

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
AT \_\_\_\_\_

In the Matter of the Protective Proceeding of \_\_\_\_\_ )  
\_\_\_\_\_) )  
\_\_\_\_\_) )  
\_\_\_\_\_) )  
Minor \_\_\_\_\_) )  
Date of Birth: \_\_\_\_\_) )  
\_\_\_\_\_) )  
CASE NO. \_\_\_\_\_  
**NOTICE OF GUARDIANSHIP HEARING  
FOR INDIAN CHILD<sup>1</sup>  
(By Petitioner)**

The court has been asked to appoint a guardian for the above-named minor. The court will hold a hearing on this matter on:  
Date and Time: \_\_\_\_\_  
Court Address: \_\_\_\_\_  
Courtroom: \_\_\_\_\_ Judge or Master: \_\_\_\_\_  
Court Telephone Number: \_\_\_\_\_

At the hearing, the court will decide whether the minor needs a guardian, and if so, who the guardian should be. You do not have to attend the hearing, but you may attend it if you wish.

This is a confidential matter, so you should not reveal information from this notice or the attached petition to others who are not involved in the case.<sup>2</sup>

**NOTICE TO PARENTS AND INDIAN CUSTODIANS:**<sup>3</sup> Parents and Indian custodians have the right to be represented by an attorney in this proceeding and may be entitled to a court-appointed attorney. A parent or Indian custodian of an Indian child has the right to receive at least ten days notice of the hearing and, upon request, may be granted up to 20 additional days to prepare for the hearing. An Indian custodian has the right to intervene (participate) in the case.

**NOTICE TO TRIBE:** An Indian child's tribe has the right to intervene, to be represented by an attorney, to receive at least ten days notice of the hearing and, upon request, may be granted up to 20 additional days to prepare for the hearing. The tribe (or a parent or Indian custodian) may also petition the court to transfer the case to tribal court.

The following information about the child's family history is provided in order to help determine the child's tribe:

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<sup>1</sup> "Indian child" means any unmarried person who is under age eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe." Note: "Indian tribe" includes Alaskan Native villages. 25 USC §1903(4) & (8)  
<sup>2</sup> Probate Rule 14(d) and AS 13.26.021  
<sup>3</sup> "Indian custodian" means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child. 25 USC § 1903(6)

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NOTICE OF GUARDIANSHIP HEARING FOR INDIAN CHILD (By Plaintiff)

25 USC §§ 1903, 1911(c) & 1912; 25 CFR 23.11  
Probate Rule 15(b) and Admin Rule 12(e)(1)(A)(ii)  
AS 13.26.147 & 13.06.110

Child's Full Name \_\_\_\_\_  
Child's Birth Date \_\_\_\_\_ Child's Birthplace \_\_\_\_\_  
Names of Tribes in which child may be eligible for enrollment \_\_\_\_\_  
\_\_\_\_\_

Birth Mother's Full Name \_\_\_\_\_ Maiden Name \_\_\_\_\_  
Her Birth Date \_\_\_\_\_ Place of Birth \_\_\_\_\_  
Her Tribe \_\_\_\_\_

Birth Father's Full Name \_\_\_\_\_ Other Names Used \_\_\_\_\_  
His Birth Date \_\_\_\_\_ Place of Birth \_\_\_\_\_  
His Tribe \_\_\_\_\_

Maternal Grandmother \_\_\_\_\_ Maiden Name \_\_\_\_\_  
Her Birth Date \_\_\_\_\_ Place of Birth \_\_\_\_\_  
Her Tribe \_\_\_\_\_

Maternal Grandfather \_\_\_\_\_ Other Names Used \_\_\_\_\_  
His Birth Date \_\_\_\_\_ Place of Birth \_\_\_\_\_  
His Tribe \_\_\_\_\_

Paternal Grandmother \_\_\_\_\_ Maiden Name \_\_\_\_\_  
Her Birth Date \_\_\_\_\_ Place of Birth \_\_\_\_\_  
Her Tribe \_\_\_\_\_

Paternal Grandfather \_\_\_\_\_ Other Names Used \_\_\_\_\_  
His Birth Date \_\_\_\_\_ Place of Birth \_\_\_\_\_  
His Tribe \_\_\_\_\_

Maternal Great Grandparents

<u>Names</u>	<u>Birth Date</u>	<u>Birth Place</u>	<u>Tribe</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Paternal Great Grandparents

<u>Names</u>	<u>Birth Date</u>	<u>Birth Place</u>	<u>Tribe</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

\_\_\_\_\_ Date

\_\_\_\_\_ Petitioner's Signature

\_\_\_\_\_ Type or Print Name

**Certificate of Service**

[Write names on the blank lines and check the boxes that show how notice was delivered.]

I certify that a copy of this notice and a copy of the petition were mailed or delivered to:

- 1.  The minor, if the minor is 14 or more years of age, on (date) \_\_\_\_\_  
by  first class mail  hand delivery by \_\_\_\_\_
- 2.  The person who had the principal care and custody of the minor during the 60 days  
before the petition was filed (write name of person): \_\_\_\_\_  
on (date) \_\_\_\_\_ by  first class mail  hand delivery by \_\_\_\_\_
- 3.  Minor's Indian Custodian, if any (see page 1 footnote) (write name) \_\_\_\_\_  
on (date) \_\_\_\_\_ by certified mail, restricted delivery, with return receipt  
requested.
- 4.  Minor's mother, if living, (write name): \_\_\_\_\_ on (date) \_\_\_\_\_  
by certified mail, restricted delivery, with return receipt requested.  
 Mother waived notice. Copy of waiver is attached or has been filed with the court.
- 5.  Minor's father, if living, (write name): \_\_\_\_\_ on (date) \_\_\_\_\_  
by certified mail, restricted delivery, with return receipt requested.  
 Father waived notice. Copy of waiver is attached or has been filed with the court.
- 6.  The minor is or may be an Indian child, as defined in the Indian Child Welfare Act  
(ICWA).<sup>4</sup>
  - On (date) \_\_\_\_\_, notice was sent to the child's tribe(s)  
(list name(s) of tribe(s)): \_\_\_\_\_  
by certified mail with return receipt requested.
  - Notice was not sent to the child's tribe(s) because the child's parents have agreed in  
writing to the guardianship and have requested in writing that the tribe(s) not be  
served with notice in order to protect the privacy of the parents. [Probate Rule  
15(b)]
  - I could not determine the identity or location of a parent, Indian custodian or the  
child's tribe, so I mailed a copy of this notice and form PG-622 to the Bureau of  
Indian Affairs by certified mail<sup>5</sup> on (date) \_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioner

Mailing Address	City	State	ZIP
Daytime Telephone _____			

<sup>4</sup> See definition of "Indian child" on page 1, footnote 1.

<sup>5</sup> 25 USC § 1912(a); 25 CFR § 23.11