

# **MINOR PETITION FOR PERMANENT 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. The forms are a guide to use in preparing the documents. DO NOT fill in the blanks and submit for filing. IT MUST BE RE-TYPED.
7. 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.
8. Proof of Service of a Petition is MANDATORY for your case to proceed. Obtaining proof of service is **your** responsibility. Proof of service must be provided to the Court Clerk so that a hearing can be scheduled.

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

| <b>GUARDIANSHIP OF MINOR</b>                                                                                                                                 |                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <b>Petition or Complaint</b>                                                                                                                                 | <b>Filing Fee</b>                                                   |
| Guardianship of Minor                                                                                                                                        | \$85.00                                                             |
| <b>Additional Court Costs</b>                                                                                                                                |                                                                     |
| <b>Summons</b> (each) PER PERSON SUMMONED                                                                                                                    | \$15.00                                                             |
| <b>SUMMONS BY PUBLICATION</b> (Actual Publication is to be done independently at your own additional expense through a proper publishing source)             | \$35.00                                                             |
| <b>SERVICE</b><br>Outside of Territorial Jurisdiction (by certified mail through the Court Clerk)                                                            | \$15.00                                                             |
| <b>SERVICE</b> (Independently done, may incur additional expense of Private Process Server. Proof of Service must be filed with the Court)                   |                                                                     |
| <b>COPY FEES</b> (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. )

COMES NOW, \_\_\_\_\_, and submits his/her Petition for  
Permanent Guardianship over the person and property of the minor child,  
\_\_\_\_\_, DOB: \_\_\_\_\_. In support of his/her Petition, Petitioner will  
show the following:

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 has resided with \_\_\_\_\_ and has been in the home  
of \_\_\_\_\_ since \_\_\_\_\_.
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 / is not (circle one) an enrolled Comanche Member.

8. The Petitioner states that Permanent Guardianship is proper because

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9. The minor child owns the following property other than clothes and toys:

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

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WHEREFORE, the Petitioner requests the Court to issue a Permanent 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

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

Phone: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_

**VERIFICATION**

I, \_\_\_\_\_, certify that the foregoing facts as  
alleged in the Petition for Permanent Guardianship are true and correct to the  
best of my knowledge.

\_\_\_\_\_  
Petitioner

Attest:

\_\_\_\_\_  
Court Clerk or Notary Public

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