DISTRICT COURT OF THE KAW NATION Drawer 50 698 Grandview Drive Kaw City, OK 74641 (580) 269-2552 x 111

Please fill out paperwork completely. Please hand write your signatures. Yellow highlighted items require you to circle a choice.

THANK YOU

This form packet is supplied by the Kaw Nation Court Clerk's Office. Nothing in these forms is to be construed as providing legal advice. It is highly recommended that you review these documents with an attorney. The Kaw Nation Court Clerk, Kaw Nation District Court, nor the Kaw Nation shall be liable for any use of the following forms.

Parties seeking an Order of the Court are responsible for completing all required documents. The Court Clerk cannot fill out the form for you nor can they give out legal advice. The Kaw Nation does not provide lawyers, legal advice, or legal assistance. If you need legal advice or representation, you must retain an attorney at your expense. Your selected Attorney **must** be registered to practice law with the Kaw Nation Bar Association prior to representing you in the Kaw Nation District Court. You may contact the Court Clerk for a current list of KNBA attorneys.

All fees, including service fees, must be paid **at the time of** filing. Fees cannot be waived unless a Paupers Affidavit has been filed and approved by the Judge prior to filing. This form may be requested from the Court Clerk.

INSTRUCTIONS FOR FILING

- 1. FILING FEE A filing fee of **\$75.00** is required when filing a Petition for Divorce. Most other filings are **\$50.00**. There is no cost to file a Protective Order, but there is a service fee. See below. Please be prepared to inform the Court Clerk as to which type of Process Service you will be utilizing at the time of filing your packet.
- 2. SERVICE FEE All parties must be notified of the filing of a Petition and any pending hearings. Respondents are allowed twenty (20) days from service of a Petition to file an answer with the Court. It will be at least a month from your file date before a court date will be set unless the Respondent signs a Waiver. A Notice of Hearing and/or Summons may be served by Tribal Police within Kay and Osage County for a Service Fee of \$50.00. If the parties reside outside of the Kay and Osage County areas, a private process server may need to be hired for service at a starting rate of \$99.00. You will be billed for the remaining due amount. The Notice may also be served through Certified Mail. A Service Fee of \$17.00 will be assessed for the Court Clerk to mail the Notice.
- 3. PUBLICATION FEE It is required by law that Notice be given to the Respondent, so it is necessary to have a current mailing and physical address for this person. If you **do**

not have an address, additional charges will need to be paid to obtain Notice by Publication in the local newspaper. THIS FEE CANNOT BE WAIVED AND WILL NEED TO BE PAID WHEN FILING FORMS. A fee of **\$75.00** (average publication cost) will be accessed. Keep in mind that the fee assessed for publication is an average cost and it could cost more. If the cost is more than \$75.00, you will be responsible for the balance due at the end of publication.

- 4. To begin the filing process, the following required documents must be submitted to the Court Clerk:
 - Copy of your Driver's License (or State ID)
 - Copy of your Marriage Certificate
 - Copies of Birth Certificates
 - Copies of Death Certificates (if applicable)
 - Copies of CDIB Cards
 - Contact Information Sheet
 - Petition
 - Financial Affidavit (Divorce)
 - Statement of Facts (Guardianship)
 - OK Sex Offenders Registration Affidavit (Adoption, Custody and Guardianship)
 - Request for Hearing
 - Summons
 - Filing and Service Fees
- 5. Please ensure that all required documentation has been attached and provided at the time of filing your Petition. Make sure that you completely fill out the documents and attach the required documentation. Documents that are not completely filled out can delay the process of your case. Parties are responsible for completing their own petition forms. The court clerk cannot give legal advice or assist you in filling out the forms.
- 6. Once your Petition and all required documentation has been received, a Notice of Hearing will be issued by the Court Clerk informing all parties of the date and time of the scheduled hearing.
- 7. In an adoption, you MUST have an attorney. Also, once the Petition is filed, an in-home study must be completed before the adoption can be finalized (unless it is a stepparent adoption).

CONTACT INFORMATION

Petitioner's Full Name:			
Previous Names:			
If Married, To Whom:	Date:	City/County/State:	
Divorced or Separated From:		Date:	
Mailing Address (Including County):			
Physical Address (Including County):			
Work Address:			
Home Phone:		Work Phone:	
Cell Phone:		Email:	
CDIB No:		Tribe:	
DOB:		SSN:	
Born in City/County/State:		Birth Certificate #:	
		DL Exp:	
		Eye Color:	
		Weight:	
Race:			
Attorney:	•		
Respondent's Full Name:			
Previous Names:			
		City/County/State:	
Divorced or Separated From:		Date:	
Mailing Address (Including County):			
Physical Address (Including County):			
Work Address:			
Home Phone:		Work Phone:	
Cell Phone:		Email:	
CDIB No:		Tribe:	
DOB:		SSN:	
Born in City/County/State:		Birth Certificate #:	
DL No:	DL State:	DL Exp:	
Hair Color:		Eye Color:	
Height:		Weight:	
Race:			
Distinguishing Features (Tattoos, Scars, e	etc.)		
Attorney:			



