

LUMMI TRIBAL COURT  
LUMMI NATION, WASHINGTON

IN RE THE GUARDIANSHIP OF:

\_\_\_\_\_,  
DOB: \_\_\_/\_\_\_/\_\_\_

\_\_\_\_\_,  
DOB: \_\_\_/\_\_\_/\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Petitioner(s)

and

\_\_\_\_\_, Mother

\_\_\_\_\_, Father

Respondents

LUMMI CHILD WELFARE (check if applicable.)

Necessary Party

Case No.: \_\_\_\_\_ CVGD \_\_\_\_\_

PETITION FOR GUARDIANSHIP

Petitioners seek guardianship of a child(ren) pursuant to Lummi Code of Laws Chapter 8.09.

1. JURISDICTION

Personal jurisdiction for purposes of guardianship exists pursuant to LCL 8.09.010 and LCL 8.01.070, for a child(ren) under the age of 18, and:

Check all that apply:

- the child(ren) is an enrolled member of the Lummi Nation;
- the parent of the child(ren) is an enrolled member of the Lummi Nation;
- the child(ren) is one-quarter or more Lummi blood quantum;
- the child(ren) 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(ren) is an Indian child who resides or is domiciled on the Lummi Reservation.

2. CHILD INFORMATION

1. Child's Name	Age	Date of Birth	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Indian status of the child: <input type="checkbox"/> Enrolled Lummi <input type="checkbox"/> Eligible for Lummi membership _____ <input type="checkbox"/> Other: _____	Child is a permanent resident of the Lummi Reservation. Yes <input type="checkbox"/> No <input type="checkbox"/> If no, child's residence is:		

2. Child's Name	Age	Date of Birth	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Indian status of the child: <input type="checkbox"/> Enrolled Lummi <input type="checkbox"/> Eligible for Lummi membership _____ <input type="checkbox"/> Other: _____	Child is a permanent resident of the Lummi Reservation. Yes <input type="checkbox"/> No <input type="checkbox"/> If no, child's residence is:		

3. CHILD'S PROPERTY

Name of Child: \_\_\_\_\_

Child has no known interest in any property.

Child has property. Describe and estimate the value of all property in which the child has an interest.

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1 Name of Child: \_\_\_\_\_

2  Child has no known interest in any property.

3  Child has property. Describe and estimate the value of all property in which the child has an  
4 interest.  
5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 \_\_\_\_\_

6 4. PETITIONER #1 INFORMATION

7 Name: \_\_\_\_\_

8 Age: \_\_\_\_\_ DOB: \_\_\_\_/\_\_\_\_/\_\_\_\_

9 Address: \_\_\_\_\_

10 City

State

Zip Code

11 Lived at this address since: \_\_\_\_/\_\_\_\_/\_\_\_\_

12 Indian status of Petitioner: ( ) Enrolled Lummi  
13 ( ) Enrolled Other Tribe: \_\_\_\_\_  
( ) Non-Indian

14 PETITIONER #2 INFORMATION

15 Name: \_\_\_\_\_

16 Age: \_\_\_\_\_ DOB: \_\_\_\_/\_\_\_\_/\_\_\_\_

17 Address: \_\_\_\_\_

18 City

State

Zip Code

19 Lived at this address since: \_\_\_\_/\_\_\_\_/\_\_\_\_

20 Indian status of Petitioner: ( ) Enrolled Lummi  
21 ( ) Enrolled Other Tribe: \_\_\_\_\_  
( ) Non-Indian

22 5. LEGAL OR TEMPORARY CUSTODY OF THE CHILD

23 The child is currently in the legal or temporary custody of:

24  Lummi Child Welfare.  
 legal custodian  temporary custodian

25 Address: \_\_\_\_\_

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NAME: \_\_\_\_\_

legal custodian       temporary custodian

Address: \_\_\_\_\_

6. STATUS OF THE NATURAL FATHER

Name: \_\_\_\_\_

D.O.B: \_\_\_/\_\_\_/\_\_\_

Tribal Enrollment: \_\_\_\_\_.

