

Superior Court of Washington, County of _____

In re custody of:

Children:

Petitioner/s (*person/s who started this case*):

Respondents (*parents and any guardian or custodian*):

No. _____

Indian Child Welfare Act Notice (Non-Parent Custody)
(BIAN)

Clerk: Do not file in a public access file
(GR 22(c)(3), 25 CFR 23.11(e)(7))

Indian Child Welfare Act Notice (Non-Parent Custody)

To: Parent/s (*name/s*): _____

Indian Custodian/s, if any (*name/s*): _____

Designated ICWA Tribal Agent/s (*name/s and tribe/s*): _____

Regional Director: Portland Regional Director, Bureau of Indian Affairs, 911 NE 11th Avenue, Portland, Oregon 97232.

I have filed a *Non-Parent Custody Petition* to ask a Washington State Court for custody of children who are members of (or may be eligible for membership in) the Indian tribe/s listed above. The Court's decision may affect the rights of the children's parents, Indian custodians, and tribe/s. The children may be taken from their home temporarily or permanently.

The court is located at:

Court's street address

Court's phone number

Court's mailing address (if different)



City State Zip

➤ **Court Hearing**

[] A court hearing or hearings have been scheduled. See attached hearing notice or case scheduling order.

[] No court hearing has been scheduled in this case yet.

➤ **Rights**

If you are the parent, Indian custodian, or agent of the children's tribe, you have these rights:

- To receive this notice at least 10 days before the first hearing in this case.
- To have up to 20 extra days to prepare for a hearing, if you ask the court.
- To see all documents and evidence filed with the court for this case.
- To be part of this case at any point (intervene as a party).
- To have the Court appoint a lawyer for you, if you are a parent or Indian custodian and the Court finds you are indigent (cannot afford your own lawyer).
- To ask this court to transfer this case to the court of the child's tribe. This court will approve the transfer to tribal court unless one of the parents objects or there is a good reason to keep the case in state court.

➤ **Warnings**

- This case may affect the future parental and/or custodial rights of the child's Tribe/s, the parents, and any Indian custodian of the child named above. The child could be removed from their home temporarily or permanently.
- You must keep this notice and all the information in it confidential. Only people that need this information to exercise rights under ICWA should see this notice.

➤ **Information**

The information below is to help determine the children's Indian status. Petitioner/s must make a good faith effort to provide this information.

1. Information about the person/s asking for custody of the children

Name: _____ Tel. #: _____

Name: _____ Tel. #: _____

Address: _____

Lawyer's name (if any): _____

Lawyer's address: _____ Tel. #: _____

2. Child's Information

Child's name: _____

Date of birth: _____ Place of birth: _____

Tribe/s child belongs to (or may belong to): _____

Tribal enrollment # or other tribal ID: _____

[] This child or one of the child's parents or grandparents was adopted. The child or a birth relative may be eligible for tribal membership. *(Sections 3 through 5 below ask for information about legal relatives. Provide the same information for birth relatives and attach to this form.)*

[] There are (#) _____ other children involved in this case. *(For each additional child complete form FL Non-Parent 403, ICWA Notice – Attachment for Additional Child.)*

3. Parent 1's Information

Parent's current name: _____

Other names used, if any: _____

Date of birth: _____ Place of birth: _____

Current address: _____

Former addresses: _____

Tribe/s Parent belongs to: _____

Tribal enrollment # or other tribal ID: _____

4. Parent 2's Information

Parent's current name: _____

Other names used, if any: _____

Date of birth: _____ Place of birth: _____

Address: _____

Former addresses: _____

Tribe/s Parent belongs to: _____

Tribal enrollment # or other tribal ID: _____

5. Information about the child's grandparents and great grandparents

Parent 1's parents		
Current name & other names used		
Current address		
Former addresses		
Date and place of birth		
Date and place of		

death, if no longer living		
Tribe		
Tribal Enrollment # or other tribal ID		

Parent 2's parents		
Current name & other names used		
Current address		
Former addresses		
Date and place of birth		
Date and place of death, if no longer living		
Tribe		
Tribal Enrollment # or other tribal ID		

Parent 1's grandparents <i>(add pages, as needed)</i>		
Current name & other names used		
Current address		
Former addresses		
Date and place of birth		
Date and place of death, if no longer living		
Tribe		
Tribal Enrollment # or other tribal ID		

Parent 2's grandparents <i>(add pages, as needed)</i>		
Current name & other names used		
Current address		
Former addresses		
Date and place of birth		
Date and place of		

Parent 2's grandparents <i>(add pages, as needed)</i>		
death, if no longer living		
Tribe		
Tribal Enrollment # or other tribal ID		

Petitioner or Petitioner's lawyer fills out below



Petitioner or lawyer signs here

Date



Print name (if lawyer, also list WSBA No.)

To Petitioner:

You must have this *Notice* and a copy of the *Petition* served by certified mail, return receipt requested to the:

- Children's tribe/s, addressed to the agent identified by the tribe/s (tribal agents designated to receive ICWA Notices are listed in the Federal Register: www.FederalRegister.gov (search "ICWA Agent")),
- Children's parents,
- Indian custodians (if any), and
- Bureau of Indian Affairs.

Fill out and file a *Proof of Mailing* form (FL Non-Parent 404).

(In addition to this mailing, you must have the *Summons* and *Petition* personally served on the parents and any Indian custodian.)