Additional Information Form

(IT IS THE RESPONSIBILITY OF THE PARTIES TO NOTIFY THE COURT OF ANY INFORMATION CHANGE)

1. Have you used Kaw Nation District Court before?

Yes / No	
If Yes, please list the case nu	ımber(s) below.
Case Number(s):	
2. Are you currently invo Court?	lved in any cases outside of Kaw Nation District
Yes / No	
If Yes, please list the case nu	ımber(s) below.
Case Number(s):	
3. Do you currently have	any current or former custody cases?
Yes / No	
If Yes, please list the case nu	ımber(s) below.
Case Number(s):	



Request for Child Abuse and Neglect Information System Search (CANIS) for Guardianship

Instructions

Complete the following form to request a search of the Child Abuse and Neglect Information System (CANIS) for a prospective guardian of a child not in DHS custody. The search and report of CANIS information is provided to assist in evaluating the safety of the home in which a child is placed.

A timely completed search requires that:

- all applicable information regarding the applicant is provided, including all current and former names used by the applicant;
- all applicable information regarding other adults in the household is provided, including all current and former names;
- the applicant has signed the form; and
- the form and verification of guardianship petition/filing is transmitted by:
 - secure email to: canisguardianship@okdhs.org
 - fax to: 405-669-9252 or
 - mail to:

Oklahoma Human Services Child Welfare Services - Statewide Hotline LOC# 100-B Child Abuse and Neglect Information System P.O. Box 25352 Oklahoma City, OK 73125

This request will not be completed when required verification is not included.

to the requesting court or the court listed in the filing. Results are not retuividuals requesting guardianship. Provide mail or email address for the c	

Contact CANIS Guardianship at 405-325-2481 if you have any questions.

Please allow up to four weeks for processing the search request.

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Request

Oklahoma Human Services (OKDHS) is requested to conduct a Child Abuse and Neglect Information System search for the guardianship applicants named below.

Guardianship Applicant On	e				
Guardianship applicant full na	me				
Aliases, including maiden nan	ne, former married	I name, and al	l other names		
Date of birth	Social Securi	ty number	Phone r	number	
Address		City		State	ZIP code
Mailing address, if different th	an residence	City		State	ZIP code
Years at current residence: _	Previous	county of resi	dence:		
Previous street address	City	State	ZIP code	Dates r	esided
Previous street address	City	State	ZIP code	Dates r	esided
Previous street address	City	State	ZIP code	Dates r	esided
Unsworn Declaration Under	r Penalty of Perju	ry			
I certify that a guardianship is Judge for this purpose only. I further Oklahoma that the foregoing	r certify under per	Conalty of perjury	unty Court. The under the law	s of the S	tate of
Applicant signature				Date)

Guardianship Applicant Two	9				
Guardianship applicant full nar	ne				
Aliana in aludina maidan nam		wie al me me e e e al ell	- 4 h - 11 11 - 12 - 12 - 1		
Aliases, including maiden nam	e, former mari	ried name, and all	otner names		
Date of birth	Social Sec	curity number	Phone r	number	
				_	
Address		City		State	ZIP code
Years at current residence:		_ Previous cour	nty of residend	ce:	
Previous street address	City	State	ZIP code	Dates re	sided
Previous street address	City	State	ZIP code	Dates re	sided
Previous street address	City	State	ZIP code		sided
Unsworn Declaration Under	Penalty of Pe	erjury			
I certify that a guardianship is					
Judge for this purpose only. I furthe	, r_certify_under	COU	inty Court. Th	e search re	eport is used
Oklahoma that the foregoing i					
Applicant signature				Date	

Other Adults in the Household

 E

Full name					
Aliases, including maiden nar	me, former marrie	ed name, and all	other names		
Date of birth	Social Secu	rity number	Phone r	number	
Address		City		State	ZIP code
Years at current residence: _	Previo	ous county of res	sidence:		
Previous street address	City	State	ZIP code	Dates re	esided
Previous street address	City	State	ZIP code	Dates r	esided
Previous street address	City	State	ZIP code	Dates re	esided
Full name Aliases, including maiden nai	me, former marrie	ed name, and all	other names		
Date of birth	Social Secu	rity number	Phone r	number	
Address		City		State	ZIP code
Years at current residence: _	Previo	ous county of res	sidence:		
Previous street address	City	State	ZIP code	Dates re	esided
Previous street address	City	State	ZIP code	Dates re	esided
Previous street address	City	State	ZIP code	Dates re	esided

Full name					
Aliases, including maiden na	me, former marrie	ed name, and all	other names		
Date of birth	Social Secu	rity number	Phone r	number	
Address		City		State	ZIP code
Years at current residence: _	Previo	ous county of res	sidence:		
Previous street address	City	State	ZIP code	Dates r	esided
Previous street address	City	State	ZIP code	Dates r	esided
Previous street address	City	State	ZIP code	Dates r	esided

Note

For a guardianship, the court must have a background check for a prospective guardian and all other household members 18 years of age and older consisting of a review of national fingerprint-based criminal background search or an Oklahoma State Bureau of Investigation name-based criminal history background check, a search of the Sex Offenders Registry maintained by the Department of Corrections (DOC), and a CANIS search.

