

GUARDIANSHIP OF MINOR 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. 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



IN THE DISTRICT COURT OF WYANDOTTE NATION

INSTRUCTIONS

PETITION FOR GUARDIANSHIP OF MINOR

IMPORTANT INFORMATION-PLEASE READ!

1. Petition for Guardianship of Minor must be filled out completely to the best of your knowledge and ability.
2. Petition for Guardianship of Minor 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 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 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

FEE

| | |
|---|---------------|
| Petition for Guardianship of Minor (Relative) | \$40.00 |
| Petition for Guardianship of Minor (Non Relative) | \$60.00 |
| Service (Certified Mail) | \$Per USPS |
| Service (Tribal PD) | \$30.00 |
| Service (Process Server) | \$Actual Cost |

**OFFICE HOURS: 8:00AM-12:00PM and 1:00PM-4:30PM, MONDAY-THURSDAY
8:00AM-12:00PM and 1:00PM-3:30PM FRIDAY**

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

Physical Address: 64700 E Hwy 60
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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 THE)
GUARDIANSHIP OF:)

_____))
DOB: _____))

_____))
DOB: _____))

_____))
DOB: _____))

_____))
DOB: _____))

_____))
DOB: _____))

MINOR WARD(S)

CASE NO: _____

PETITION FOR GUARDIANSHIP OF MINOR

COME NOW, _____, Petitioner herein *pro se*, and for this cause of action the Petitioner alleges and state the following:

1. That the minor ward _____, (full name)

- IS an enrolled citizen of the Wyandotte Nation.
- IS NOT an enrolled citizen of the Wyandotte Nation.

That the minor ward is _____ years old and was born on _____, _____ and is a male female (check one)

That the minor ward resides at _____ (address, city, state & zip) and has lived at this address for _____ (months/years).

The minor ward IS a resident of the Wyandotte Nation Reservation. (check if applies)

ADDITIONAL MINOR WARDS:

That the minor ward _____, (full name)

- IS an enrolled citizen of the Wyandotte Nation.
- IS NOT an enrolled citizen of the Wyandotte Nation.

That the minor ward is _____ years old and was born on _____, _____
and is a male female (check one)

That the minor ward resides at _____
_____ (address, city, state & zip) and
has lived at this address for _____ (months/years).

The minor ward IS a resident of the Wyandotte Nation Reservation. (check if applies)

That the minor ward _____, (full name)

IS an enrolled citizen of the Wyandotte Nation.

IS NOT an enrolled citizen of the Wyandotte Nation.

That the minor ward is _____ years old and was born on _____, _____
and is a male female (check one)

That the minor ward resides at _____
_____ (address, city, state & zip) and
has lived at this address for _____ (months/years).

The minor ward IS a resident of the Wyandotte Nation Reservation. (check if applies)

That the minor ward _____, (full name)

IS an enrolled citizen of the Wyandotte Nation.

IS NOT an enrolled citizen of the Wyandotte Nation.

That the minor ward is _____ years old and was born on _____, _____
and is a male female (check one)

That the minor ward resides at _____
_____ (address, city, state & zip) and
has lived at this address for _____ (months/years).

The minor ward IS a resident of the Wyandotte Nation Reservation. (check if applies)

That the minor ward _____, (full name)

IS an enrolled citizen of the Wyandotte Nation.

IS NOT an enrolled citizen of the Wyandotte Nation.

That the minor ward is _____ years old and was born on _____, _____
and is a male female (check one)

That the minor ward resides at _____

_____ (address, city, state & zip) and
has lived at this address for _____ (months/years).

The minor ward IS a resident of the Wyandotte Nation Reservation. (check if applies)

2. That the Petitioner _____, (full name) is:

an enrolled citizen of the Wyandotte Nation.

an enrolled citizen of the _____ Tribe.

is non-Indian.

