



SHINGLE SPRINGS BAND OF MIWOK INDIANS TRIBAL COURT
P.O. Box 1340, Shingle Springs, CA 95682

INFORMATION OF PERSON FILING FORM:

Name: _____

Address: _____

Phone: () _____

I am: (check which applies)

Petitioner

Attorney/Advocate for:

CASE NO.: _____

PETITION FOR GUARDIANSHIP
[FOR COURT USE ONLY]

In re: [NAME OF CHILD SUBJECT TO THIS PETITION:]

Check here if there is an immediate need for an Emergency Guardianship.

An Emergency Guardianship may be granted without a hearing if the child has been abandoned or is in imminent danger from abuse or neglect. An emergency guardianship may be granted without a hearing and lasts only until a hearing on the petition is held in no more than 14 days.

1. Petitioner Information:

a. Petitioner(s) Name(s): _____

b. Petitioner(s) Date of Birth: _____

c. Petitioner Home Address/Residence (street address, city and zip code):

d. Petitioner Mailing Address (if different from above):

e. Petitioner is: (check one):

A family member of the minor; or

The minor and over the age of 14; or

The Tribe; or

Other interested person: Please explain relationship to the child.

CASE NAME/CHILD'S NAME	CASE NO.:
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f. Petitioner is a Tribal Member: Yes or No

g. Petitioner Criminal History:

I do not have any criminal convictions; or

I do have criminal conviction(s). Please list the crime(s) you were convicted of:

Check here if the petitioner is not the proposed guardian. You will need to complete and attach form FL-403 to this Petition.

2. Proposed Guardian Consent: [Must consent to be considered as guardian]

- a. I consent to have the Tribal Services Department prepare a Home Safety Check Report and file it with the Tribal Court and other Tribal Departments as required by the Tribe's Family Code.
- b. I consent to have the Tribal Legal Department secure and review my criminal history background and file it with the Tribal Court and other Tribal Departments as required by the Tribe's Family Code.
- c. I consent to cooperate and assist in the completion of the Guardianship Investigation Report. *[Note: This Report is a detailed review of the child/ren, case history and the Proposed Guardian's personal information. The report and its recommendations can be considered by the Court when determining whether to grant or deny the guardianship.]*

3. Child's Information:

	Name of Child	Date of Birth (M/D/Y)	Residence/Home Address (street, City, Zip Code)	Tribal Member? Yes or No
1				

Check here if additional children are listed in separate petitions (Form FL-404).

4. Other Court Cases (Any County, State, Tribal)

I do not know of any other court cases which involve or have involved the child.

The child is involved or has been involved in another court case:

Description of Case	Court or County and State	Case Number (if known)

CASE NAME/CHILD'S NAME	CASE NO.:
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5. Child's Parents Information:

	Name of Child's Parent	Date of Birth	Residence/Home Address (street, City, Zip Code)	Tribal Member? Yes or No
Biological Parent 1				
Biological Parent 2				

6. Request to Court - Reason Child Needs a Guardian Appointed:

- a. I, the petitioner am requesting the court appoint a guardian for the minor.
- b. It is in the best interest of the minor to have a guardian appointed because *(check all that apply)*:
 - The minor has suffered serious physical or emotional harm inflicted non-accidentally upon the minor by his/her parent.
 - There is substantial risk that the minor will suffer serious physical or emotional harm if left in the care of the parent.
 - The parent has failed to adequately supervise, care for, or protect the minor.
 - The parent wants to voluntarily relinquish guardianship and a suitable guardian is available.
 - The name of the suitable guardian and reasons for their suitability are described in attachment.
 - The minor's parent is incarcerated, institutionalized or otherwise unable to provide adequate care for the minor.
 - The minor's parents are deceased.
 - Other *(explain circumstance briefly)*: _____

Please provide a written explanation, using specific facts, why the court should appoint a guardian for the child that supports the boxes checked above or supporting another reason not listed above:

CASE NAME/CHILD'S NAME	CASE NO.:
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Check here if additional pages are attached.

c. Temporary Guardianship:

- I am requesting a temporary guardianship to last 30 – 60 days pending a trial on the Petition for Guardianship.
- I am not requesting a temporary guardianship; the child can remain in their current residence until a trial on the Petition for Guardianship which will take place in 30 – 60 days.

I declare under penalty of perjury under the laws of the Shingle Springs Band of Miwok Indians that the foregoing is true and correct.

Petitioner Name	Petitioner Signature	Date
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NOTICE TO PETITIONER: You must personally serve a copy of the Petition on the biological parents of the child. This means that someone who is over the age of 18 and is not a party to the case must hand deliver a copy of the petition to the parents and complete a proof of service then file it with the Court. You may request the assistance from Tribal Police or Tribal Services.