



IN THE FAMILY COURT FOR THE HOOPA VALLEY TRIBE

PETITION FOR PARENTING PLAN – PETITIONER

CASE NO.

Court Address P.O. Box 1389 Hoopa ,CA 95546

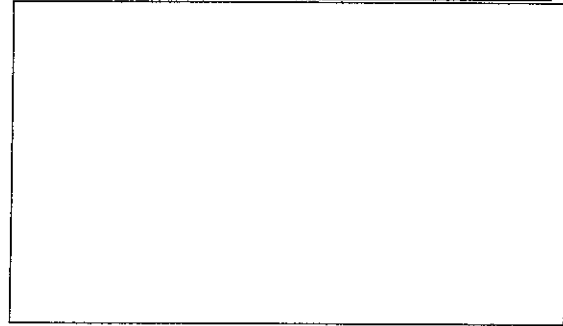
Court telephone no. (530) 625-4305

In Re the Parenting Plan for:

Name(s) of Child(ren):

Date of Birth:

Four sets of horizontal lines for entering child names and birth dates.



I, (NAME) _____, petition the court for the establishment of a parenting plan for the child(ren) named above in the case caption. I have attached a Proposed Parenting Plan to this Petition.

I. JURISDICTION Title 14A section 14A.4.40(a)

1.1 PERSONAL JURISDICTION Check all of the following that apply:

1.1(a) PETITIONER

- [] is the father of the children
[] is the mother of the children
[] is an enrolled member of the Hoopa Valley Tribe
[] has been domiciled on the reservation for at least 90 days prior to the filing of this action

1.1(b) RESPONDENT

- [] is the father of the children
[] is the mother of the children
[] is an enrolled member of the Hoopa Valley Tribe
[] has been domiciled on the reservation for at least 90 days prior to the filing of this action

1.1(c) Child (NAME): _____

- [] is an enrolled member of the Hoopa Valley Tribe
[] Hoopa Valley is the home reservation of the child at the date of the filing of this petition; or
[] Hoopa valley was the home reservation of the child within 6 months of the date of the filing of this petition, and a parent or other person acting as a parent continues to live on the reservation.

1.1(d) Child (NAME): _____

- [] is an enrolled member of the Hoopa Valley Tribe
[] Hoopa Valley is the home reservation of the child at the date of the filing of this petition; or
[] Hoopa valley was the home reservation of the child within 6 months of the date of the filing

of this petition, and a parent or other person acting as a parent continues to live on the reservation.

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1.1(d) Child (NAME): _____

- is an enrolled member of the Hoopa Valley Tribe
- Hoopa Valley is the home reservation of the child at the date of the filing of this petition; or
- Hoopa valley was the home reservation of the child within 6 months of the date of the filing of this petition, and a parent or other person acting as a parent continues to live on the reservation.

1.1(e) Child (NAME): _____

- is an enrolled member of the Hoopa Valley Tribe
- Hoopa Valley is the home reservation of the child at the date of the filing of this petition; or
- Hoopa valley was the home reservation of the child within 6 months of the date of the filing of this petition, and a parent or other person acting as a parent continues to live on the reservation.

There are additional children in this case, and I have attached an additional sheet of paper containing the information for the additional children.

1.1(f) PARTIES CONTACT INFORMATION

I request my **physical** address and phone number be kept confidential. I have not previously provided the other party with my current contact information. I fear, based on a past history of domestic violence, that the other party would stalk me, harass me, or become violent towards me if s/he had my contact information. **I have completed the Motion For Restriction in Parenting Plan and will file a confidential contact information sheet with the Court clerk at the time of the filing of this petition.**

DO NOT provide your PHYSICAL address or Telephone number in this form if you provided it confidentially to the court clerk because of your fear of domestic violence by the other party. You **MUST** provide a mailing address. The mailing address does not have to be your own post office box, but you must be able to receive mail at the address given in a timely manner. You **MUST** complete the contact information for the other party.

Party	Physical Address	Mailing Address	Phone Number
Petitioner			
Respondent			

1.2 SUBJECT MATTER JURISDICTION

This case is brought under Hoopa Valley Tribal Code Title 14A, Chapter 4, Parenting Plans and Visitation.

1.3 OTHER CUSTODY CASES INVOLVING THESE CHILDREN

I am not aware of any other case in which custody or child support for these children has been requested, or was ordered.

[] Custody or support of these children has been requested, or was ordered in the following cases:

Name of Court	Case Number	Type of case (Custody, Child Support, Child Abuse/Neglect, etc)	Date of Filing of case

II. RELIEF REQUESTED

I request the court issue a parenting plan that contains the terms and provisions requested in the attached proposed parenting plan.

III. DECLARATION UNDER PENALTY OF PERJURY

I declare under the penalty of perjury under the laws of the Hoopa Valley Tribe that the statements in this Petition are true and correct.

Both parents must sign this document if they both agree to the terms of this parenting plan. If only one parent is proposing this plan, then only that parent will sign below.

Mother

Date

Father

Date



**IN THE FAMILY COURT FOR
THE HOOPA VALLEY TRIBE**

**PROPOSED
PARENTING PLAN**

CASE NO.

Court Address
P.O. Box 1389 Hoopa ,CA 95546

Court telephone no.
(530) 625-4305

In Re the Parenting Plan for:

Name(s) of Child(ren):

Date of Birth:

I. GENERAL INFORMATION

- 1.1 This parenting plan is proposed by _____ [Name] who is the
 Petitioner Respondent in this case.
- 1.2 I am requesting that this proposed plan:
 be put in place temporarily while the terms of the final parenting plan are being worked out
 be put in place permanently
- 1.3 This parenting plan applies to the children named above in the case caption.
- 1.4 The proposed terms of this parenting plan are in the best interests of the child(ren).

II. RESIDENTIAL SCHEDULE Title 14A section 14A.4.40(E)(2)

The residential schedule must explain where the child(ren) will reside each day of the year, including provisions for holidays, birthdays of family members, vacations, and other special occasions, and what contact the child(ren) will have with each parent. Parents are encouraged to create a residential schedule that meets the developmental needs of the child(ren) and individual needs of their family.

2.1 DESIGNATION OF PRIMARY CUSTODIAL PARENT.

The children named in this parenting plan are scheduled to reside the majority of the time with the mother father Neither- the parents will share joint custody of the child

2.2 SCHEDULE FOR CHILDREN UNDER SCHOOL AGE

- There are no children under school age.
- Prior to enrollment in school, the child(ren) will reside with the mother father, except for the following days and times when the child(ren) will reside with or visit with the other parent:

from _____ [day and time] to _____ [day and time];

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from _____ [day and time] to _____ [day and time];
from _____ [day and time] to _____ [day and time]

every week every other week the first and third week of the month
 the second and fourth week of the month other: _____

2.3 SCHOOL SCHEDULE.

Upon enrollment in school, the child(ren) will reside with the mother father, except for the following days and times when the child(ren) will reside with or visit with the other parent:

from _____ [day and time] to _____ [day and time];
from _____ [day and time] to _____ [day and time];
from _____ [day and time] to _____ [day and time]

These visits will occur: every week
 every other week
 other: _____

The school schedule will start when each child begins kindergarten first grade
 other: _____

2.4 SCHEDULE FOR WINTER VACATION.

The child(ren) will reside with the mother father during winter vacation, except for the following days and times when the child(ren) will reside with or visit with the other parent:

2.5 SCHEDULE FOR SPRING BREAK

The child(ren) will reside with the mother father during Spring Break, except for the following days and times when the child(ren) will reside with or be with the other parent:

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2.6 SUMMER SCHEDULE.

Upon completion of the school year, the child(ren) shall reside with the mother father, except for the following days and times when the child(ren) will reside with or be with the other parent:

- Same as school year schedule.
- Other:

2.7 VACATION WITH PARENTS.

- Does not apply.
- The schedule for vacation with parents is as follows:

2.8 SCHEDULE FOR HOLIDAYS.

I request that no special holiday schedule be in place. The regular custody schedule will govern even on holidays.

I request the following holiday schedule:

Holiday Name	Holiday Start & End Time	Parent Assigned to Holiday
New Year's Eve		
New Year's Day		
Easter Day		
Mother's Day		Mother

Memorial Day Weekend		
Fourth of July		
Father's Day		Father
Halloween		
Thanksgiving Day		
Thanksgiving Weekend		
Christmas Eve		
Christmas Day		
Child's Birthday		
Mother's Birthday		Mother
Father's Birthday		Father
Sovereign's Day		

The holiday schedule listed above will:

- Be the same each year
- The parents will alternate holidays every other year except for mother's day, father's day, mother's birthday, and father's birthday.