- The father has consented to the guardianship. [*Attach consent if already signed.*]
- The father is deceased: a copy of the death certificate is attached or other proof of death.
- No father's name appears on the birth certificate, as shown on the attached birth certificate, and no person has acknowledged or established paternity.
- The father is unavailable or is unwilling to care for the child as shown by:

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

- The father is available and willing to care for the child, but
  - the child meets the definition of a child in need of protection under LCL 8.05.010 because of conduct by the father;
  - there is a substantial probability of future abuse or neglect if the child were returned to the father; or
  - the conditions that lead to the child in need of protection finding are unlikely to improve within a reasonable period of time.

Include facts or supporting documents which may be attached.

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

7. STATUS OF THE NATURAL MOTHER

Name: \_\_\_\_\_

D.O.B: \_\_\_/\_\_\_/\_\_\_

Tribal Enrollment: \_\_\_\_\_.

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- The mother has consented to the guardianship. [*Attach consent if already signed.*]
- The mother is deceased: a copy of the death certificate is attached or other proof of death.
- The mother is unavailable or is unwilling to care for the child as shown by:

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- The mother is available and willing to care for the child, but
  - the child meets the definition of a child in need of protection under LCL 8.05.010 because of conduct by the mother;
  - there is a substantial probability of future abuse or neglect if the child were returned to the mother; or
  - the conditions that lead to the child in need of protection finding are unlikely to improve within a reasonable period of time.

Include facts or supporting documents which may be attached.

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8. RELATIONSHIP BETWEEN CHILD(REN) AND PETITIONER(S)

Petitioner #1 \_\_\_\_\_ is related to the child(ren) as follows:

- ( ) Grandparent
- ( ) Brother / Sister
- ( ) Uncle / Aunt / Cousin
- ( ) Non-relative caregiver
- ( ) Other: \_\_\_\_\_

Petitioner #2 \_\_\_\_\_ is related to the child(ren) as follows:

- ( ) Grandparent
- ( ) Brother / Sister
- ( ) Uncle / Aunt / Cousin
- ( ) Non-relative caregiver
- ( ) Other: \_\_\_\_\_

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9. CONSENT OF THE LUMMI NATION

If the child is a ward of the court, no petition for guardianship may be filed unless the Lummi Nation has approved of the petition.

The person signing below is a representative of the Lummi Nation and is authorized to approve of the filing of this petition for guardianship. Their signature indicates approval by the Lummi Nation that this petition may be filed.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

PRAYER FOR RELIEF

WHEREFORE the Petitioner(s) request that this Court:

1. Establish petitioner(s) as guardian(s) for the child(ren).
2. Notify and appoint Lummi Child Welfare or other qualified person to make an investigation and file a written report with the Court within 45 days of the time of the appointment unless further time is granted by the Court.

DECLARATION

I affirm that by signing this petition 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, and to the best of my knowledge, information, and belief, formed after reasonable inquiry.

Below is the address at which I can receive all legal documents, and I understand I have the duty to update this address with the court if it changes.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Address

1 City, State, Zip Code

2 Telephone Number

3 SUBSCRIBED AND SWORN to before me  
4 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

5 \_\_\_\_\_  
6 Notary Public  
7 My Commission Expires:

8 ***If second petitioner***

9 I affirm that by signing this petition that: (1) I have read this petition, or it has been read to me;  
10 and 2) I understand the contents of the petition and believe the contents to be true and correct,  
11 and to the best of my knowledge, information, and belief, formed after reasonable inquiry.

12 Below is the address at which I can receive all legal documents, and I understand I have the duty to  
13 update this address with the court if it changes.

14 Dated: \_\_\_\_\_

15 \_\_\_\_\_  
16 Signature of Second Petitioner

17 \_\_\_\_\_  
18 Print or Type Name

19 \_\_\_\_\_  
20 Address

21 \_\_\_\_\_  
22 City, State, Zip Code

23 \_\_\_\_\_  
24 Telephone Number

25 SUBSCRIBED AND SWORN to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires: