

<b>NOTTAWASEPPI HURON BAND OF THE POTAWATOMI TRIBAL COURT</b>	<b>PETITION FOR GUARDIANSHIP OF A MINOR</b>	<b>CASE NO.</b>
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Court Address: 2221 1 1/2 Mile Road, Fulton, MI 49052    Court Telephone No.: (269) 704-8404    Court Fax No.: (269) 729-4826

**IN THE MATTER OF:** \_\_\_\_\_  
**First, Middle, Last of Minor**

1. I, \_\_\_\_\_, am interested in this matter  
Type or Print Petitioner's Name

and make this petition as \_\_\_\_\_.  
State Relationship to / Interest in the Minor

2. Information about the Minor:

Date of Birth: \_\_\_\_\_ (Month, Day, Year)    Gender:  Female     Male

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

City, State, Zip: \_\_\_\_\_

County: \_\_\_\_\_

This address is:  in NHBP housing     in non-NHBP housing on NHBP land     not on NHBP Tribal land

The address above is the minor's address, but she or he is currently residing at the address below:

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

City, State, Zip: \_\_\_\_\_

County: \_\_\_\_\_

Primary resident at above address: \_\_\_\_\_

3. Citizenship of the Minor

The minor is enrolled at NHBP; Tribal Identification No.: \_\_\_\_\_

The minor is enrolled in another Tribe  
Name of Tribe: \_\_\_\_\_  
Tribal Identification No.: \_\_\_\_\_

The minor is not enrolled in any Tribe

I do not know if the minor is enrolled in any Tribe

One or more parents are enrolled in a Tribe  
Name of Parent: \_\_\_\_\_  
Name of Tribe: \_\_\_\_\_  
Tribal Identification No.: \_\_\_\_\_

4. Information about the Petitioner:

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

City, State, Zip: \_\_\_\_\_

County: \_\_\_\_\_

Phone No.: \_\_\_\_\_  
Home Cell Work Other

This address is:  in NHBP housing  in non-NHBP housing on NHBP land  not on NHBP Tribal land

Petitioner:  is an enrolled Tribal Citizen at: \_\_\_\_\_  
Tribal Identification No.: \_\_\_\_\_

is not an enrolled Tribal Citizen at any Tribe

5.  To the best of the Petitioner's knowledge, information and belief, an action involving the family or family members of the alleged protected person named above has not been filed in any court

OR  An action involving the family or family members of the minor has been previously filed as follows:

Name of Court: \_\_\_\_\_

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

Judge: \_\_\_\_\_

The case is:  pending  no longer pending  unknown

6. The minor is in need of a guardian because:

- a. the parental rights of both parents or of the surviving parent have been terminated or suspended by
  - death  disappearance  confinement in a place of detention
  - judicial determination of mental incompetency  judgment of divorce or separate maintenance
  - a previous court order other than an order appointing a limited guardian of the minor

OR  b. The appointment of a guardian is necessary for the immediate well-being of the minor

OR  c. the parent with custody of the child requests the appointment

7.  a. I am petitioning to be appointed the minor's permanent guardian.

Guardianship of a Minor. When a petition for guardianship of a minor is received, the Court shall make all appointments and order investigations pursuant to the *Guardianship and Conservatorship Code*, with consideration of all relevant information, including objections, at a hearing to be held within 21 days of the petition being filed with all interested persons receiving notice of the hearing. The petitioner has the burden of proof by clear and convincing evidence.

- My statement for permanent guardianship is attached. To petition to be the guardian of a minor, the petitioner must submit a separate attachment that states the basis for this Court's jurisdiction, the specific reasons for requesting appointment as the guardian of the minor, including the minor's condition(s), if any, and specific examples of the minor's recent conduct that demonstrates the need for the appointment of a guardian.

OR  b. I am petitioning to be appointed the minor's temporary guardian while this petition is pending.

Temporary Guardianship of a Minor. A temporary guardian may be appointed if the minor will suffer immediate harm if a temporary guardian is not appointed prior to the hearing that will be held within 21

days of the petition being filed. The Court may hold an ex parte hearing on a petition for temporary guardianship, meaning without all of the interested persons present, or hold a hearing within five (5) business days of the petition being filed with the Court providing notice of the hearing pursuant to the Court Rules. The petitioner has the burden of proof by clear and convincing evidence.

My statement for temporary (emergency) and my statement for permanent guardianship are both attached. In addition to submitting the attachment detailing the reasons for the petition for guardianship, a petitioner seeking temporary guardianship while the permanent guardianship proceedings are pending must submit an additional separate attachment stating in detail the immediate harm the minor will suffer if a temporary guardian is not appointed, the minor's condition(s), if any, and specific examples of the minor's recent conduct that demonstrates the need for the immediate appointment of a temporary guardian.

8. The petition and attachments must include the written affirmation that the information presented is true to the best of the petitioner's information, knowledge, and belief, be signed and dated by the petitioner, and must be notarized or witnessed by the Tribal Court Clerk, Tribal Court Administrator (TCA), or Assistant TCA.

9. List all persons who have a direct interest in the guardianship of the minor. If living, you must list the name(s) of the parents. If neither parent is living, you must list the name(s) of the minor's grandparents and nearest of adult kin:

Name	Relationship	Address and Telephone Number
	Parent/ DOB _____	_____ Street Address _____ City, State, Zip _____ Telephone No.
	Parent/ DOB _____	_____ Street Address _____ City, State, Zip _____ Telephone No.
	Conservator	_____ Street Address _____ City, State, Zip _____ Telephone No.
	Guardian	_____ Street Address _____ City, State, Zip _____ Telephone No.
	Person with care/custody of minor	_____ Street Address _____ City, State, Zip _____ Telephone No.
		_____ Street Address _____ City, State, Zip _____ Telephone No.

**I REQUEST THAT:**

10. I, \_\_\_\_\_, whose address and telephone number are  
Name of Petitioner

\_\_\_\_\_  
Street Address City, State, Zip Telephone Number

be appointed guardian of the minor.

11. The court order the parent(s) to provide (check all that apply):

- Reasonable support for the minor.
- Parenting time with the minor.
- Contact with the minor.

I declare under the penalties of perjury that this petition has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Signature of Petitioner (if more than one Petitioner)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Telephone No.

\_\_\_\_\_  
City, State, Zip Telephone No.

12. I am 14 years of age or older, I nominate \_\_\_\_\_ as my guardian,  
Name

who lives at \_\_\_\_\_  
Address City, State, Zip

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Petitioner's Attorney

\_\_\_\_\_  
Signature of Minor

\_\_\_\_\_  
Attorney Name Bar No.

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Telephone No.

\_\_\_\_\_  
City, State, Zip Telephone No.