A prospective guardian can request national fingerprint-based criminal background search directly from the Federal Bureau of Investigation (FBI) by applying online at: https://www.fbi.gov/services/cjis/identity-history-summary-checks#Submit-a%20Request%20to%20the%20FBI.

A search of the Sex Offenders Registry maintained by DOC can be accessed online at: https://sors.doc.state.ok.us/svor/f?p=119:1.

	: THE GUARDIANSHIP OF
	, DOB) Case No. GD
Minor	Child(ren) Under the Age of 18
	PETITION FOR APPOINTMENT OF A GUARDIAN
and	COMES NOW the Petitioner(s), petitions this Court for the appointment of a guardian of, and in support of his/her Petition,
nforn	ns the Court as follows:
1.	That is a minor \square male \square female, and was born on the, in the State of,
2.	That is a minor \square male \square female, and was born on the, in the State of,
3.	That the biological mother of the minor child(ren) is Her present address is:, and she is/is not an
	enrolled member of the $\hfill\square$ Kaw Nation $\hfill\square$, a federally recognized Tribe;
4.	That the biological father of the minor child(ren) is His present address is:, and he is/is not an enrolled
	member of the \square Kaw Nation \square , a federally recognized Tribe;
5.	That the Petitioner (1) is an adult person who resides at and whose date of birth is the day of, Petitioner (1) \(\pi \) is \(\pi \) is not employed;
6.	That the Petitioner (2) is an adult person who resides at and whose date of birth is the day of, Petitioner (2) \square is \square is not employed;
7.	That the Petitioner(s) is/are the maternal paternal (relationship) other to the minor child(ren), and is/are not enrolled members of

8.	That this Court has proper jurisdiction or authority to hear this case for the following reason:
	□ The child(ren) is/are an enrolled member of the Kaw Nation;
	□ The child(ren) is/are eligible to be an enrolled member of the Kaw Nation;
	□ The child(ren) is/are enrolled, or eligible to be enrolled, or member of any Indian Tribe residing in Kay County or Osage County, Oklahoma;
	9. The child(ren) has/have no assets (real or personal property) of an equitable monetary value. It is not anticipated that the child(ren) will have any income annual or otherwise nor will the child(ren) have anything of any equitable monetary value over the period of one (1) year;
	10. Appointment of a guardian of both the person of the minor and the estate/property of the minor is necessary to provide for the general welfare of the child and to allow us (the Petitioners) to authorize medical and education services for the child;
	11. The parents are unable to care for the child at this time because:
	12. It is in the best interest of the child that Petitioners be appointed as guardian of both the person of the minor(s) and the estate/property of the minor(s);
	13. The Petitioner knows of no persons or organizations nominated by will or other writing to serve as guardian;
	14. That Petitioner is unaware of the existence or identity of any attorney representing the child(ren) listed in the Petition;
	15. That Petitioner is qualified as guardian of the child(ren) listed and the Petitioner is not a minor, incapacitated, or partially incapacitated, nor a convicted felon, is not bankrupt, nor is he/she insolvent, or under any financial obligation to the Ward or subject to a conflict of interest which would preclude, or be substantially detrimental to his/her ability to act in the best interest of the minor child(ren).
hearir	HEREFORE, Petitioner respectfully requests that this Court set a date for ng on this Petition, order such notice as required by law and upon hearing this on, and appoint Petitioner guardian of the child(ren) listed in this Petition.
Petition	oner (1)'s Printed Name Petitioner (2)'s Printed Name

VERIFICATION

<mark>I/We</mark> ,	and	, of
	orn upon oath depose and state:	
Petitioner(s) named above; I/v	we have read the foregoing docun	nent and
understand its contents; I/we	hereby state that the facts set for	rth in the foregoing
document are true and correc	t to the best of <mark>my/our</mark> knowledg	e and belief.
Petitioner (1)'s Signature	Petitioner (2)'s Signature	}
STATE OF OKLAHOMA) COUNTY OF)		
SUBSCRIBED AND SWORN to 20	before me on this day of _	
	Notary Public	
Commission expires on:		
Commission No.:		

STATEMENT OF FACTS BY PROPOSED GUARDIAN(S)

