IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

\_\_\_\_\_\_\_\_\_\_\_\_ JUDICIAL DISTRICT AT \_\_\_\_\_\_\_\_\_\_\_\_

In The Matter Of )

[tribal child] ) PETITION TO RECOGNIZE

) TRIBAL COURT

A Minor Children born on [xxx] ) ADOPTION ORDER (ICWA)

)

) Case No. \_\_\_\_\_\_\_\_\_\_\_\_

Pursuant to the Indian Child Welfare Act, 25 U.S.C. 1911(d), the [Tribe] respectfully petitions this Court to afford full faith and credit to the attached tribal court Resolution of Adoption of Minor Children.

Section 1911(d) of ICWA states that every State “shall give full faith and credit to the public acts, records, and judicial proceedings of any Indian tribe applicable to Indian child custody proceedings to the same extent that such entities give full faith and credit to the public acts, records and judicial proceedings of any other entity.” The [Tribe] is a federally recognized Indian Tribe. 2 CFR 200.54; 81 FR 5019 (2016). ICWA’s definition of “child custody proceedings” includes the permanent placement of an Indian child for adoption. 25 U.S.C. 1903(1), and as described in the attached Resolution, the children being adopted are Indian children.

**Name and address of the Tribe issuing the Resolution of Adoption:**

[Tribe name, address]

**Name and address of the child’s Indian Tribe:**

[Tribe name, address]

**Name and address of the Adoptive Parents:**

[Names, addresses]

The Tribe requests recognition of the attached resolution. A summons will issue to the parties in the tribal court proceeding to afford the opportunity to raise any objections to recognition.

DATED: \_\_\_\_\_\_\_\_\_\_\_\_

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

[Signature of Tribal Official]

**VERIFICATION**

I, \_\_\_\_\_\_\_\_\_\_\_\_, [Title] for [Tribe], affirm that the above factual statements are true to the best of my knowledge, and that the document submitted is a true copy of the original tribal court adoption order.

FURTHER THE AFFIANT SAYETH NAUGHT.

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

[Signature of Tribal Official]

SUBSCRIBED AND SWORN to before me this \_\_\_\_day of \_\_\_\_\_\_\_\_. 20\_\_.

Notary Public for Alaska

My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

\_\_\_\_\_\_\_\_\_\_\_\_ JUDICIAL DISTRICT AT \_\_\_\_\_\_\_\_\_\_\_\_

In The Matter Of )

[tribal child] ) SUMMONS AND

) JUDICIAL ASSIGNMENT

A Minor Children born on [xxx] )

)

) Case No. \_\_\_\_\_\_\_\_\_\_\_\_

**To:** [Each party in the tribal court adoption case]

YOU ARE HEREBY SUMMONED to file with the court a written answer to the Petition which accompanies this summons. Your answer must be filed with the court at [address of local state court] within 20 days after the day you receive this summons.

In addition, a copy of your answer must be sent to [Tribal representative and address]. If you fail to file your answer within the required time, a default judgment may be entered against you for the relief demanded in the complaint.

If you are not represented by an attorney, you must inform the court and all other parties in this case, in writing, of your current mailing address and any future changes to your mailing address and telephone number. You may use court form *Notice of Change of Address/Telephone Number* (TF-955), available at the clerk’s office or on the court system’s website at www.state.ak.us/courts/forms.htm, to inform the court.

If you have an attorney, the attorney must comply with Alaska R. Civ. P. 5(i).

NOTICE OF JUDICIAL ASSIGNMENT

To: Petitioner and Respondent

You are hereby given notice that this case has been assigned to:

(SEAL) CLERK OF COURT

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE DEPUTY CLERK

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

\_\_\_\_\_\_\_\_\_\_\_\_ JUDICIAL DISTRICT AT \_\_\_\_\_\_\_\_\_\_\_\_

In The Matter Of )

[tribal child] ) PETITION TO RECOGNIZE

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A Minor Children born on [xxx] ) ADOPTION ORDER (ICWA)

)

) Case No. \_\_\_\_\_\_\_\_\_\_\_\_

**REQUEST FOR DECISION**

Petitioner, through counsel, hereby advises the court that the petition for recognition of the children’s tribal court adoption order is ripe for decision.

The mother of the child, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, was served via [explain how mother was given notice of the adoption].

The father of the child, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, was served via [explain how father was given notice of the adoption].

No party has objected to recognition of the tribal adoption. The Tribe’s Petition verifies that all parties to the tribal adoption were provided notice of the proceeding and were afforded an opportunity to be heard.

Accordingly, petitioner seeks an Order recognizing the tribal court adoption pursuant to the Indian Child Welfare Act at 25 U.S.C. 1911(d):

The United States, every State, every territory or possession of the United States, and every Indian tribe shall give full faith and credit to the public acts, records, and judicial proceedings of any Indian tribe applicable to Indian child custody proceedings to the same extent that such entities give full faith and credit to the public acts, records, and judicial proceedings of any other entity.

DATED:\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Signature]

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

\_\_\_\_\_\_\_\_\_\_\_\_ JUDICIAL DISTRICT AT \_\_\_\_\_\_\_\_\_\_\_\_

In The Matter Of )

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) TRIBAL COURT

A Minor Children born on [xxx] ) ADOPTION ORDER (ICWA)

)

) Case No. \_\_\_\_\_\_\_\_\_\_\_\_

**ORDER RECOGNIZING TRIBAL ADOPTION**

Based on the Petition filed by the Tribe on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and the lack of objection thereto, the Tribe’s Petition is hereby GRANTED.

IT IS ORDERED that the State of Alaska and all other entities within the state shall afford full faith and credit to the tribal adoption resolution for [child, dob] by [full legal names of adoptive parents].

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

Alaska Superior Court Judge