

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 CHILD¹
(By Petitioner)**

The petitioner (the person signing this form) asked the court to appoint a guardian for the above-named minor. A copy of the petition is attached. 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.²

NOTICE TO PARENTS AND INDIAN CUSTODIANS:³ You have the right to be represented by an attorney in this proceeding and can get a court-appointed attorney if you cannot afford to hire one on your own. File *Request for Appointed Attorney* (form P-910) to ask for a court-appointed attorney. The form is available in paper copy from the court clerk, or online at <http://www.courts.alaska.gov/forms/index.htm>. You have the right to receive at least ten (10) days' notice of the hearing and, if you request, may be granted up to 20 additional days to prepare for the hearing. Indian custodians have 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 (10) 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.

Note: If both of the minor's parents sign a consent and request (in writing) that the tribe not be notified, then notice to the tribe may be waived.⁴ The parents may use form [PG-616](#) to do this.

¹ "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).
² Probate Rule 14(d) and AS 13.26.021.
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).
⁴ Probate Rule 15(b).

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

Minor Child's Full Name _____

Child's Birth Date _____ Child's Birthplace _____

Names of Indian Tribes or Native Villages in which the child may be eligible for enrollment _____

Birth Mother's Full Name _____ Other Names Used _____

Her Birth Date _____ Place of Birth _____

Her Tribe or Village _____

Birth Father's Full Name _____ Other Names Used _____

His Birth Date _____ Place of Birth _____

His Tribe or Village _____

Maternal Grandmother _____ Other Names Used _____

Her Birth Date _____ Place of Birth _____

Her Tribe or Village _____

Maternal Grandfather _____ Other Names Used _____

His Birth Date _____ Place of Birth _____

His Tribe or Village _____

Paternal Grandmother _____ Other Name Used _____

Her Birth Date _____ Place of Birth _____

Her Tribe or Village _____

Paternal Grandfather _____ Other Names Used _____

His Birth Date _____ Place of Birth _____

His Tribe or Village _____

Maternal Great Grandparents

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

Paternal Great Grandparents

<u>Names</u>	<u>Birth Date</u>	<u>Birth Place</u>	<u>Tribe or Village</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. Parent A, if living: _____ *[name of parent]* on _____ *[date]*
by certified mail, restricted delivery, with return receipt requested.
 Parent A waived notice. Copy of waiver is attached or has been filed with the court.
3. Parent B, if living: _____ *[name of parent]* on _____ *[date]*
by certified mail, restricted delivery, with return receipt requested.
 Parent B waived notice. Copy of waiver is attached or has been filed with the court.
4. Minor's Indian Custodian, if any *[see footnote 3 on page 1 for definition]*:
Custodian's name: _____ on _____ *[date]*
by certified mail, restricted delivery, with return receipt requested.
5. The person who had the principal care and custody of the minor during the 60 days
before the petition was filed (if not petitioner, parent, or Indian Custodian):
Person's Name: _____ on _____ *[date]*
by first-class mail hand-delivery by _____
6. Proposed guardian (if not petitioner): _____ *[name]*
on _____ *[date]* by first-class mail hand-delivery by _____
7. The minor is or may be an Indian child *[see footnote 1 on page 1 for definition]*, as
defined in the Indian Child Welfare Act (ICWA).
 On _____ *[date]*, I sent notice to the minor's tribe(s)/village(s) *[list name(s)]*:

by certified mail with return receipt requested.
 I did not send notice to the minor's tribe(s)/village(s), because the minor's parents
requested in writing that the tribe(s)/village(s) not be served with notice in order to
protect the privacy of the parents.⁵ I understand that the parents must also sign a
written consent to the guardianship, either before or at the court hearing, for this
waiver of notice to be valid.
 I could not determine the identity or location of a parent, Indian custodian, or the
minor's tribe/village, so I mailed a copy of this notice and form [PG-622](#) to the Bureau
of Indian Affairs by certified mail⁶ on _____ *[date]*.

Signature of Petitioner

Mailing Address _____ City _____ State _____ ZIP _____

Daytime Telephone _____

Email _____

⁵ Probate Rule 15(b).

⁶ 25 USC § 1912(a); 25 CFR § 23.11.