1.	Are you or is anyone living in your home currently charged with or been
	convicted of a crime? () YES () NO
2.	Are you or is anyone living in your home required to register as a sex
	offender? () YES () NO
3.	Have you or has anyone living in your home had a restraining order or
	protective order filed against him/her in the last ten (10) years? () YES
	() NO
4.	Have you or has anyone living in your home been charged with, arrested
	for, or convicted of any form of child abuse, neglect or molestation?
5.	() YES () NO
6.	Have you or has anyone living in your home had any reports alleging any
	form of abuse, neglect, or molestation made to any agency charged with
	protecting children (e.g. Oklahoma Child Protective Service or Kaw
	Nation Social Services) or any other law enforcement agency regarding
	him/her or anyone living within your home? () YES () NO
7.	Have you filed for or received protection under the federal bankruptcy
	laws? () YES () NO
8.	Have you ever had a license, certificate, permit, or registration required
	by the laws of any state for the practice of a profession or occupation
	suspended or revoked? () YES () NO
9.	Have you or anyone living in your home habitually used any illegal
	substances or abused alcohol? () YES () NO
10.	Have you ever been removed as a guardian in any other case? () YES
	() NO
10.	Have you or anyone living in your home been charged with, arrested for,
	or convicted of a crime involving illegal substances or alcohol? () YES
	() NO

11.	Have you or anyone living in your home had a social worker, parole		
	officer, or probation officer ass	igned to him/her?() YES() NO	
12.	Have you or anyone living in your home received services from a		
	psychiatrist, psychologist, or therapist for a mental health related		
	issue?() YES() NO		
13.	Do you or anyone living in your home suffer from a mental illness?		
	() YES () NO		
	VERIF	ICATION	
I/W	e.	, proposed guardian(s)	
eigh <mark>I/we</mark>		ify that the answers and information of Facts are in fact true and correct to the	
Pro _l	posed Guardian (1) Printed Name	Proposed Guardian (2) Printed Name	
Pro	posed Guardian (1) Signature	Proposed Guardian (2) Signature	
	CERTII	FICATION	
Ι,	, Court Clerl	k/Administrator of the District Court,	
certify that		and	
		personally appeared before me	
on _	, 20_	and being duly sworn, executed	
the	above verification in my presence.		
Date	ed this day of	, 20	
	Cou	urt Clerk	

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, Petitioner,)
vs.) Case No
, Respondent.))
	OR
IN RE:, DOB:) Case No
	A SEX OFFENDER ON ACT AFFIDAVIT
	gistration under the Oklahoma Sex
person who has been convicted of or I	has charges pending for a felony or any
home previously been convicted of, or	living with me or frequently present in my r has charges pending for, a felony or any
relevant misdemeanor.	
	Petitioner's Signature
State of Oklahoma) County of)	
Subscribed and sworn to before me o 20	on this day of,
Commission Expires On:	Notary Public
Commission No.:	

Petitioner, vs. Respondent.		Case No			
	OR				
IN RE:	,))	Case No			
REQUEST FOR HEARING					
Petitioner,hearing on Petitioner's Petition.		_, requests this Court schedule a			
Dated this day of		, 20			
		 Petitioner's Printed Name			
		Petitioner's Signature			

, Petitioner,	,)
Petitioner,)
VS.) Case No
, Respondent.	,))
	OR
IN RE:,)
IN RE:, DOB:) Case No
<u>S</u> l	<u>UMMONS</u>
THE KAW N	NATION TO/FROM:
List Petitioner's Name and Address	List Respondent's Name and Address
From	To
To the above-named Respondent:	
	o appear at the District Court for the Kaw e day of, at
	e an answer to the Petition attached hereto this Summons, a default judgment may be
You may seek the advice of an suit or your answer. Such attorney sh	attorney in any matter connected with this nould be consulted immediately.
Issued this day of	, 20
	Court Clerk

HOW DO YOU WANT THE RESPONDENT TO BE SERVED? □ Certified Mail \$17 ☐ Process Server \$50 and up **AFFIDAVIT OF SERVICE SERVICE BY PROCESS SERVER** _____, hereby certify that I served this Summons together with a copy of the Petition upon _____ at _____ am/pm on the ____ day of _____, 20____ and made the return according to law, and that I am duly authorized to endorse this affidavit, so help me God. Police Officer/Process Server First Attempt: _____ Second Attempt: _____ Final Attempt: _____ Subscribed to and sworn to before me this _____ day of _____. 20 . Notary Public's Signature: My commission expires: _____ My commission number: **CERTIFICATION OF SERVICE BY MAIL** I hereby certify that I mailed copies of the foregoing Summons with a copy of the Petition attached to the following named parties at the address shown by certified mail, addressee only, return receipt requested, on the _____ day of _______, 20_____. Court Clerk