

IN THE SAC & FOX TRIBE OF THE MISSISSIPPI IN IOWA TRIBAL COURT  
349 Meskwaki Road  
Tama, Iowa 52339-9629

In Re the Custody of the Minor Child/Children:

\_\_\_\_\_ DOB \_\_\_\_\_  
\_\_\_\_\_ DOB \_\_\_\_\_  
\_\_\_\_\_ DOB \_\_\_\_\_  
\_\_\_\_\_ DOB \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

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

**PETITION FOR CUSTODY OF  
MINOR CHILD/CHILDREN**

Petitioner, \_\_\_\_\_, hereinafter referred to as \_\_\_\_\_ Mother  
\_\_\_\_\_ Father, being first duly sworn, upon oath, respectfully represent to the Court that:

1. The Mother's full name is: \_\_\_\_\_.
  - a. The Mother's date of birth is \_\_\_\_\_.
  - b. The Mother \_\_\_\_\_ is \_\_\_\_\_ is not a member of the Sac & Fox Tribe of the Mississippi in Iowa.
  - c. The Mother currently resides at \_\_\_\_\_  
\_\_\_\_\_.
2. The Father's full name is: \_\_\_\_\_.
  - a. Paternity has been established by:
    - i. \_\_\_\_\_ Paternity testing on \_\_\_\_\_. A certified copy of this must be attached to the Petition.
    - ii. \_\_\_\_\_ Recognition of Parentage. A certified copy of this must be attached to the Petition.
    - iii. \_\_\_\_\_ Court Order from \_\_\_\_\_ Court, issued on \_\_\_\_\_.

\_\_\_\_\_. A certified copy of this must be attached to the Petition.

- b. Father's date of birth is \_\_\_\_\_.
- c. The Father \_\_\_\_\_ is \_\_\_\_\_ is not a member of the Sac & Fox Tribe of the Mississippi in Iowa.
- d. The Father currently resides at \_\_\_\_\_  
\_\_\_\_\_.

3. The Mother and Father have the following child/children together:

- a. \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
- b. \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
- c. \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa.
- d. \_\_\_\_\_; born \_\_\_\_\_; who \_\_\_\_\_ is \_\_\_\_\_ is not eligible for membership with the Sac & Fox of the Mississippi in Iowa. Add more pages if necessary.

4. The following child/children is/are currently residing with:

- a. Mother: \_\_\_\_\_
- b. Father: \_\_\_\_\_
- c. Both parents: \_\_\_\_\_
- d. Other person \_\_\_\_\_ at \_\_\_\_\_.

5. The parties \_\_\_\_\_ do \_\_\_\_\_ do not reside together.

6. This Court has jurisdiction over this matter, pursuant to Title 6, Article 1, Chapter 1 Section 6-1102 and 1201 and Chapter V, Section -1501.

7. There \_\_\_\_\_ is \_\_\_\_\_ is not an outstanding award of custody by a Court of competent jurisdiction, regarding any/all of the above-identified children. If so, a certified copy of the Order is attached.

8. A custody matter \_\_\_\_ has \_\_\_\_ has not been filed in another Court, regarding any/all of the above-identified children. If so, a copy of the documents are attached.
  
9. The \_\_\_\_ Mother \_\_\_\_ Father is receiving the per capita payment(s) of the minor child/children.
  
10. I believe that awarding custody of the above-identified child/children to me will be the best means to secure the child's/children's sense of belonging to family, clan and Tribe for the following reasons (check those that apply):
  - a. \_\_\_\_ The child/children asked for me to have custody;
  
  - b. \_\_\_\_ The child's/children's interaction and relationship with me, siblings, clan and extended family and \_\_\_\_\_ (relationship to child) can best be provided by me;
  
  - c. \_\_\_\_ The child/children is/are adjusted to my home and will not be separated from his/her/their school and community;
  
  - d. \_\_\_\_ I am the person best suited to provide parental guidance to the child/children as required or suggested by Meskwaki beliefs, customs and tradition;
  
  - e. \_\_\_\_ The mental and physical health of all individuals involved is as described herein: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_;
  
  - f. \_\_\_\_ The \_\_\_\_ Mother \_\_\_\_ Father has the greater capacity and disposition to give the child/children love, affection, and guidance, and to continue educating and raising the child/children in the child's Tribal ways in addition to the child's religion or creed;
  
  - g. \_\_\_\_ The \_\_\_\_ Mother \_\_\_\_ Father is best suited to continue the child's/children's connection to his/her/their Tribe, clan and family background.
  