3. That the Petitioner resides at _____
_____ (address, city, state & zip) and
has lived at this address for _____ (months/years).

The Petitioner IS a resident of the Wyandotte Nation Reservation. (check if applies)

4. That the Petitioner is the _____ (relationship) of the
minor ward(s) named in the Petition.

5. That the biological mother(s) of the above named minor ward(s) and address is: (list all if
more than one) _____

6. That the biological father(s) of the above named minor ward(s) and address is: (list all if
more than one) _____

7. That the name of the person or agency having custody of the minor ward(s) and address
is: (list all if more than one) _____

11. That the Petitioner HAS HAS NOT filed bankruptcy within the past seven (7) years.
12. That the Petitioner HAS HAS NOT committed a felony.
13. That the Petitioner IS IS NOT under any Order to register as a Sex Offender.
14. That a guardianship plan or plans, as appropriate, may be attached to the petition at the time it is filed or may be submitted at the time of the hearing: is attached is not attached (check one)

Title 25 Section 6 (i) “**Guardianship plan**” means the plan for the care and treatment of the ward, the plan for the management of the estate of the ward, or both.

Title 25 Section 114-**Guardianship Plan:**

(a) A plan for the care and treatment of the ward and/or plan for the management of the financial resources of a ward shall be filed by the guardian at the initial review hearing and an updated plan shall be filed at each subsequent review hearing.

(b) The proposed guardianship plan and any subsequent guardianship plans for the care and treatment of the ward shall state:

(1) the services which are necessary to meet the essential requirements for the physical health or safety of the ward taking into account the contents and recommendations of any evaluation report made with respect to the ward, and the means for obtaining those services;

(2) the manner in which the guardian or limited guardian, the ward, and the guardian of the property of the ward, will exercise and share decision-making authority; and

(3) such other services necessary to assist in fulfilling the needs of the ward.

15. That the Petitioner is capable and willing to assume the responsibility of being the guardian of the minor ward(s) named in the Petition.
16. That the Petitioner is a fit and proper person to be appointed guardian of the minor ward(s) named in the Petition.
17. That the Petitioner requests to be appointed over the minor ward(s) named in the petition as: guardian of the person guardian of the estate (check all that apply)

Title 25 Section 6 (f) A “**guardian of the person**” means an individual who has been appointed by the Court to serve as the guardian of an incapacitated person to assure that the essential requirements for the health and safety of the person are met.

Title 25 Section 6 (g) A “**guardian of the estate**” means an individual who has been appointed by the Court to serve as guardian of the incapacitated person’s estate or financial resources.

WHEREFORE, the Petitioner prays that the Court issue an Order appointing the Petitioner guardian of said minor ward(s) as stated in the Petition and that a hearing be set on this matter as soon as the Court deems necessary.

Petitioner (Signature)

Petitioners Address: _____

Petitioner City, State, Zip: _____

Telephone Number: _____

Petitioner email (if available)

VERIFICATION ATTACHED THERETO

VERIFICATION

I, _____, being first duly sworn to tell the truth and being of lawful age above 18 years of age, hereby state that I have prepared and read the foregoing Petition for Guardianship of Minor 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 _____
20 ____.

Court Clerk/Deputy or Notary Public

SEAL

Commission Expires: _____



IN THE DISTRICT COURT OF WYANDOTTE NATION

IN THE MATTER OF THE)
GUARDIANSHIP OF:)

_____))
DOB: _____))

_____))
DOB: _____))

_____))
DOB: _____))

_____))
DOB: _____))

_____))
DOB: _____))

MINOR WARD(S)

Case No: _____

CONSENT TO THE APPOINTMENT OF GUARDIAN

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.

Signed this ____ day of _____, 20__.

Signature: _____
Name Printed: _____

STATE OF _____)

COUNTY OF _____)

Subscribed and sworn to before me this ____ day of _____, 20__, by

Notary Public/Court Clerk

SEAL

Commission Expires: _____