**IN THE SUPERIOR COURT FOR THE STATE OF ALASKA**

**[First/Second/Third/Fourth] JUDICIAL DISTRICT AT [City]**

In the Matter of: )

)

[Child name] [Date of birth] ) Case No. [Case number]

)

Child(ren) under the age of eighteen (18) )

)

**ORDER TO TRANSFER TO TRIBAL JURISDICTION**

The Court, having considered the Petition for Transfer to Tribal Jurisdiction, the tribal court’s acceptance of jurisdiction, and any response thereto, makes the following FINDINGS AND ORDERS,

1. The child is an Indian child as defined in the Indian Child Welfare Act, 25 U.S.C. §1903(4);
2. The tribe to whose tribal court transfer is sought is the Indian child’s tribe as defined in the Indian Child Welfare Act, 25 U.S.C. §1903(5);
3. The Indian child’s tribe has intervened in the state court proceeding;
4. The Indian child’s tribe has a tribal court, and that court has accepted jurisdiction over the child;
5. No parent has objected to the transfer of jurisdiction to the [Tribe’s full name]’s Tribal Court; and
6. No party has demonstrated good cause not to transfer jurisdiction to the tribal court. CINA Rule 23(g).

Therefore, the petition is GRANTED; jurisdiction is transferred from the Superior Court for the State of Alaska at [City] to the [Tribe’s full name] Tribal Court. All future hearings in this matter are VACATED.

The child is released from the custody of the Department of Health and Social Services to the custody of the [Tribe’s full name] Tribal Court. The Department of Health and Social Services is hereby released from all respon­sibility for the child.

[**OPTION A:** For situations where no planning is required or no harm will come if the tribe accepts custody and responsibility for the child without advance notice. Custody transfers to the tribe upon signature by the state court judge]

DATED this \_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20 .

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

SUPERIOR COURT JUDGE

[**OPTION B:** For situations where the tribe has planned and confirmed with other legal parties in advance when the transfer should occur, and all are in agreement]

Effective date: [insert planned date of transfer]

DATED this \_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20 .

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

SUPERIOR COURT JUDGE

[**OPTION C:** For situations where it is not certain whether all parties will agree to transfer, and the tribe requires some planning time to make necessary arrangements in advance of accepting custody and jurisdiction]

Effective date: This order shall take effect [insert planning days needed] calendar days following date of signature of this order. Transfer may be further delayed by the Tribal Court if prior notice is given to the Superior Court of the State of Alaska and to the legal parties of the additional time needed to arrange transfer of custody and jurisdiction and of the new effective date of transfer.

DATED this \_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20 .

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

SUPERIOR COURT JUDGE