

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:

- 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.
3. 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.



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: _____