

Cherokee Nation Code Annotated

Title 30: Guardianship and Conservatorship

Chapter 1: Guardianships

§ 14. Contents of petition—Additional information submitted prior to hearing on petition

Cite as: 30 CNCA § 14

A. The petition shall set forth the following:

1. the basis for the Court's jurisdiction;
2. the full name, address and tribal affiliation of the petitioner;
3. the full name and date of birth of any and all adults residing in the home of the petitioner;
4. the full name, sex, date of birth, residence and tribal affiliation of the child;
5. the petitioner's relationship to the child;
6. the name and address of the person or agency having custody of the child;
7. the names and addresses of all known relatives of the child, insofar as these are known to the petitioner;
8. a concise statement as to whether the petitioner or any adult residing in the home of the petitioner has been convicted of a felony. Such statement shall include the nature of the felony, the date of conviction and the jurisdiction of the conviction;
9. a concise statement of any and all Child Welfare history involving the child, the petitioner or any adult residing in the home of the petitioner;
10. a statement regarding whether the person proposed to serve as guardian is insolvent or has declared bankruptcy during the five (5) years immediately prior to filing the petition proposing such person to serve as guardian;
11. the type of guardianship requested; and
12. a concise statement of the reasons for which the guardianship should be granted.

B. Prior to the hearing on the petition for guardianship, the petitioner shall submit the following additional information to the Court; provided that a temporary emergency guardianship order may be granted by the discretion of the Court prior to full compliance with the requirements of this subsection:

1. complete Oklahoma State Bureau of Investigation background checks for the petitioner and any adult residing in the home of the petitioner;
2. sworn affidavits attesting that neither the petitioner nor any adult residing in the home of the petitioner is or has been subject to the registration requirements of a sex offenders act or any similar act in any jurisdiction;
3. an Oklahoma Department of Human Services child welfare history report on petitioner and any adult residing in the home of the petitioner;
4. a complete financial assessment affidavit.

Historical Data

LA 39-12, eff. October 16, 2012.