

**Guidelines for Adoption Proceedings in Mille Lacs Band of Chippewa
Court of Central Jurisdiction**

1. Note that jurisdiction is as follows:

8 MLBSA 602

- (a) Adoptions pursuant to custom and tradition shall be permissible.
- (b) Any individual, minor or adult, whom is a member of or eligible for membership of any constituent Band of the Mille Lacs Band of Chippewa Indians may be adopted by the Court according to the procedures of this chapter.

8 MLBSA 603

The following persons may adopt:

- (a) Individuals married to each other, whether or not one or both are minors.
- (b) An adult unmarried individual.
- (c) A married individual, adult or minor, without the spouse joining as a petitioner, if:
 - (1) The non-joining spouse is a parent of the individual to be adopted.
 - (2) The individual to be adopted is not the petitioner's spouse.
 - (3) The petitioner and the non-joining spouse are legally separated.
 - (4) The failure of the non-joining spouse is excused by the Court by reason of prolonged or unexplained absence, unavailability, incapacity or circumstances constituting an unreasonable failure to join.

2. Petitions must have a certified copy of the child's birth certificate submitted at the time the petition is filed.

3. Written consent of the biological parents, if relevant, shall be submitted with the petition and the biological parents' consent shall be acknowledged before the Court (MLB Child/Family Protection Act Sec. 26.03) that these consents are valid and knowingly and freely given if written consent is not available, petitioner must explain why and an involuntary termination of parental rights procedure may be followed.

4. Children over age 12 must provide their consent to the adoption at the adoption hearing for open adoptions (MLB Child/Family Protection Act. 26.116).

5. Once the petition, birth certificate and written consents are filed, the Court will order a home study to be completed. A hearing will be scheduled within 90 days of the filing of the adoption petition.

6. There is no filing fee for adoptions.

NON-REMOABLE MILLE LACS BAND OF CHIPPEWA INDIANS
District of Nay-ah-Shing

IN THE COURT OF CENTRAL JURISDICTION

In the matter of the Adoption of:

Case # _____

Name of persons(s) to be adopted

PETITION FOR OPEN ADOPTION

1. Petitioners

Petitioners' names are: _____ and _____.

Their dates of birth are: _____ and _____.

They were married on _____ at _____,

or have resided together since _____ at _____.

They have resided in Minnesota for more than one year, and presently reside
at _____.

This residence is/is not located within the boundaries of the Mille Lacs Band of
Chippewa Indian Reservation.

2. Child or Children

Petitioners desire to adopt:

Name of Child:

Date of Birth:

Place of Birth:

Mille Lacs Band of Chippewa enrollment number:

Biological Father:

Current Address:

Mille Lacs Band of Chippewa or other tribal enrollment number:

Biological Mother:

Current Address:

Mille Lacs Band of Chippewa or other tribal enrollment number:

He/she has a trust fund held by the Mille Lacs Band of Chippewa on his/her behalf which he/she will have access to at age 18 or pursuant to Mille Lacs Band of Chippewa policies in effect at that time. The above child owns no real estate, savings or bank accounts, bonds, securities or personal property other than clothing and personal effects of inconsequential market value, or if real or personal property is owned by the child, is as described:

3. Custody

Check one:

- ☐ Petitioner is NOT the step parent of the child.
- ☐ Petitioner is a blood relative of the child and is _____ to the child.

(Relationship)

4. Adoption

- An open adoption agreement describing visitation and contact between the parties and the child has been signed and submitted to the Court.
- An open adoption agreement describing visitation and contact between the parties and the child HAS NOT BEEN/WILL NOT BE signed and submitted to the Court.

Petitioners desire that the relationship of parent and child be established between Petitioners and child, that such is in the best interest of the child, that they freely undertake the obligation fully to support and care for the child until his/her maturity, that this open adoption is consented to by the child's biological parents; or that no consent is required because

A certified copy of the child's birth certificate is filed with this petition.

WHEREFORE, Petitioners request a Decree of Adoption of the child by Petitioners and for a change of the child's name to_____.

Signature of Attorney
Name of Attorney:
Address:
Phone Number:
Attorney Number:

Signature of Petitioner
Name of Petitioner:
Address:
Phone Number:

State of Minnesota }

County of Mille Lacs

The above-named Petitioners being first duly sworn on oath state that they have read the foregoing petition subscribed by them, that they know the contents thereof, and that the same is true to their best information and belief.

Subscribed and sworn to before me this _____ day of _____, 20____.

Signature of Notary Public

Petitioner

Stamp or Seal of Notary



Petitioner