

**NON-REMOVABLE MILLE LACS BAND OF CHIPPEWA INDIANS  
IN THE COURT OF CENTRAL JURISDICTION**

**District I**

**District II**

**District III**

In Re the Custody of:

Case File No. \_\_\_\_\_

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

Minor Child(ren).

\_\_\_\_\_

Petitioner.

and

\_\_\_\_\_

Respondent.

**PETITION TO ESTABLISH  
CUSTODY and PARENTING TIME<sup>1</sup>**

This Petition seeks establishment of legal and physical custody of the above-named child(ren), setting of parenting time, issuance of a child support order, and any other orders necessary to effectuate the best interests of the child(ren) and states:

**1. Information about Petitioner.**

Check if in Military

Full Legal Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Current Mailing Address: \_\_\_\_\_ Apt. # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Reside on Mille Lacs Band Territory?  Yes  No

Phone Number: \_\_\_\_\_ Email address: \_\_\_\_\_

Petitioner is the child(ren)'s:  Mother  Father

Petitioner is:  a Mille Lacs Band Member  an enrolled member of another band/tribe

List name of Petitioner's band/tribe: \_\_\_\_\_

not a member of any American Indian/Alaska Native tribe

<sup>1</sup> Governed by Minn. Stat. § 518.156 pursuant to 24 MLBS § 2007.

**2. Information about Respondent.**

Check if in Military

Full Legal Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Current Mailing Address: \_\_\_\_\_ Apt. # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Reside on Mille Lacs Band Territory?  Yes  No

Phone Number: \_\_\_\_\_ Email address: \_\_\_\_\_

Respondent is the child(ren)'s:  Mother  Father

Respondent is:  a Mille Lacs Band Member  an enrolled member of another band/tribe

List name of Respondent's band/tribe: \_\_\_\_\_

not a member of any American Indian/Alaska Native tribe

**3. Information about the Child(ren)**

Full Legal Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

**4.** The child(ren) currently live with:  Mother  Father  Other Person

Print full name of other person: \_\_\_\_\_

**5.** The child(ren)'s address is:

Street Address: \_\_\_\_\_ Apt. # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Located on Mille Lacs Band Territory?  Yes  No

The child(ren)  have  have not lived at this address for a minimum of six (6) months. If the children have not lived at the above address, list dates and location(s) where the child(ren) have been living for the last six months:

Dates:	Location:
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Dates:	Location:
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6. Paternity of the child(ren) has been established by:

- The child(ren)'s father's name appears on the child(ren)'s birth certificate(s).
- The child(ren)'s father has signed a Minnesota Recognition of Parentage.  Copy attached.
- Paternity has been established by other means (for example, a court order or recognition of parentage executed in another jurisdiction).
- Paternity has **not** been established.

7. A court-appointed Guardian or Custodian has been appointed for the child(ren).

- No
- Yes – A guardian or custodian has been appointed for the child(ren) by court order in

Case File No. \_\_\_\_\_ in the \_\_\_\_\_ Court

and the name of the guardian/custodian is \_\_\_\_\_.

(**Note:** The Petitioner is required to give written notice of this proceeding to the guardian/custodian.)

**8. Information about Protective Orders**

A **child protection(CHIPS) case** involving the child(ren) is open:  Yes  No

If Yes, this case is in the \_\_\_\_\_ Court in the State of

\_\_\_\_\_ and the Case File Number is: \_\_\_\_\_.

An **Order for Protection from Abuse** involving me and the Respondent and/or the child(ren) is open:

No  Yes - If Yes, this case is in the \_\_\_\_\_

Court in the State of \_\_\_\_\_ and the Case File Number is \_\_\_\_\_.

**A copy of the *Order for Protection From Abuse* is attached to this Petition.**

**9. Petitioner’s Request for Custody and Parenting Time**

**“Legal Custody”** means having the right to participate in the major decisions regarding the child(ren)’s life, including education, medical treatment, and spiritual upbringing.

It is in the child(ren)’s best interest that **legal custody** be granted as follows: (check one)

- Joint legal custody shared by both parents
- Sole legal custody to  Petitioner  Respondent **“Physical Custody”** identifies who will handle the routine daily care and control of the child(ren), and who the child(ren) will live with.

It is in the child(ren)’s best interest that **physical custody** be granted as follows: (check one)

- Joint physical custody shared by both parents with primary physical residence (where child(ren) reside the majority of the time) with  Petitioner  Respondent
- Sole physical custody to  Petitioner  Respondent

**10. Parenting Time**

It is the child(ren)’s best interest that parenting time be granted as follows:

- Grant parenting time to  Petitioner  Respondent
- Grant supervised parenting time to  Petitioner  Respondent
- Deny parenting time to  Petitioner  Respondent

**11. Child Support**

- There is no existing child support order and the Petitioner is asking the Court to establish child support in accordance with the child support guidelines.
- There is no existing child support order and child support is not being requested at this time.
- There **is** an existing child support order for the child(ren) named in this Petition, located in the
  - Mille Lacs Band District Court, Case File No. \_\_\_\_\_
  - \_\_\_\_\_ County, State of \_\_\_\_\_
  - Case File No. \_\_\_\_\_

**Petitioner asks the Court to grant the above-requested orders regarding legal and physical custody, parenting time, child support, and such other and further relief as the Court may deem just and equitable.**

**VERIFICATION**

I declare under penalty of perjury that the information provided in this Petition for Custody and Parenting Time and any attached documentation is true to the best of my knowledge, information, and belief.

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

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Petitioner's Printed Name