### State of Minnesota District Court

County of: Court File Number:

Judicial District: Case Type: Custody

Petitioner

Co-Petitioner, if any

AND

Respondent Parent A

Respondent Parent B

Respondent Legal Guardian or Custodian, if any

ICWA Notice for Third Party Custody (CHC605)

**TO ALL PARTIES:**

My name is , and I am seeking third party custody of the children named below.

To comply with 25 C.F.R. §§ 23.11 and 23.111, I am giving this **NOTICE** to the following:

[x]  The Midwest Regional Director of the Bureau of Indian Affairs

Norman Pointe II Building
5600 W. American Blvd., Suite 500
Bloomington, MN 55437

[ ]  Each tribe where the child, parent, or Indian custodian is a member (or may be eligible for membership in):

[ ]  **Tribe:**

Address:

City/State/Zip:

[ ]  **Tribe:**

Address:

City/State/Zip:

* If there are more than 2 tribes, add more paper.

[ ]  The Indian child’s parents (and, if applicable, the child’s Indian custodian):

[ ]  **Parent A:** (name)

Address listed below.

[ ]  **Parent B:** (name)

Address listed below.

[ ]  **Indian Custodian:** (name)

Address listed below.

## Party, Child, Family, and Tribal Details – 25 C.F.R. § 23.111(d)

### Petitioner’s Information

First Name:

Middle Name:

Last Name:

[ ]  Represented by Attorney: (name)
[ ]  Self-represented

Street Address:

City/State/Zip:

### Co-Petitioner’s Information

[ ]  N/A (there is only 1 Petitioner); OR

First Name:

Middle Name:

Last Name:

[ ]  Represented by Attorney: (name)
[ ]  Self-represented

Street Address:

City/State/Zip:

### Children’s Information

This third-party custody case involves (total number) children. Of this number, the following children are members of (or may be eligible for membership in) an Indian tribe:

#### Child 1

First Name:

Middle Name:

Last Name:

Date of Birth:

Place of Birth:

Child 1 is a member of (or may be eligible for membership in) the following tribes:

 **OR** [ ]  Unknown

#### Child 2

First Name:

Middle Name:

Last Name:

Date of Birth:

Place of Birth:

Child 2 is a member of (or may be eligible for membership in) the following tribes:

 **OR** [ ]  Unknown

#### Child 3

First Name:

Middle Name:

Last Name:

Date of Birth:

Place of Birth:

Child 3 is a member of (or may be eligible for membership in) the following tribes:

 **OR** [ ]  Unknown

#### Child 4

First Name:

Middle Name:

Last Name:

Date of Birth:

Place of Birth:

Child 4 is a member of (or may be eligible for membership in) the following tribes:

 **OR** [ ]  Unknown

* If there are more than 4 children, add more paper.

### Parents’ Information

#### Parent A

First Name:

Middle Name:

Last Name:

Other Names Used (for example, maiden name, married name, former names, or alias):

Street Address:

City/State/Zip:

Date of Birth:

Place of Birth:

Parent A is a member of (or may be eligible for membership in) the following tribes:

 **OR** [ ]  Unknown

Tribal Enrollment Number and Information:

 **OR** [ ]  Unknown

#### Parent B

First Name:

Middle Name:

Last Name:

Other Names Used (for example, maiden name, married name, former names, or alias):

Street Address:

City/State/Zip:

Date of Birth:

Place of Birth:

Parent B is a member of (or may be eligible for membership in) the following tribes:

 **OR** [ ]  Unknown

Tribal Enrollment Number and Information:

 **OR** [ ]  Unknown

### Indian Custodian’s Information

[ ]  N/A (there is no Indian Custodian); **OR:**

Indian Custodian’s First Name:

Middle Name:

Last Name:

Other Names Used (for example, maiden name, married name, former names, or alias):

Street Address:

City/State/Zip:

The Indian Custodian is a member of (or may be eligible for membership in) the following tribes:

 **OR** [ ]  Unknown

Tribal Enrollment Number and Information:

 **OR** [ ]  Unknown

### Information about Child’s Direct Lineal Ancestors (for example: grandparents)

#### Relative

First Name:

Middle Name:

Last Name:

Relationship to Child:

Date of Birth:

Place of Birth:

Tribal Enrollment Information:

 **OR** [ ]  Unknown

#### Relative

First Name:

Middle Name:

Last Name:

Relationship to Child:

Date of Birth:

Place of Birth:

Tribal Enrollment Information:

 **OR** [ ]  Unknown

* If there are more than 2 direct linear ancestors (relatives), add more paper.

## Case Information

1. A copy of the *Petition to Establish Third Party Custody* is included with this *Notice*.
2. Court File Number:

[ ]  Has not yet been assigned.
[ ]  Is noted at the top of page 1.

1. A **hearing** in this case:

[ ]  Has not yet been scheduled.

[ ]  Has been scheduled as follows:

Date: Time: [ ]  a.m. / [ ]  p.m.

According to Court Administration, the hearing will be held:

[ ]  Remote (details found on notice provided by Court Administration)

[ ]  In person at this address:

Contact number for Court Administration:

## Required Notices

### Right to Intervene

A parent or Indian custodian of the child, if not already a party to the child-custody proceeding, has the right to intervene in the proceedings.

**PLEASE SEND the notice of intent to participate or intervene to**:

***Court Administration:***

County District Court

Address:

City/State/Zip:

***Petitioner:***

 (Name)

[ ]  Self-Represented [ ]  Represented by: (Attorney’s Name)

Address:

City/State/Zip:

### Right to Counsel

A parent or Indian custodian has the right to an attorney appointed by the Court without charge if the Court determines they are financially eligible.

### Right to be Granted, upon Request, Additional Days to Prepare for the Third Party Custody Proceedings

A parent, Indian custodian, or tribe has the right to, upon request, be granted up to 20 additional days to prepare for the proceedings.

### Right to Ask to Transfer Case to Tribal Court

A parent, Indian custodian, or tribe has the right to file a written request to transfer the proceeding to the tribal court.

### Potential Legal Consequences on the Future Parental and Custodial Rights of Parent or Custodian

**THE PURPOSE OF THIS CASE** is to determine permanent custody for the child named above, pursuant to the Petitioner’s petition for third party custody. Permanent custody may be accomplished by the parents consenting before a judicial officer of a court of competent jurisdiction, or by the petitioner proving, along with testimony of a qualified expert witness, that the continued custody of the child by the parents or Indian custodian is likely to result in serious emotional or physical damage to the child for one or more of the reasons listed on the attached petition.

If the tribe fails to respond to this Notice, the Court may be asked to find that the ICWA does not apply to this proceeding, and the matter may proceed without tribal involvement.

### Warning with solid fill Keep the Information in this Notice Confidential

All who receive this Notice must keep confidential the information contained in this Notice, and the notice should not be handled by anyone not needing the information to exercise rights under ICWA.

Date:

Signature of Petitioner

Name:

Address:

City/State/Zip:

Phone:

Email:

Date:

Signature of Co-Petitioner, if any

Name:

Address:

City/State/Zip:

Phone:

Email: