

FORM IX-12 – PETITION FOR ADOPTION

1. **Please read the instructions.** Read all of these instructions before completing this packet to make sure you understand what the Court needs from you to decide if it should grant your request to adopt a child. When you file this Petition, you become known as the Petitioner.

2. **BEFORE you file this form.** Make sure you do ALL of the following before filing this Petition:
 - A. *Obtain consent of the parents/guardians.* If you are related to the child by at LEAST the second degree by blood or affinity, you may file this Petition immediately. You will still need to obtain the consent of the living parents/guardians, but if you have the proper relationship with the child, you may simply have them sign a form saying they consent in order to file this Petition. If you are NOT related to the child by at LEAST the second degree by blood or marriage (i.e., if you are not a parent, sibling, half-sibling, grandparent, aunt or uncle, niece or nephew of the child), you must have the living parents/guardians of the child schedule hearings with the Court to swear before the Court that they consent to give up their parental rights to you.
 - B. *If parents/guardians will not consent.* If the living parents/guardians of the child will not consent to your adoption of the child, you may not file this Petition unless their parental rights have been terminated by a court order. If you believe their parental rights should be terminated, you may fill out a separate packet to file that proceeding first.
 - C. *Obtain consent of the child, if applicable.* If the child is over age twelve (12), you must have HIS/HER consent as well. Have him/her fill out a consent form in addition to the living parents/guardians.

3. **What you will need to attach.** In order to properly fill out this Petition, you will need copies of the child’s birth certificate and tribal enrollment card, and copies of your tribal enrollment cards. If these are not attached, this Petition CANNOT be filed. You will also need copies of consent forms signed by the current living parents of the child (attached to this packet; please have them fill out), or (if applicable) proof that their parental rights have been terminated by a court order. If the child is over the age of twelve, you will also need to attach a copy of a consent form signed by him/her.

4. **Create your petition.** Fill in the blanks below to create your *Petition for Adoption*. After you have completed this form, take it to the Tribal Court for filing.

5. **Filing fee.** You must pay a \$50.00 filing fee. This must be in the form of a money order, made payable to “Wind River Tribal Court.”

6. **After filing.** The following things will happen after you file this Petition.
 - A. *Preadoptive Study.* The law requires that, after you submit this Petition, the Court schedule a social services visit to your home for what is called a “preadoptive study.” Social services (or possibly the BIA) will investigate the suitability of the child for adoption, your ability to financially provide for the child, moral and physical fitness and general background information about the home, and report it back to the Court.

B. *Hearing of Adoption.* Within five (5) days of the conclusion of the Preadoptive Study, the Court will schedule a hearing on your Petition. You must appear at this hearing, and all people who had to consent to the adoption must appear as well. If they do not, it will be rescheduled until all people needing to consent are present. At this Hearing of Adoption, the judge will examine you, the child, and any other persons consenting to the adoption separately. If the judge is satisfied to the suitability based upon this testimony and the evidence in the Preadoptive Study, you will be granted custody of the child for a Home Trial Period. If you have already had custody of the child for more than one (1) year, the Home Trial Period is not necessary, and the Court may enter a Final Order of Adoption.

C. *Home Trial Period, if necessary.* Upon approval of the Court based upon the results of the Preadoptive Study and the Hearing, the child must live with the you for at least six (6) months before the Court may enter a final adoption order, if he/she had not already been living with you for at least one full year.

7. **The Code.** The Shoshone and Arapaho Law and Order Code sets out all the requirements for asking the Court to petition for an adoption. The Code can be provided to you upon request of the Court Clerk.
8. **Regarding legal advice.** If you need legal advice filling out the Petition, you may contact Legal Aid of Wyoming at 1877-432-9955. If you qualify for services, someone will be assigned to help you. The Court Clerk cannot provide you with legal advice; they may only help you understand this form so you can fill it out properly.

WIND RIVER TRIBAL COURT
Shoshone and Arapaho Tribes
Wind River Indian Reservation
Fort Washakie, Wyoming 82514

IN THE MATTER OF:

_____)
NAME OF ADOPTIVE CHILD) Case No. _____
_____)
DATE OF BIRTH)

PETITION FOR ADOPTION

COMES NOW, _____ (print your full name(s)) , petitioner(s)
herein, respectfully file(s) this Petition for Adoption of the above-named child, and presents this
honorable Court with the following information required by S&A LOC Title 9 Chapter 3.

1. **Vital Statistics of Child** (Please attach a copy of their birth certificate AND tribal enrollment card, if applicable, to this
Petition)

- A. Full Name: _____
- B. Sex: _____
- C. Date of Birth: _____
- D. Place of Birth: _____
- E. Current Address:

- F. Mailing Address (if different from above):

2. **Property of Child**

The child owns and/or possesses the following valuable property (please attach additional pages if necessary):

Type of Property (real or personal)	Brief Description	Estimate of Value

3. **Proposed Adoptive Parent(s) Information** (Please attach copies of tribal enrollment cards, if applicable)

A. Parent #1

i. Full Name: _____

ii. Date of Birth: _____

iii. Place of Birth: _____

iv. Occupation: _____

v. Current Address:

vi. Mailing Address (if different from above):

B. Parent #2 (please attach an agreement between you and parent #1 expressing your desire that the parent-child relationship be established between you, parent #1, and the child, and if applicable, please attach proof of your marital status with parent #1)

i. Full Name: _____

ii. Date of Birth: _____

iii. Place of Birth: _____

iv. Occupation: _____

v. Current Address (if different from Parent #1):

vi. Mailing Address (if different from above):

4. **Parental Consent**

Petitioner notes the following (please check ONE):

Consent WITH Kinship, younger than twelve. Consent has been obtained by the parent(s) or guardian(s) of the child to this adoption, and Petitioners are within the second degree by blood or affinity to the child (please attach a written consent form filled out by the parent(s) or guardian(s) to this petition).

Consent WITHOUT Kinship, younger than twelve. Consent has been obtained by the parent(s) or guardian(s) to this adoption, and although we are not kin by blood or affinity to the child, PRIOR to filing this Petition, we had consent sworn to by the parent(s) or guardian(s) of the child before an Officer of this Court, and they also signed written consent forms (please attach written consent forms).

Consent WITH Kinship, older than twelve. Consent has been obtained by the parent(s) or guardian(s) of the child to this adoption, Petitioners are within the second degree by blood or affinity to the child, and the child has consented to adoption (please attach a written consent form filled out by the parent(s) or guardian(s), and a consent form filled out by the child).

Consent WITHOUT Kinship, older than twelve. Consent has been obtained by the parent(s) or guardian(s) to this adoption, and although we are not kin by blood or affinity to the child, PRIOR to filing this Petition, we had consent sworn to by the parent(s) or guardian(s) of the child before an Officer of this Court, and they also signed written consent forms, and since the child is older than twelve, he/she has also signed a consent form (please attach written consent forms).

No current parent-child relationship. The parent-child relationship between the child herein and each of their living parents has been terminated by court order (please attach a copy of the order terminating their parent-child relationship).

5. **Name Change**

The child's name (please check one):

Is hereby requested to be changed to the following (print full name):

Is not to be changed under this Petition.

WHEREFORE Petitioner(s) respectfully request(s) that this Court make such disposition:

A. Ordering a Preadoptive Study pursuant to S&A LOC 9-3-6 to determine the suitability of this proposed adoption within the next five (5) days as of the date of this filing, and;

B. Assuming such Study is approving of the suitability, make such disposition scheduling a Hearing on this Petition and summoning all necessary consenting parties within five (5) days of submission of Study pursuant to S&A LOC 9-3-7.

DATED this ____ day of _____, 20____.

Petitioner #1 (Sign your name)

Petitioner #2 (Sign your name)

STOP

FOR THE CLERK

Subscribed and sworn to before me this ____ day of _____, 20____.

(seal)

Court Clerk/Notary Public

My commission expires: