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**LUMMI TRIBAL COURT
LUMMI NATION, WASHINGTON**

Case No.: _____

Petitioner,

and

Respondent.

**CUSTODY DECREE
AND PARENTING PLAN**

Final Order
 Temporary Order

1. FINDINGS OF FACT

1.1 This custody decree and parenting plan is:

- a final order.
- a final order modifying a previous custody decree and/or parenting plan.
- temporary and expires on _____, 20____.
- proposed by _____ [name].
- jointly proposed and agreed by both parents.

1.2 **Parties:**

1. **Petitioner's name:** _____.

Petitioner is the child(ren)'s Mother Father.

Enrolled member of the Lummi Indian Tribe. Yes No

Resident of the Lummi Indian Reservation. Yes No

2. **Respondent's name:** _____.

Respondent is the child(ren)'s Mother Father.

Enrolled member of the Lummi Indian Tribe. Yes No

Resident of the Lummi Indian Reservation. Yes No

1.3 **Children.** This custody decree and parenting plan applies to the following child(ren):

1. Child's Name	Age	Date of Birth	Child Lives with:
			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
Child is an enrolled member of the Lummi Indian Tribe. Yes <input type="checkbox"/> No <input type="checkbox"/>	Child is a permanent resident of the Lummi Reservation. Yes <input type="checkbox"/> No <input type="checkbox"/>		

2. Child's Name	Age	Date of Birth	Child Lives with:
			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
Child is an enrolled member of the Lummi Indian Tribe. Yes <input type="checkbox"/> No <input type="checkbox"/>	Child is a permanent resident of the Lummi Reservation. Yes <input type="checkbox"/> No <input type="checkbox"/>		

3. Child's Name	Age	Date of Birth	Child Lives with:
			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
Child is an enrolled member of the Lummi Indian Tribe. Yes <input type="checkbox"/> No <input type="checkbox"/>	Child is a permanent resident of the Lummi Reservation. Yes <input type="checkbox"/> No <input type="checkbox"/>		

4. Child's Name	Age	Date of Birth	Child Lives with:
			<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
Child is an enrolled member of the Lummi Indian Tribe. Yes <input type="checkbox"/> No <input type="checkbox"/>	Child is a permanent resident of the Lummi Reservation. Yes <input type="checkbox"/> No <input type="checkbox"/>		

2. RESIDENTIAL SCHEDULE

The child(ren) will primarily reside with the Mother Father throughout the year, except for the visitation schedules set out below when the child(ren) will visit the other parent:

2.1 SCHEDULE FOR CHILDREN UNDER SCHOOL AGE

There are no children under school age.

1 Prior to enrollment in school:

2 as mutually agreed by the parents.

3 the child(ren) will visit the other parent:

4 from _____ [day and time] to _____ [day and time]

5 every week

6 every other week

7 first and third week of the month

8 second and fourth week of the month

9 Other:

10 2.2 SCHOOL SCHEDULE.

11 Upon enrollment in school:

12 as mutually agreed by the parents.

13 the child(ren) will visit the other parent:

14 from _____ [day and time] to _____ [day and time]

15 every week

16 every other week

17 first and third week of the month

18 second and fourth week of the month

19 Other:

20 2.3 SCHEDULE FOR VACATIONS

21 WINTER VACATION

22 The child(ren) will visit with the other parent as follows:

23 _____
24 _____

25 SPRING VACATION

The child(ren) will visit with the other parent as follows:

1 [] SUMMER SCHEDULE.

2 The child(ren) will visit with the other parent as follows:

3 [] No change from the school schedule.

4 [] Other: _____

5 2.4 SCHEDULE FOR HOLIDAYS.

6 The schedule for holidays is as follows:

	With Mother (Specify Year)	With Father (Specify Year)
7 New Year's Day	[] Odd [] Even [] Every	[] Odd [] Even [] Every
8 Treaty Day	[] Odd [] Even [] Every	[] Odd [] Even [] Every
9 Presidents Day	[] Odd [] Even [] Every	[] Odd [] Even [] Every
10 Memorial Day	[] Odd [] Even [] Every	[] Odd [] Even [] Every
11 July 4 th	[] Odd [] Even [] Every	[] Odd [] Even [] Every
12 Labor Day	[] Odd [] Even [] Every	[] Odd [] Even [] Every
13 Veterans Day	[] Odd [] Even [] Every	[] Odd [] Even [] Every
14 Thanksgiving Day	[] Odd [] Even [] Every	[] Odd [] Even [] Every
15 Christmas Eve	[] Odd [] Even [] Every	[] Odd [] Even [] Every
16 Christmas Day	[] Odd [] Even [] Every	[] Odd [] Even [] Every

17 [] A holiday shall begin and end as follows (set forth times):

18 _____
19 [] Holidays occurring on a Friday or a Monday shall include Saturday and Sunday.

