

IN THE DISTRICT COURT OF THE CHEROKEE NATION

**IN THE MATTER OF THE
GUARDIANSHIP OF:**

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Case No. CVGD-_____

AFFIDAVIT AND PETITION FOR GUARDIANSHIP

COMES NOW, _____, being of sound mind and body, and on this ____ day of _____, 20 ____, and being under oath, hereby affirms, deposes, and swears as follows:

(1) The full names, birthdates, sex, and tribal affiliation of the child(ren) who is/are subjects of this proceeding are:

NAME	DOB	SEX	TRIBAL AFFILIATION	CURRENT RESIDENCE

(2) The natural mother of the child(ren) is _____.

(3) The natural mother's address is _____,
and the natural mother's telephone number is _____

(4) The natural father of the child(ren) is _____.

(5) The natural father's address is _____,
and the natural father's telephone number is _____.

(6) The relationship of the mother and father of the child at this time is:
(check all that may apply)

- ☐ married _____
- ☐ divorced _____
- ☐ parents never married and father's whereabouts are known
- ☐ parents never married and father's whereabouts are unknown
- ☐ parents never married and mother's whereabouts are known
- ☐ parents never married and mother's whereabouts are unknown
- ☐ father is unknown

(7) _____ Other than the parents named above, there is no one else who can assert custody to the child or who would require notice of the guardianship hearing.

OR

_____ In addition to the parents named above, the following individual(s) may also be entitled to custody of the child(ren).

NAME

ADDRESS

_____	_____
_____	_____

(8) To the best of my knowledge, information, and belief, neither the Cherokee Nation nor any state including the State of Oklahoma (DHS), have an open investigation concerning the welfare of this child.

☐ YES **or** ☐ NO

*If yes,
explain. _____

(9) To the best of my knowledge, information, and belief, neither the Cherokee Nation nor any state including the State of Oklahoma (DHS), have custody of or are seeking custody of this child.

☐ YES **or** ☐ NO

*If yes,
explain. _____

(10) The child(ren) who are the subjects of this guardianship are Cherokee Indian.

☐ YES **or** ☐ NO

(11) I, the Petitioner for Guardianship, am a Cherokee Indian.

☐ YES **or** ☐ NO

(12) To the best of my knowledge, information, and belief the parents of the child(ren) are in agreement with guardianship over the child(ren) being awarded to me.

☐ YES **or** ☐ NO

(13) The parents of the child(ren) are willing to testify that guardianship of the child(ren) should be given to me.

☐ YES **or** ☐ NO

(14) The parents of the children have signed before a Notary Public their consent to the guardianship and waiver of any further notice to them of hearing.

☐ YES **or** ☐ NO

(15) The parents of the child(ren) have been notified that I am seeking guardianship of the child(ren)

☐ YES **or** ☐ NO

*If yes,
explain. _____

(16)

Petitioners Full Name	DOB	Physical Address	Tribal Affiliation

My telephone number is _____

My present physical address is within the jurisdictional boundaries of the Cherokee Nation, and I have resided within the jurisdictional boundaries of the Cherokee Nation for more than one year.

☐ YES **or** ☐ NO

*If no,
explain. _____

(17) My relationship to the child(ren) is _____.

(18) The child(ren) currently resides in my home.

☐ YES **or** ☐ NO

*If YES, list the dates since child(ren) have resided in home from _____ until

present. If NO, list with whom they reside. _____

(19) List all adults (18 years of age or older) full name and date of birth, whom are residing in the home.

(19) List the detailed reasons this guardianship is being sought:

(20)

1. I am a minor, incapacitated or partially incapacitated persons,

☐ YES **or** ☐ NO

*If yes, explain _____

2. I am a convicted felon

☐ YES **or** ☐ NO

*If yes, explain _____

3. I am bankrupt, insolvent or under any financial obligation to the Prospective Ward or subject to a conflict of interest which would preclude or be substantially detrimental to their ability to act in the best interest of the Prospective Ward.

☐ YES **or** ☐ NO

*If yes, explain _____

☐ YES **or** ☐ NO

☐ YES **or** ☐ NO

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