

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA AT _____

In the Matter of: _____)
 _____)
 _____)
 Minor(s) under 18 years of age. _____)
 Date(s) of birth: _____) CASE NO. _____
 _____)
 _____)

**REQUEST TO REGISTER TRIBAL
COURT ICWA CUSTODY ORDER**

[This form may only be used in child protection (ICWA) cases. To register a non-ICWA tribal court custody order, use "Request to Register Tribal Court Order" (form [DR-980](#)).]

1. I want the state court to register a tribal court custody order that was issued by the tribe of the Indian children named above.¹ This custody order concerns:
- foster care placement or guardianship² termination of parental rights
 adoptive placement but not an adoption decree pre-adoptive placement
- Date of order: _____ Tribal court case number: _____

2. I attached two copies of the tribal court order.

3. My contact information.

Name: _____ Relationship to Child/Case: _____
 Mailing Address: _____
 Email: _____ Phone: _____
 I agree that the court and other parties can email me documents instead of using regular mail.

4. Contact information for other interested persons.

[If you need more space to list all of the interested persons, use a separate piece of paper. If there is no one who fits in one of the lettered categories below, write "N/A".]

A. Name of tribal court that issued the order: _____
 Contact person for this court (if known): _____
 Phone: _____ Email: _____
 Mailing Address: _____

B. Name of children’s Indian tribe: _____
 Contact person for the tribe (if known): _____
 Phone: _____ Email: _____
 Mailing Address: _____

¹ “Indian child’s tribe” means (a) the tribe in which the Indian child is a member or eligible to be a member, or (b) if eligible to be a member in more than one tribe, the tribe with which the child has more significant contacts.

² This includes temporary placement in a foster home, guardian’s home, conservator’s home, or institution, where parental rights have not been terminated.

C. Person(s) that the tribal court gave custody or visitation to:

Phone: _____ Email: _____
Mailing Address: _____

D. Parent A contact information.

Name: _____
 Parent A's rights were terminated or Parent A has died. *[Go to section E.]*
Phone: _____ Email: _____
Mailing Address: _____

E. Parent B contact information.

Name: _____
 Parent B's rights were terminated or Parent B has died. *[Go to section F.]*
Phone: _____ Email: _____
Mailing Address: _____

F. Indian Custodian³ or other person who had custody of the children at the time the tribal court removed them: _____

Phone: _____ Email: _____
Mailing Address: _____

G. Person who has physical custody of the children now **or** claims a right to have custody or visitation (if not already listed above): _____

Phone: _____ Email: _____
Mailing Address: _____

5. The tribal court order I want to register has not been vacated (canceled or ended), stayed (put on hold), or modified (changed).

6. I have previously registered this tribal court order, or another custody order concerning the children, in the following courts: *[Include court case numbers, if known.]*

7. I attached the following additional requests:

Request to Keep Identifying Information Confidential (form [CN-625](#)).
[Note: This case type (Child in Need of Aid) is automatically confidential by law from the general public. Use form CN-625 to request confidentiality from one or more of the persons listed in section 4.]

Request for Expedited (Speedy) Enforcement (form [CN-635](#))

³ "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).

8. Method of Giving Notice.

[The court is required to give the persons in section 4 notice of your request per [Civil Rule 4](#) (this is called "service"). Choose one of the service methods below. Alternative methods (third option) require prior approval of the judge. You only need to choose one method.]

I ask that the court notify the other people in this case of this registration request by:

Certified Mail. I attached the following:

- A check payable to the Alaska Court System for the \$5.00 court fee for service by certified mail for each person needing to be served
- A 9" x 12" envelope pre-addressed to each person needing to be served
- Postal forms for certified mail (Certified Mail Receipt – PS Form 3800 and Green Postal Receipt Card – PS Form 3811)
- Postage for the following postal services for each person needing to be served: certified mail, restricted delivery, and return receipt requested.

[For information on how to complete certified mail postal forms, see Section 2, Page 3 of "How to Serve a Summons" (form [CIV-106](#)).]

Process Server. I hired the following process server and paid the service fee **directly to the process server:**

Process server name/company: _____

Address: _____

[For information on using a process server, see Section 1, Page 1 of "How to Serve a Summons" (form [CIV-106](#)). The fee will vary depending on your circumstances, but it will be significantly higher than for certified mail.]

Alternative Method. I attached *Request for Alternative Service* (form [CN-601](#)).

SIGNATURE AND NOTARY

I certify under penalty of perjury that the information in this document is true to the best of my knowledge.

Signature *[Sign in front of a notary or court clerk.]*

Subscribed and sworn to or affirmed before me at _____, Alaska on _____

(SEAL)

Court clerk, notary public, or other person
authorized to administer oaths.
My commission expires: _____

CERTIFICATION (ONLY IF NO NOTARY AVAILABLE)

I certify under penalty of perjury that the information in this document is true to the best of my knowledge, and a notary or other person with the power to administer oaths is not available.

Date

Signature

Place (city or village and state)

Print or Type Name

NEXT STEPS

1. **File.** Mail or hand-deliver this request (including all attachments and related requests) to the court. File at an Alaska Superior Court in the location closest to where a party lives or the tribal court is located. See *List of Superior Court Filing Locations* (form [CIV-127](#)).
2. **Copies.** Keep a copy of all documents and attachments for yourself.
3. **Hearing on Confidentiality (only if you filed form CN-625).** The court may grant your request for confidentiality based only on your paperwork, **or** the court may schedule a hearing on confidentiality. The court will send you a notice of the date, time, and place of a hearing if one is scheduled. If you request confidentiality, the court will **not** disclose identifying information without first holding a hearing and giving you a chance to explain and present evidence about why this information should be confidential. You will receive a written order about the court's decision on confidentiality.
4. **Wait to See if Registration Hearing Requested.** The court will send a copy of your request to register and a notice of registration to the persons listed in section 4 of this form, using the method you chose in section 8. The court will also send you a copy of the notice. The other parties have 20 days to request a hearing to object to the registration. The 20 days begins on the date the notice was personally served on the other parties.
5. **Hearing.** If any party requests a hearing, the court will schedule one and notify all parties of the date, time, and location. If the notice does not already give information about attending by phone or Zoom, and it will be difficult for you to attend the hearing in person, file *Request to Appear by Telephone* (form [TF-710](#)).

See *Notice of Registration of Tribal Court Custody Order* (form [CN-605](#)) for a list of legal defenses the other party must prove at this hearing. Or read the other party's request for hearing to see why they are objecting to the registration. If the other party cannot prove one of these legal defenses, the judge will confirm the registration after the hearing.

You can testify and present your own evidence at the hearing. Bring any evidence (such as documents, emails, text messages, photographs, etc.) that shows that the court should confirm registration of the tribal court order. You may also call witnesses. **This is not a hearing to redo the tribal court case or change the tribal court order.**

6. **No Hearing.** If no other party requests a hearing within 20 days, the court will automatically confirm registration of the tribal court order.

Note: If you request expedited enforcement of the tribal court order at the same time you file this petition, the details of the steps above may be different. Read carefully any orders you get from the court about scheduled hearings and what you need to do next.