

GUARDIANSHIP OF MINOR CHILD PACKET



IN THE DISTRICT COURT OF WYANDOTTE NATION

Wyandotte Nation Courts
64700 E Hwy 60.
Wyandotte, Ok 74370

Court Clerk Phone: 918-678-6342
Court Administrator Phone: 918-678-6394
Fax: 918-676-7002

The forms in this packet are to be used as a template, if you are seeking a Guardianship of a Minor Child/Children. Please read the instructions carefully before completing the forms. The Court Clerk CANNOT accept a Petition that is not filled out completely.

Should you need assistance in preparing the Petition, you must consult with an Attorney at your own expense. This court does not have Legal Aid. The Court Clerk is prohibited by Ethical Code and Court Rules to provide legal advice and help parties prepare or type court documents. Different situations may require special procedures and the Court Clerk CANNOT advise you on how to proceed or what forms may be necessary in specific situations.

Packet contains:

1. Instructions
2. Flow Chart
3. Petition
4. Consent to Appointment of Guardians
5. Notice of Hearing



IN THE DISTRICT COURT OF WYANDOTTE NATION

INSTRUCTIONS

PETITION FOR GUARDIANSHIP OF MINOR CHILD/CHILDREN

IMPORTANT INFORMATION-PLEASE READ!

1. Petition for Guardianship of Minor Child/ren must be filled out completely to the best of your knowledge and ability.
2. Petition for Guardianship of Minor Child/ren must be signed in front of the Court Clerk or a Notary Public when you are ready to file.
3. Filing fees, copy fees, etc., must be made in the form of **CASH, CASHIER'S CHECK, MONEY ORDER, DEBIT/CREDIT CARD OR E-CHECK (there is a processing fee when using a debit/credit card or e-check)** and must be payable to "**Wyandotte Nation Courts**". Filing fees **MUST** be paid at the time of filing your Petition. If you are unsure of the amount of filing fees, contact the Court Clerk.
4. Submit original Petition for Guardianship of Minor Child/ren and a copy for each of the interested parties, who has NOT signed a Consent to the Appointment of Guardians and a copy for you, if you want a copy of the Petition for Guardianship of Minor Child/ren for your records. If the Court Clerk makes any copies, you will be charged \$1.00 for the first page and \$.50 for each additional page.

FILING FEES-GUARDIANSHIP OF MINOR CHILD

FEE

Petition for Guardianship of Minor Child/ren (Relative)	\$75.00
Petition for Guardianship of Minor Child/ren (Non Relative)	\$90.00
Service (Certified Mail)	\$Per USPS
Service (Tribal PD)	\$30.00
Service (Process Server)	\$60.00

OFFICE HOURS: 8:00AM-12:00PM and 1:00PM-4:30PM, MONDAY-FRIDAY

Mailing Address: Wyandotte Nation Courts
64700 E Hwy 60
Wyandotte, Ok 74370

Physical Address: 64700 E Hwy 60
Wyandotte, Ok 74370

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GUARDIANSHIP FLOW CHART: Guardianship Process

"PETITION FOR GUARDIANSHIP" - The petitioner prepares and files the petition with the Court Clerk. This is the document filed by the petitioner to start the guardianship action.

If Consent to Appointment of Guardians is NOT filed with the Petition for Guardianship.



"NOTICE OF HEARING" - The Court Clerk will fill out and give you a hearing date about 30-40 days out from the filing of your Petition.



"SERVICE OF PROCESS" - Serve all interested parties with a copy of petition and notice of hearing sent by certified mail, served by Tribal PD or Process Server.



"GUARDIANSHIP HEARING" - The Judge will review the case file and ask a few basic factual questions to the petitioner and all interested parties. The Judge will rule on matters of the case and will act in the best interest of the child/ren in determining guardianship.



"GUARDIANSHIP ORDER" - All parties will receive a certified guardianship order in the mail approximately two weeks after the hearing. The guardianship order is an official document of the decision of the Judge.



"ANNUAL GUARDIANSHIP REVIEW" - Annually you will receive notice of hearing advising the parties of the scheduled review hearing date and time to review the guardianship case.

