

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**IN THE
HO-CHUNK NATION TRIAL COURT**

In re the Custody of Minor Child(ren):

**PETITION FOR CUSTODY AND
PLACEMENT ORDER**

_____,
Petitioner,

v.

_____,
Respondent.

Case No.: **CPL** ____ - ____
[assigned by the Court]

Pursuant to the DIVORCE AND CUSTODY ORDINANCE, 4 HCC § 9, and CHILD SUPPORT ENFORCEMENT CODE, 4 HCC § 7, the petitioner requests that the Court issue a custody and placement order. The petitioner accordingly alleges the following facts:

I. The following information relates to the PETITIONER:

1. I am the petitioner, I am the **Father** **Mother**

Other: _____

2. Name: _____

3. Maiden name (if applicable): _____

4. Address: _____
(state physical address also if P.O. Box is listed)

City State Zip Code

5. Phone: (____) _____ (____) _____
Home Work

6. Facsimile Number (if available): (____) _____

7. Date of Birth: _____

8. Social Security Number: _____ - ____ - _____

9. Occupation: _____

Place of employment: _____

10. I am a member of the Ho-Chunk Nation: **Yes** or **No.**

If yes, my enrollment number is: 439A00 _____.
(four numbers)

11. I reside on tribal lands: **Yes** or **No.**

PETITIONER'S INFORMATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESPONDENT'S INFORMATION

II. The following information relates to the RESPONDENT:

- 1. Name: _____
- 2. Respondent is the: **Father** **Mother**
 Other: _____
- 3. Maiden name (if applicable): _____
- 4. Address (last known): _____
(state physical address also if P.O. Box is listed)

City State Zip Code
- 4. Phone: (_____) _____ (_____) _____
Home Work
- 5. Facsimile Number (if available): _____
- 6. Date of Birth: _____
- 7. Social Security Number: _____ - _____ - _____
- 8. Occupation: _____
Place of Employment: _____
- 9. The respondent is a member of the Ho-Chunk Nation: **Yes** or **No.**
If yes, the respondent's enrollment number is: 439A00 _____.
(four numbers)
- 10. The respondent resides on tribal lands: **Yes** or **No.**

III. The following information relates to the MINOR CHILDREN (attach additional pages if necessary):

- 1. Name: _____
 - 2. Date of Birth: _____
 - 3. Social Security Number: _____ - _____ - _____
 - 4. The minor child is a member of the Ho-Chunk Nation: **Yes** or **No.**
If yes, the child's enrollment number is: 439A00 _____.
(four numbers)
-
- 1. Name: _____
 - 2. Date of Birth: _____
 - 3. Social Security Number: _____ - _____ - _____
 - 4. The minor child is a member of the Ho-Chunk Nation: **Yes** or **No.**
If yes, the child's enrollment number is: 439A00 _____.
(four numbers)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1. Name: _____

2. Date of Birth: _____

3. Social Security Number: _____ - _____ - _____

4. The minor child is a member of the Ho-Chunk Nation: Yes or No.

If yes, the child's enrollment number is: 439A00 _____.
four numbers)

IV. JURISDICTION: By filing this petition, I recognize that I voluntarily submit to the personal and subject matter jurisdiction of the Ho-Chunk Nation Judiciary. The below facts support the assumption of jurisdiction over the petitioner and/or respondent. In particular, the Court may exercise personal jurisdiction over the petitioner and/or respondent due to satisfaction of one or more of the following conditions (check all that apply):

- the petitioner is enrolled or is eligible to be enrolled with the Ho-Chunk Nation
- the respondent is enrolled or is eligible to be enrolled with the Ho-Chunk Nation
- the petitioner or respondent resides on Nation lands with a child who is enrolled or is eligible to be enrolled with the Ho-Chunk Nation

V. OTHER PROCEEDINGS:

A. Custody was previously decided in a county court: Yes No

*If yes, attach a certified copy of the custody order from that court.

