

**Cherokee Nation Code Annotated**

**Title 10: Children**

**Chapter 1: General Provisions**

**§ 21. Custody during parents' separation—Habeas corpus**

Cite as: 10 CNCA § 21

When husband and wife live separately and apart from each other, and while they so live in a state of separation without being divorced, the judge of the District Court upon application of either, may issue any civil process necessary to inquire into the custody of any minor unmarried child of the marriage, and may award the custody of such child to such party as he sees fit in accordance with the best interest of the child, for such time and under such regulations as the case may require.