent a violation.

4. The signers of this agreement understand that child may have incidental contact in the community with birth family members in addition to the contacts provided for in this agreement. The parties shall make efforts to make certain that the contacts are comfortable for child, and that they conform to the conduct and behavior standards in paragraph 2 above.

5. The named family member has the responsibly to provide current contact information to the adopting parent(s), and to be available at the time and place arranged for contacts. If the family member becomes unreliable in availability, the adopting parent(s) may restrict or condition further contacts.

D. OTHER:

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E. SIGNERS OF AGREEMENT

The following are the signers of this agreement and agree that they are bound by the terms of the agreement as detailed above for that family member.

Date:	Type or print name:	Signature:
_____	_____	_____ Adopting Parent
_____	_____	_____ Adopting Parent
_____	_____	_____ Birth Family Member
_____	_____	_____ Birth Family Member
_____	_____	_____ Birth Family Member
_____	_____	_____ Birth Family Member
_____	_____	_____ Birth Family Member
_____	_____	_____ Birth Family Member

ORDER

IT IS HEREBY ORDERED that this agreement is entered as an Order of this Court.

DATED this ____th day of _____, 20__

Judge
Lummi Tribal Court

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3 **IN THE TRIBAL COURT**
4 **FOR THE LUMMI NATION, WASHINGTON**

5 IN RE THE ADOPTION of:

Case No.: _____ CVAD _____

6 _____,
7 DOB ___/___/___
8 _____,
9 _____,
Petitioner(s)

**ORDER REGARDING BIRTH FAMILY
CONTACT AFTER ADOPTION;**

10 Having considered the best interests of the child, and the need to avoid permanently depriving the
11 child of connections to, or knowledge of, the child's natural family, the Court enters the following
12 order governing contact between members of the child's birth family and the child after entry of
the Decree of Adoption. This order may be enforced by this Court, but a violation does not
affect the finality of the adoption.

13 1. The Court finds that it is not in the best interests of the child to allow contact between the
14 child and the following members of the child's birth family: _____
15 _____

16 2. The adoptive family shall allow contact with the following members of the child's birth
17 family, as follows (*e.g. phone; letter; photos; visits; family events*), with the stated frequency and
any restrictions:

18 Name:	Relationship to child:
19 Allowed type(s) of contact; frequency; and any restrictions: 20 21 22 23	
24 Name:	Relationship to child:

25 ORDER REGARDING BIRTH FAMILY CONTACT AFTER
ADOPTION

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Allowed type(s) of contact; frequency; and any restrictions:
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Name:	Relationship to child:
Allowed type(s) of contact; frequency; and any restrictions:	

Name:	Relationship to child:
Allowed type(s) of contact; frequency; and any restrictions:	

Name:	Relationship to child:
Allowed type(s) of contact; frequency; and any restrictions:	

1 3. All contact must be conducted in a manner that does not damage the child's emotional and
2 physical well-being. The named family member shall take steps during contacts to prevent the child
3 from being in the presence of verbally abuse conduct, physical violence, or age-inappropriate
4 language. No contact may take place while the named family member is using or under the
5 influence of alcohol or an illegal drug or substance. During a contact, the named family member
6 will prevent the child from having contact with other persons whose ability to have contact with the
7 child is restricted or forbidden. The named family member shall not disparage to the child the
8 adoption, the adopting parent(s), or the adopting parent(s)'s authority, parenting style, or parenting
9 skills.

6 4. It is understood that the child may have incidental contact in the community with birth family
7 members in addition to the contacts allowed in this order. The adopting parent(s) and family
8 members shall make efforts to make certain that the contacts are comfortable for child, and that they
9 conform to the requirements in Paragraph 3 of this order.

9 5. In the event of any violation of this order by a named family member, as to the conduct and
10 behavior standards in paragraph 3 above, the adopting parent(s) is authorized to immediately end
11 the contact and to place conditions or restrictions on subsequent contact. Such a decision can be
12 reviewed afterwards by the Court, however the adopting parent(s) has the authority to take
13 immediate action to stop or prevent a violation.

12 6. The named family member has the responsibly to provide current contact information to the
13 adopting parent(s), and to be available at the time and place arranged for contacts. If the family
14 member becomes unreliable in availability, the adopting parent(s) may restrict or condition further
15 contacts.

14 7. This order remains in effect until the child reaches 18 years of age, unless earlier amended by
15 this Court. After the child reaches 12 years of age, the child's wishes may be considered by the
16 Court.

16 8. Other:

21 **DATED** this ____th day of _____, 20__

23 _____
24 Judge
Lummi Tribal Court

25 ORDER REGARDING BIRTH FAMILY CONTACT AFTER
ADOPTION

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