2.9 TRIBAL DANCES

- Does not apply.
- The child's schedule during the tribal dances is as follows:

2.10 PRIORITIES UNDER THE RESIDENTIAL SCHEDULE.

- Does not apply.
- If the residential schedule, paragraphs 2.2 - 2.8, results in a conflict where the children are scheduled to be with both parents at the same time, the conflict will be resolved by priority being given as follows:
Rank the order of priority, with 1 being given the highest priority:

_____ schedule for no school age children (2.2)
 _____ school schedule (2.3)

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- _____ winter vacation (2.4)
- _____ spring break (2.5)
- _____ summer schedule (2.6)
- _____ vacation with parents (2.7)
- _____ holidays (2.8)
- _____ Tribal Dances (2.9)

Other: _____

2.11 TRANSPORTATION ARRANGEMENTS.

The parents must split transportation to and from visitation. You must designate a place of custody exchange and assign each parent equal transportation duties.

2.11(a) TRANSPORTATION TO AND FROM VISITATION

The child(ren) will be transported to visitation by (Name):

The child(ren) will be transported from visitation by (Name):

2.11.(b) ONE PARENT HAS NO VEHICLE

If one parent has no vehicle that parent must pay the other parent transportation costs in the amount of \$ _____ monthly in order to split the costs of transportation.

2.11(c) PLACE OF EXCHANGE

The children will be exchanged at the following location: _____

III. DECISION MAKING

3.1 DAY-TO-DAY DECISIONS.

Each parent makes decisions regarding the day-to-day care and control of each child while the child is residing with that parent. Regardless of the allocation of decision making in this parenting plan, either parent may make emergency decisions affecting the health or safety of the children.

3.2 MAJOR DECISIONS.

Major decisions regarding each child shall be made as follows:

Education decisions	<input type="checkbox"/>	mother	<input type="checkbox"/>	father	<input type="checkbox"/>	joint
Non-emergency health care	<input type="checkbox"/>	mother	<input type="checkbox"/>	father	<input type="checkbox"/>	joint
Religious upbringing	<input type="checkbox"/>	mother	<input type="checkbox"/>	father	<input type="checkbox"/>	joint
_____	<input type="checkbox"/>	mother	<input type="checkbox"/>	father	<input type="checkbox"/>	joint
_____	<input type="checkbox"/>	mother	<input type="checkbox"/>	father	<input type="checkbox"/>	joint

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IV. DISPUTE RESOLUTION

The purpose of this dispute resolution process is to resolve disagreements about carrying out this parenting plan. This dispute resolution process under the provisions of this plan must be used before filing a petition to modify the plan or a motion for contempt for failing to follow the plan.

4.1 TYPE OF DISPUTE RESOLUTION

Disputes between the parties, other than child support disputes, shall be submitted to (list person or agency):

counseling by _____, or

mediation by _____, or

arbitration by _____.

4.2 COSTS OF DISPUTE RESOLUTION

The cost of this process shall be allocated between the parties as follows:

_____% mother _____% father.

based on each party's proportional share of income from line 6 of the child support worksheets.

as determined in the dispute resolution process.

4.3 NOTIFICATION OF OTHER PARTY

The counseling, mediation or arbitration process shall be commenced by notifying the other party by written request certified mail other:

4.4 TERMS OF DISPUTE RESOLUTION

In the dispute resolution process:

- (a) Preference shall be given to carrying out this Parenting Plan.
- (b) Unless an emergency exists, the parents must use the designated process to resolve disputes relating to implementation of the plan, except those related to financial support.
- (c) A written record must be prepared of any agreement reached in counseling or mediation and of each arbitration award and must be provided to each party.
- (d) If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court will award legal fees and financial sanctions to the other parent.
- (e) The parties have the right to have the court review the dispute resolution outcome.

V. RESTRICTIONS Title 14A section 14A.4.40(I)

5.1 GROUNDS FOR RESTRICTION

I am **not requesting** that the court limit or prohibit the other parent's contact with the child(ren) and the right to make decisions for the child(ren).