If Consent to Appointment of Guardians (for ALL interested parties) is filed with the Petition for Guardianship



"NOTICE OF HEARING" - The Court Clerk will fill out and give you a hearing date for the next available hearing.





IN THE DISTRICT COURT OF WYANDOTTE NATION

IN THE MATTER OF: _____)

DOB: _____)

DOB: _____)

DOB: _____)

CASE NO: _____

PETITION FOR GUARDIANSHIP

COME NOW the Petitioner, _____, and presents to this Court that the above named minor child/ren are in need of this petitioned Guardianship, alleged and state as follows:

1. That _____, is the biological mother of the above named minor child/ren and is/is not a member of the Wyandotte Nation and her address is _____ (city, state, zip)
2. That _____, is the biological father of the above named minor child/ren and is/is not a member of the Wyandotte Nation and his address is _____ (city, state, zip)
3. That the above named minor child/ren are/are not member/s of the Wyandotte Nation.
 - a. The above named child/ren are member/s of a federally recognized tribe: _____ (tribe name)
 - b. The above named child/ren are not member/s of a federally recognized tribe.
4. Currently the minor child/ren are residing _____ (address city, state, zip) with _____ (name and relationship)
5. The Petitioner resides/does not reside within the historical boundaries of the Wyandotte Nation, specifically _____ (city, state, zip)
 - a. The Petitioner has not filed bankruptcy within the past seven (7) years;

- b. The Petitioner has not committed a felony and is not under any Order to register as a Sex Offender.
6. The Petitioner seeks an Order of Guardianship recognizing they can and are willing to look after the best interests of the above named minor child/ren.
7. That the biological Mother, _____ (name), is

(reason mother cannot keep child at this time)
8. That the biological Father, _____ (name), is

(reason father cannot keep child at this time)
9. The minor child/ren do not own any property at the time of the filing of this Petition other than miscellaneous personal property similar to that owned by any children of similar age. It is not necessary to appoint a guardian of the Estate for the reason that the children do not have significant amount of income or property.
10. The Petitioner request the Court waive the requirement of a bond.
11. It is in the best interests of the child/ren that this Court appoint the Petitioner as Guardian.

WHEREFORE, Petitioner prays that they be appointed Guardian of

(child/ren's name/s)
and waive bond.

Respectfully submitted,

PETITIONER

VERIFICATION

I, _____, being first duly sworn to tell the truth and being of lawful age above 18 years of age, hereby states that I have prepared and read the foregoing Petition and verify that all of the factual allegations contained in this Petition are in fact true and correct to the best of my knowledge and belief, **UNDER PENALTY OF PERJURY.**

PETITIONER

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____ 2021.

Court Clerk/Deputy or Notary Public

SEAL

Commission Expires: _____



IN THE DISTRICT COURT OF WYANDOTTE NATION

In Re the Guardianship of:

DOB: _____

DOB: _____

DOB: _____

Case No: _____

CONSENT TO THE APPOINTMENT OF GUARDIANS

I, _____, DOB: _____, swear and affirm that I am the biological mother/father of the above named minor child/children,

_____,
DOB: _____, and hereby state that after careful consideration of the circumstances and evidence, believe it is in the best interests of the child/children that _____ serve as Guardian/s.

Signed this _____ day of _____, 2021.

Signature: _____

Name Printed: _____

STATE OF _____)

)

COUNTY OF _____)

Subscribed and sworn to before me this _____ day of _____, 2021, by

_____.

Notary Public/Court Clerk

My commission expires:

My commission number is:



IN THE DISTRICT COURT OF WYANDOTTE NATION

IN THE MATTER OF: _____)
_____)
DOB: _____)
_____)
DOB: _____)
_____)
DOB: _____)

CASE NO: _____

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that the above styled and numbered case has been scheduled for **HEARING** on the _____ day of _____, 2021 @ _____ AM/PM.

IN THE COURTROOM OF THE WYANDOTTE NATION, LOCATED AT:

**WYANDOTTE NATION TRIBAL COURT
14325 PORCUPINE RD.
WYANDOTTE, OK 74370**

DATED THIS _____ day of _____, 2021.

Kristy Fink
Court Clerk