

Cherokee Nation Code Annotated

Title 10: Children

Chapter 1A: Care and Custody

§ 38. Voluntary relinquishment of physical custody—Presumption

Cite as: 10 CNCA § 38

When an order has been entered which provides for payment of child support and the legal custodian relinquishes physical custody of the child to any person, subject to the provisions of 10 CNCA § 27, without obtaining a modification of the order to change legal custody, the relinquishment, by operation of law, shall create a presumption that such person to whom the child was relinquished has legal custody of the child for the purposes of the payment of child support and the obligee shall remit such child support obligation to the person to whom the relinquishment was made.

Historical Data

LA 8–91, eff. May 13, 1991.