

IN THE WINNEBAGO TRIBAL COURT

IN RE CUSTOMARY ADOPTION OF, ) CASE # \_\_\_\_\_  
\_\_\_\_\_) )  
Minor Child, ) )  
\_\_\_\_\_) )  
Petitioner. ) )

**PETITION FOR  
CUSTOMARY ADOPTION**

COMES NOW Petitioner, pursuant to Winnebago Tribal Code §4-723, and prays this Court enter an order of customary adoption of the above-listed child. In support of this Petition, Petitioner states as follows:

1) Name, address, and telephone number of Petitioner, and nature of relationship to child:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Nature of relationship between Petitioner and child: \_\_\_\_\_

2) Information regarding the child:

Name: \_\_\_\_\_

Age: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

3) The biological mother of the minor child is \_\_\_\_\_,

and the mother's parental rights:

( ) were suspended by this Court on \_\_\_\_\_,

and a copy of the Order suspending those rights is attached to this Petition.

( ) did not need to be suspended for the following reasons: \_\_\_\_\_

\_\_\_\_\_

4) The biological father of the minor child is \_\_\_\_\_,  
and the father's parental rights:

( ) were suspended by this Court on \_\_\_\_\_,  
and a copy of the Order suspending those rights is attached to this Petition.

( ) did not need to be suspended for the following reasons: \_\_\_\_\_  
\_\_\_\_\_

5) Name, address, and telephone number of child's tribe:

Is the child is a member of the Winnebago Tribe of Nebraska?

( ) Yes, and the Tribe's address is 100 Bluff Street, Winnebago, NE, and telephone  
number is (402) 878-3100.

( ) No, and the information for the child's tribe is listed below:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

6) Name, address, and telephone number of any other relatives who may have an interest in  
the care, custody, and control of the minor child (attach additional pages if necessary):

*Note: Pursuant to the Grandparents Rights Act (Winnebago Tribal Code §4-1104), all living  
grandparents of the child must be listed below.*

Name	Address	Telephone number	Nature of relationship

8) Provide a statement as to why an order of customary adoption is in the best interests of the child (attach additional pages if necessary): \_\_\_\_\_

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9) Provide a statement as to why an order of customary adoption is in the best interests of the child's tribe (attach additional pages if necessary): \_\_\_\_\_

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10) State the basis for the request for the customary adoption. Attach as support statements by medical, psychiatric, child protection worker, family member, and/or psychological reports or testimony: \_\_\_\_\_

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11) Is there any similar action pending in a state or other tribal court having jurisdiction over the child?

( ) Yes, in the following court: \_\_\_\_\_

( ) No.

12) List any tribal agencies which have custody of the child, or which might have an interest in this proceeding or be of assistance in adjudicating the matter: \_\_\_\_\_

13) The proposed name of the adoptee after entry of the final order of customary adoption is: \_\_\_\_\_

#### ***NOTICE OF RIGHTS***

In addition to any other rights afforded under the Indian Civil Rights Act, 25. U.S.C. §1301-03 (1968), as amended or provided by the Winnebago Tribal Code, Petitioners and other parties to a customary adoption have the following rights:

A) A biological parent has the right to refuse services provided by any social services agency, however, their refusal to accept services may have a significant impact of their ability to have contact with their child.

B) The petitioner and respondent have the right to have reasonable notice and to attend any hearing arising out of the filing of a petition pursuant to this Code. The biological parents and the petitioner have the right to be represented by counsel at their own expense at all proceedings.

C) The biological parents and petitioner have the right to summon and cross-examine witnesses.

D) The biological parents and the petitioner have the right to seek independent medical, psychological or psychiatric evaluations of the child at their own expense.

A copy of this Petition shall be served upon the child's tribe, the child's parents, family members, caretaker, and any agency of the Winnebago Tribe which may have an interest in the proceeding or be of assistance to the Court in adjudicating the matter.

The Petitioner asks this Court to find it in the best interests of the child and the child's tribe for a customary adoption to be entered, establishing a parent-child bond, that all of the rights and responsibilities of that relationship should exist upon entry of a final order of customary adoption, and that the child's name should be changed as requested above.

By signing this document, the Petitioner is swearing the contents of the document are true and correct except as to those matters based upon belief and, as to those matters, the Petitioner reasonably believes to be true.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Date

Subscribed to and sworn before me on \_\_\_\_\_

[SEAL]

\_\_\_\_\_  
Notary Public