I have reviewed the grounds for a motion for the court limiting or prohibiting the other

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parent's contact with the child(ren) and the right to make decisions for the child(ren) in the and I believe that the other parents behavior meets one or more of the grounds listed in the attached motion for restriction in parenting plan. *You must complete and attach the Motion for and Affidavit in Support of Restriction in Parenting plan or the court will not consider your request.*

VI. OTHER PROVISIONS

[] I request the following additional court orders in regards to the care and custody of my children:

VII. DECLARATION FOR PROPOSED PARENTING PLAN

I declare under penalty of perjury under the laws of the Hoopa Valley Tribe that this plan has been proposed in good faith and that the statements in this Proposed Plan are true and correct.

Both parents must sign this document if they both agree to the terms of this parenting plan. If only one parent is proposing this plan, then only that parent will sign below.

Mother

Date

Father

Date



IN THE FAMILY COURT FOR THE HOOPA VALLEY TRIBE

DECLARATION IN SUPPORT OF PROPOSED PARENTING PLAN

CASE NO.

Court Address P.O. Box 1389 Hoopa, CA 95546

Court telephone no. (530) 625-4305

In Re the Parenting Plan for:

Name(s) of Child(ren):

Date of Birth:

Four horizontal lines for entering child names.

Four horizontal lines for entering birth dates.

Petitioner (Name):

Horizontal line for entering petitioner name.

Respondent (Name):

Horizontal line for entering respondent name.

I (Name), _____, declare the following in support of my Petition for Parenting Plan:

1. The child(ren) currently reside with:

- [] Me
[] The other parent
[] Both parents
[] Other (Name): _____

2. The child(ren) have resided with the person named in paragraph 1 since (Date):

Horizontal line for entering date.

3. The current schedule for time the children spend time with their father is:

Five horizontal lines for describing the current schedule.

4. The current schedule for time the children spend with their father has been in place since (Date):

Horizontal line for entering date.

///

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5. Before the date listed in paragraph 4, the children spent time with their father according to the following schedule:

6. If the schedule of time that the children have spent with their father has changed over time, it has changed because of the following reasons (*Explain*):

7. The father's current work schedule is:

Day	Work Hours
Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	
Sunday	

8. The father's current work schedule [] is [] is not stable. (*Explain*):

9. The current schedule for time the children spend with their mother is:

10. The current schedule for time the children spend with their mother has been in place since
(Date): _____.

11. Before the date listed in paragraph 4, the children spent time with their mother according to
the following schedule:

12. If the schedule of time that the children have spent with their mother has changed over
time, it has changed because of the following reasons (Explain):

13. The mother's current work schedule is:

Day	Work Hours
Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	
Sunday	

///

///

14. The mother's current work schedule [] is [] is not stable. (Explain):

15. The child(ren) attend(s) the following school (List the name of each child's school. If the child is too young to attend school simply check that column of the table):

Child's Name	Name of School	Child too Young to Attend School

16. The following named person provides transportation to or from school for the child on the day of the week indicated. (Complete the chart below with the name of the person who provides the child's Transportation to and From School. Skip this question if the children are too young to attend school):

	Monday	Tuesday	Wednesday	Thursday	Friday
Transportation To School					
Transportation From School					

17. The following named person prepares the named meal for the child(ren) on the stated day of the week. (Complete the chart below with the name of the person who prepares the daily meals for the child):

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Breakfast							
Lunch							
Dinner							

///
 ///
 ///
 ///

18. The following named person assists the child in getting up in the morning or getting ready for bed in the evening on the stated day of the week (Explain who assists the child, if the child is too old for assistance, say "N/A"):

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Getting up							
Going to Bed							

19. I do do not have concerns with the other parent's ability to perform basic parenting functions.

20. The reasons for my concerns as to the other parent's ability to perform basic parenting functions are (Explain. Leave this blank if you do not have concerns about the other parent's abilities):

DECLARATION UNDER PENALTY OF PERJURY

I declare under the penalty of perjury under the laws of the Hoopa Valley Tribe that the statements in this declaration are true and correct.

In addition to any penalties for perjury that I may face for making intentional misstatements, I realize that the court is less likely to believe my statements if I exaggerate or make false statements to the court.

Sign your name and check the box which identifies your party status.

Petitioner Respondent

Date