

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT _____

In the matter of: _____)
_____)
_____)
_____)
A minor under 18 years of age. _____)
_____)
Date of birth: _____)
_____)

CASE NO. _____

**PETITION TO TRANSFER ICWA
CINA CASE TO TRIBAL COURT**

PETITION TO TRANSFER

This is a petition to transfer jurisdiction of this Child in Need of Aid (CINA) case to tribal court as authorized by the Indian Child Welfare Act of 1978 (ICWA), 25 U.S.C. § 1911(b), and CINA Rule 23.

1. **PETITIONER**
Petitioner is the Indian child's Parent Indian custodian Tribe (that intervened).
Petitioner's name and contact information is as follows:
Name: _____
Address: _____
Phone: _____ Email: _____
2. **PARENT A**
Name: _____
Address: _____
Phone: _____ Email: _____
3. **PARENT B**
Name: _____
Address: _____
Phone: _____ Email: _____
4. **INDIAN CUSTODIAN(S)**
Name: _____
Address: _____
Phone: _____ Email: _____
5. **INDIAN CHILD'S TRIBE**
Name: _____
Address: _____
Phone: _____ Email: _____
6. **TRIBAL COURT OF INDIAN CHILD'S TRIBE**
Name: _____
Address: _____
Phone: _____ Email: _____

7. OTHER
 Name: _____
 Address: _____
 Phone: _____ Email: _____
8. OTHER
 Name: _____
 Address: _____
 Phone: _____ Email: _____
9. OTHER
 Name: _____
 Address: _____
 Phone: _____ Email: _____
10. OTHER
 Name: _____
 Address: _____
 Phone: _____ Email: _____
11. TRIBAL COURT'S POSITION ABOUT JURISDICTION
 I believe the tribal court will accept jurisdiction.
 I believe the tribal court will decline jurisdiction.
 I do not know the tribal court's position about jurisdiction in this case.

NOTICE TO ALL PARTIES

- A. The parties must file and serve any response they wish to make to this petition within 20 days after being served.
- B. If either parent opposes the transfer of jurisdiction from state court to tribal court the petition will not be granted under 25 U.S.C. § 1911(b), unless the parental rights of the parent have already been terminated by a court of competent jurisdiction.
- C. If the tribal court declines jurisdiction at any time before an order granting the petition is signed, the petition will not be granted.
- D. If a party to the state court proceeding demonstrates good cause why jurisdiction should not be transferred, the petition will not be granted.
- E. If jurisdiction is transferred to tribal court and the tribal court exercises jurisdiction, any state court appointments of counsel for parents or Indian custodians, or of *Guardians ad Litem* or counsel for the child, will terminate.
- F. A tribal court may find a copy of the sample order to file with the state court to accept or decline jurisdiction, and a parent or Indian custodian may find a copy of a sample form to file with the state court to agree or object to the proposed transfer, on the court system's website at www.courts.alaska.gov.

Date: _____ Petitioner's Signature: _____
 Printed Name: _____

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**CERTIFICATE OF SERVICE
FOR PETITION TO TRANSFER ICWA
CINA CASE TO TRIBAL COURT**

[MUST BE COMPLETED]

I certify that I delivered a copy of the petition for adjudication in state court, the petition to transfer ICWA CINA case to tribal court with notices required by CINA Rule 23(c), and this certificate of service on the following as indicated:

	<i>Name</i>	<i>Date served</i>	<i>Served by Registered Mail (restricted delivery with return receipt requested)</i>	<i>Served by Certified Mail (restricted delivery with return receipt requested)</i>
Parent or parent's attorney				
Other Parent or parent's attorney				
Indian custodian(s)				
Tribal Court				
Tribe				
Other potential tribe				
Other				
Other				
Other				
Other				
Other				

Date: _____ Signature: _____
 Phone: _____ Print Name: _____