B. This *Petition for Child Custody* is filed in connection with one of the following Ho-Chunk Nation Trial Court cases:

- 1. Divorce or Nullification of Marriage; Case Number: _____
- 2. Paternity; Case Number: _____
- 3. Child Support; Case Number: _____
- OR
- 4. This is a standalone Child Custody action.

VI. PROHIBITED ACTS: During the pendency of the action, the parties are prohibited from, and may be held in contempt of court for any of the following:

- 1) harassing, intimidating, physically abusing or imposing any restraint on the person or liberty of the other party or a minor child of either party; or

1 2) Without the consent of the other party or an order of the Court, establishing a residence
2 with a minor child of the parties outside the state of Wisconsin or more than 150 miles from the
3 residence of the other party within the state.

4 3) Removing a minor child of the parties from the state of Wisconsin without consent of
5 custodial parent.

6 **VII. ATTACHMENTS:** The petitioner must attach any written agreement between the
7 parties as to legal custody and physical placement of the children. The document must be notarized.

8
9 NUMBER OF ADDITIONAL PAGES USED: _____

10
11 By affixing my signature below, I swear that I have provided the above information in good
12 faith and with the belief that each statement represents a true and accurate account of the facts
13 based upon adequate research and investigation. I recognize that the Ho-Chunk Nation Judiciary
14 may impose sanctions if it determines that I have made statements in bad faith, including
15 intentional misstatements or statements made upon inadequate research or investigation. I also
16 recognize that the foregoing admonition extends to include the omission of material facts or law,
17 which I knew, or should have reasonably known, would impact or prove relevant to the action.

18 I file this petition of my own free will and absent threats, intimidation or coercion of any
19 kind. I understand that any decision reached by the Ho-Chunk Nation Trial Court is binding and
20 that if I disagree with the findings or conclusions or remedies of the Trial Court, I may file an
21 appeal with the Ho-Chunk Nation Supreme Court. I further acknowledge that since I am
22 submitting myself to the jurisdiction of the Ho-Chunk Nation Judiciary, I am subject to its
23 determinations, including those relating to contempt of court.

1 **RESPECTFULLY SUBMITTED BY PETITIONER,**

2 Signature: _____

3 Date: _____, 20 _____

4 **SUBSCRIBED AND SWORN TO** before me this ____ day of _____, 20____
5 at _____ .
6 City State

7 _____
8 Notary Public for _____
State

9 My commission expires: _____

10
11 Signature of petitioner's counsel (if any): _____

12 Name of petitioner's counsel: _____

13 Mailing address of counsel: _____

14 _____
15 E-mail address of counsel: _____

16 Telephone number of counsel: _____

17 Ho-Chunk Bar number of counsel: _____

18 If not a member of the Ho-Chunk bar, a *Motion to Appear Pro Hac Vice* has been
19 attached in accordance with *Ho-Chunk Nation Rules of Civil Procedure*, Rule 16(B), and/or I
20 have applied for membership in the Ho-Chunk Nation bar in accordance with the *Ho-Chunk*
21 *Nation Rules for Admission to Practice*.

1 **RESPECTFULLY SUBMITTED BY RESPONDENT,**

2 Signature: _____

3 Date: _____, 20 _____

4 **SUBSCRIBED AND SWORN TO** before me this ____ day of _____, 20____

5 at _____ .
6 City State

7 _____
8 Notary Public for _____
9 State

My commission expires: _____

10
11
12 Signature of respondent's counsel (if any): _____

13 Name of respondent's counsel: _____

14 Mailing address of counsel: _____

15 _____

16 E-mail address of counsel: _____

17 Telephone number of counsel: _____

18 Ho-Chunk Bar number of counsel: _____

19 If not a member of the Ho-Chunk bar, a *Motion to Appear Pro Hac Vice* has been
20 attached in accordance with *Ho-Chunk Nation Rules of Civil Procedure*, Rule 16(B), and/or I
21 have applied for membership in the Ho-Chunk Nation bar in accordance with the *Ho-Chunk*
22 *Nation Rules for Admission to Practice*.

23
24
25
26
27
28