

**TRIBAL CUSTOMARY ADOPTION ORDER OF THE
[CALIFORNIA TRIBE]**

CASE. NO:

SUBJECT: IN THE MATTER OF THE _____ MINOR
[_____] COUNTY JUVENILE COURT NO. _____
TRIBAL CUSTOMARY ADOPTION ORDER

WHEREAS, the [California Tribe] is a federally recognized Indian tribe eligible for all rights and privileges afforded to federally recognized tribes; and

WHEREAS, the [California Tribe] Tribal Council is the governing body of the [California Tribe] under the authority of the Constitution/Customs and Traditions of the [California Tribe]; and

WHEREAS, the minor child/ren, _____, date of birth _____, is a member of the [California Tribe] or is eligible for membership and is the natural child/descendent of _____, who is/was a member of the [California Tribe]; and

WHEREAS, it has been determined that return of the above named minor child/ren to the birth parents would likely result in serious detriment to the child/ren, the [California Tribe] Tribal Council has met with the family and determined, after careful consideration regarding the best interest of the child/ren, birth parents, adoptive family and tribal community, that customary adoption is in the child/ren's best interest. To that end, the above named child/ren shall now be considered the legal child/ren of _____ and _____, who are the minor's _____.

WHEREAS, under California State law (Welfare and Institutions Code §XX), a permanent plan of Tribal Customary Adoption can and has been found to be in an Indian Child's best interest and the Tribe retains all rights and responsibilities for ordering the Tribal Customary Adoption,

NOW THEREFORE BE IT RESOLVED, the parental rights of _____ shall be suspended/modified as follows:

1. The Birth Parent/s: _____ is/are no longer physically, legally, or financially responsible for the child. All such responsibilities are hereby transferred to the customary adoptive parents. However, under and pursuant to the customs and traditions of the Tribe and the inviolate nature of the connection between tribal children and tribal parents, the birth parents shall retain the following rights:

(a) Visitation:

Birth parents and/or child can have contact in a manner at a time that the adoptive family determines is in the child's best interest and as follows:

(b) Inheritance:

2. The Adoptive Family: Rights and obligations of the adoptive family, _____ and _____ are now the legal parents of _____. They shall have the following rights and obligations as defined below:

(a) Financial Support:

(b) Medical/Dental/Mental health care, including, but not limited to, the right to make all medical decisions:

(c) Educational rights:

(d) Inheritance:

(f) Receipt of benefits: For purposes of all tribal, state and federal benefits, including, but not limited to, financial, insurance, educational, cultural, and citizenship benefits, the child/ren is/are the children of the adoptive parents.

(g) Travel:

(h) Cultural support: The adoptive parents will endeavor to keep the minor child closely connected to his [California Tribe] heritage and will provide the child with every opportunity to develop a strong cultural identity as a member of the [California Tribe].

All rights not specified herein shall be invested to the adoptive family.

OTHER POTENTIAL ISSUES TO BE ADDRESSED:

- Clan, family, village, community, ceremonial affiliation
- Name Change

3. The Tribal Council, or any other tribal entity exercising authority specifically delegated to it by and through the duly exercised authority of the Tribal Council, retains jurisdiction to review and thereafter alter and/or modify this Order from time to time as necessary. Parties seeking such review, alteration or modification must utilize an available dispute resolution process prior to seeking Tribal Council review.

CERTIFICATION

We, the elected members of the Tribal Council of the [California Tribe] do hereby certify that the foregoing Order was adopted by the [California Tribe] Council at a duly held meeting convened on the [California Tribe] [Reservation/Rancheria] on _____, ____ by a vote of ____ "FOR", ____ "AGAINST", ____ "ABSTAINING", and such Order has not been rescinded or amended in any way.

_____, Chairman

_____, Vice-Chair

_____, Treasurer

_____, Secretary

_____, Member

