

Cherokee Nation Code Annotated

Title 10: Children

Chapter 51: Delinquent, Dependent and Neglected Children

Article III: Area Children's Detention Centers

§ 1611. Pleading or affidavit—Oath—Information required

Cite as: 10 CNCA § 1611

A. Every party in a custody proceeding in his first pleading or in an affidavit attached to that pleading shall give information under oath as to the child's present address, the places where the child has lived within the last five (5) years, and the names and present addresses of the persons with whom the child has lived during that period. In this pleading or affidavit every party shall further declare under oath whether:

1. He has participated, as a party, witness, or in any other capacity, in any other litigation concerning the custody of the same child in this Court or any state, tribal or federal court;
2. He has information of any custody proceeding concerning the child pending in any court including tribal, state or federal.
3. He knows of any person not a party to the proceedings who has physical custody of the child or claims to have custody or visitation rights with respect to the child.

B. If the declaration as to any of the above items is in the affirmative the declarant shall give additional information under oath as required by the Court. The Court may examine the parties under oath as to details of the information furnished and as to other matters pertinent to the Court's jurisdiction and the disposition of the case.

C. Each party has a continuing duty to inform the Court of any custody proceeding concerning the child in this or any other state of which he obtained the information during this proceeding.

Historical Data

LA 8–91, eff. May 13, 1991.