11. Domestic abuse \_\_\_\_ has \_\_\_\_ has not occurred in the household of the child/children.
  
12. Petitioner alleges that the following:
  - a. Physical harm between family or household members \_\_\_\_ has \_\_\_\_ has not occurred in the household of the child/children.
  
  - b. Criminal sexual conduct against a minor family or household member by an adult

or minor household family member \_\_\_\_\_ has \_\_\_\_\_ has not occurred.

c. Emotional harm or damage to the child or an adult caused by the conduct of an adult or minor family or household member \_\_\_\_\_ has \_\_\_\_\_ has not occurred.

d. \_\_\_\_\_ The effect of domestic abuse on the child has been \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

13. \_\_\_\_\_ Mother \_\_\_\_\_ Father has been convicted of the following crime/crimes, identified in Title 6, Article 1, Chapter V, Section 6-1504(b):

a. \_\_\_\_\_ Murder in the first, second, or third degree, as defined in tribal, state or federal law;

b. \_\_\_\_\_ Manslaughter in the first degree, as defined in tribal, state or federal law;

c. \_\_\_\_\_ Assault in the first, second, or third degree, as defined in tribal, state or federal law;

d. \_\_\_\_\_ Kidnaping, as defined in tribal, state or federal law;

e. \_\_\_\_\_ Depriving another of custodial or parental rights, as defined in tribal, state or federal law;

f. \_\_\_\_\_ Soliciting, inducing, or promoting prostitution involving a minor, as defined in tribal, state or federal law;

g. \_\_\_\_\_ Receiving profit from prostitution involving a minor, as defined in tribal, state or federal law;

h. \_\_\_\_\_ Criminal sexual conduct in the first degree, as defined in tribal, state or federal law;

i. \_\_\_\_\_ Criminal sexual conduct in the second degree, as defined in tribal, state or federal law;

j. \_\_\_\_\_ Criminal sexual conduct in the third degree, as defined in tribal, state or federal law;

k. \_\_\_\_\_ Solicitation of a child to engage in sexual conduct, as defined in tribal, state or federal law;

l. \_\_\_\_\_ Incest, as defined in tribal, state or federal law;

m. \_\_\_\_\_ Malicious punishment of a child, as defined in tribal, state or federal law if also prohibited by Meskwaki beliefs, customs and tradition; or

n. \_\_\_\_\_ Neglect of a child, as defined in tribal, state or federal law if also prohibited by Meskwaki beliefs, customs and tradition.

14. \_\_\_\_\_ Mother \_\_\_\_\_ Father petitions this Court for \_\_\_\_\_ sole \_\_\_\_\_ joint physical custody of the children for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

15. \_\_\_\_\_ Mother \_\_\_\_\_ Father petitions this Court for \_\_\_\_\_ sole \_\_\_\_\_ joint legal custody of the children for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

16. I request that the Tribal Court order visitation between \_\_\_\_\_ Mother \_\_\_\_\_ Father and the following minor child/children \_\_\_\_\_ with the following conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

17. Petitioner \_\_\_\_\_ does \_\_\_\_\_ does not request(s) the Court to order Respondent to pay child support to be determined by the Court, consistent with the Sac & Fox Tribal Code, Title 6, Article I, Chapter IV.

18. Other:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Wherefore, Petitioner prays for an order granting custody and visitation as set forth in this Petition, and any other relief that is deemed appropriate by the Court.

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

\_\_\_\_\_  
Petitioner

Subscribed to and sworn before me  
this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public