20 [] Thanksgiving Holiday shall include: _____

21 [] Other: _____

22 2.5 SCHEDULE FOR SPECIAL OCCASIONS.

23 The schedule for special occasions (for example, birthdays) is as follows:

	With Mother (Specify Year Odd/Even/Every)	With Father (Specify Year Odd/Even/Every)
24 <u>Mother's Day</u>	_____	_____
25 <u>Father's Day</u>	_____	_____
_____	_____	_____
_____	_____	_____

1 2.6 PRIORITIES UNDER THE RESIDENTIAL SCHEDULE.

2 If the residential schedule results in a conflict where the children are scheduled to be with
3 both parents at the same time, the conflict shall be resolved by the priority given as
4 follows:

5 Rank the order of priority, with 1 being the highest priority:

- 6 regular schedule summer schedule
- 7 winter vacation holidays
- 8 spring vacation special occasions

9 Other:

10 2.7 TRANSPORTATION ARRANGEMENTS.

11 Pickup and Dropoff Location: _____

12 Pickup Day of the week and Time: _____

13 Dropoff Day of the week and Time: _____

14 2.8 OTHER: _____

15 3. RESTRICTIONS

16 3.1 VISITATION RIGHTS RESTRICTIONS.

17 Does not apply.

18 Mother's Father's visitation rights shall be limited as follows:

19 (Note: Separate findings should be made by the Court when limiting visitation.)

20 Supervised visitation.

21 Approved supervisor: _____

22 Other Limitations:

23 _____

24 _____

25 _____

1 4. DECISION MAKING

2 4.1 DAY-TO-DAY DECISIONS.

3 Parents shall make day-to-day care and control decisions for each child while the child is
4 residing with that parent. Either parent may make emergency decisions affecting the health or
5 safety of the child(ren) while the child(ren) is in their care.

6 4.2 MAJOR DECISIONS.

Major decisions regarding each child shall be made as follows:

- 7 Education decisions mother father joint
- 8 Non-emergency health care mother father joint
- 9 Religious upbringing mother father joint
- _____ mother father joint

10 When joint decision making is designated but cannot be achieved, the parties shall make a good
11 faith effort to resolve the issue through the dispute resolution process.

12 4.3 RESTRICTIONS IN DECISION MAKING.

- 13 Does not apply
- 14 Sole decision making shall be ordered to the
 - 15 Mother
 - 16 Father

17 (Note: Separate findings should be made by the Court when limiting decision making.)

18 5. OTHER PROVISIONS

- 19 No other provisions apply.
- 20 Other provisions are attached and incorporated herein.

21 6. DECLARATION FOR PROPOSED PARENTING PLAN

22 Only sign if you are proposing or agreeing to this custody decree and parenting plan.

23 I affirm that by signing this custody decree and parenting plan that: (1) I have read this custody
24 decree and parenting plan, or it has been read to me; and 2) I understand the contents of the
25 custody decree and parenting plan and believe the contents to be true and correct, and to the best
of my knowledge, information, and belief, formed after reasonable inquiry.

Mother

Date

Father

Date

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7. CONCLUSIONS OF LAW

- The Court has personal and subject matter jurisdiction in this case.
- This custody decree and parenting plan serves the best interests of the child(ren).

8. CUSTODY DECREE and ORDER

IT IS ORDERED, ADJUDGED AND DECREED that the designated custodian for the child(ren) is the Mother Father. This parent is the designated custodian for purposes of all other tribal codes, and state and federal statutes that require a designation or determination of custody.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that custody and visitation shall occur as set forth in this custody decree and parenting plan.

WARNING: Custody decree and parenting plan violations with actual knowledge of the terms is punishable by contempt of court and may be a criminal offense in the Lummi Code of Laws.

If a parent fails to comply with a provision of this plan, the other parent's obligations under the plan are not affected.

Dated: _____

JUDGE