

MINOR PETITION FOR EMERGENCY **GUARDIANSHIP**

The forms in this packet are to be used as a **template**, the forms may not address all of your needs. Please read the instructions carefully before completing the forms. The Court Clerks **CANNOT** accept documents that do not conform to the instructions in this packet.

You should refer to the Comanche Nation Tribal Court Codes prior to filing any petition or pleadings for a complete understanding of the rules and procedures governing your case. Should you need assistance in preparing any documents, you must consult with an attorney at your own expense. The Court Clerks are prohibited by Ethical Code and Court Rules to provide legal advice and help parties prepare or type court documents. Different situations may require special procedures and the Court Clerks **CANNOT** advise you on how to proceed or what forms may be necessary in specific situations.

INSTRUCTIONS FOR FILING

IMPORTANT INFORMATION PLEASE READ!!!

1. Documents must be Printed or typed and MUST BE LEGIBLE. If the Court is unable to read your documents it may adversely affect your case.
2. Documents must be signed in front of the Court Clerk or a notary public when you are ready to file.
3. Filing fees, copy fees, etc. can be made by DEBIT CARD, CASHIER'S CHECK or MONEY ORDER and must be payable to "Comanche Nation Tribal Court". Filing fees MUST be paid at the time of filing your petition. If you are unsure of the amount of the filing fees, contact the Court Clerk.
4. Submit original Documents, a copy fee will apply to all copies made by the court clerk over 50 pages in length. If the Court Clerk makes your copies, you will be charged a copy fee of \$10.00 for any copies over 50 pages.
5. Documents must have the FULL ADDRESS including street, city, state & zip of the parties to be served. Obtaining this information is **your** responsibility.
6. Petitions filed MUST have a copy of the relevant birth certificate and tribal enrollment card/CDIB and be submitted with the petition when filed. Obtaining these documents is **YOUR** responsibility.
7. Proof of Service of a Petition is MANDATORY for your case to proceed. Obtaining proof of service is **your** responsibility. You must provide proof of service to the Court Clerk so that your case can be scheduled a hearing date.

Court Clerks WILL NOT accept documents
that do not conform to these Instructions.

GUARDIANSHIP OF MINOR	
Petition or Complaint	Filing Fee
Guardianship of Minor	\$85.00
Additional Court Costs	
Summons (each) PER PERSON SUMMONED	\$15.00
SUMMONS BY PUBLICATION (Actual Publication is to be done independently at your own additional expense through a proper publishing source)	\$35.00
SERVICE Outside of Territorial Jurisdiction (by certified mail through the Court Clerk)	\$15.00
SERVICE (Independently done, may incur additional expense of Private Process Server. Proof of Service must be filed with the Court)	
COPY FEES (filer must provide all necessary copies of filings or a copy fee will apply to all copies made by the court clerk over 50 pages in length)	\$10.00 flat fee for copies made by the court clerks over 50 pages.

IN THE GUARDIANSHIP:)
 _____) Case No.: PG-
 _____)
 DOB: _____)
 A Minor Child.)

1. _____ is a female or male (circle one) minor Indian child, enrolled with the Comanche Nation eligible for enrollment with the Comanche Nation OR is eligible for enrollment with the Comanche Nation and is the biological child of a member of the Comanche Nation.
2. _____ was born at _____, and currently resides at _____.
3. This court has jurisdiction over the minor child pursuant to Section 201 of the Comanche Children and Family Relations Code.
4. The minor child is residing with _____ at _____.
5. The mother of the minor child is _____ whose address is _____.
6. The father of the minor child is _____ whose address is _____.
7. The Petitioner, _____, who is _____.

8. The minor child has resided with _____ and has been in the home of _____ since _____.

9. The Petitioner claims that Emergency Guardianship is necessary because of the reasons stated in the affidavit, attached, and the following reasons:

10. Petitioner states that service is necessary upon the following person(s) and their respective address(es):

11. The minor child does not own any other property other than clothes and toys and the Petitioner requests that she be allowed to serve without bond.

12. _____ I understand that I am responsible for serving copies of this Petition
Initials and all attachments on the other party because they are entitled to notice and opportunity to contest my Petition.

WHEREFORE, the Petitioner requests the Court to issue an Emergency Guardianship over the minor child in favor of the Petitioner and that proper notice of proceedings in this matter issue to all interested parties.

Petitioner _____ (print)
Phone: _____
Address: _____

VERIFICATION

I, _____, certify that the foregoing facts as alleged in the Petition for Emergency Guardianship are true and correct to the best of my knowledge.
_____, Petitioner

Attest:

Court Clerk or Notary Public

My Commission Expires: _____