

1 PYRAMID LAKE TRIBAL COURT
2 P.O. BOX 257 / 221 HWY 447
3 NIXON, NV 8424
4

5 **PETITION FOR PERMANENT**
6
7 **ADULT GUARDIANSHIP**

8 **PACKET INCLUDES PETITION INSTRUCTIONS AND FILING PROCESS**
9

10 **ATTENTION: THIS PACKET IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY**
11 **OR ADVOCATE. COUNSEL IS ALWAYS RECOMMENDED FOR LEGAL MATTERS.**

12 The laws governing the Pyramid Lake Paiute Reservation allow any person to represent
13 him/herself in any legal action heard in the Pyramid Lake Tribal Court. However, filing
14 Petitions/Application/Complaints with the Court and representing yourself in the
15 Courtroom can involve complex legal matters. This packet only addresses a few legal
16 issues involved in bringing your matter before Court.

17 When appearing pro se, Latin for “on one’s own behalf”, you are responsible for
18 understanding the law that governs your case and for filing the correct legal documents.
19 The laws and rules are set out in the Pyramid Lake Law & Order Code, the Federal Rules
20 of Civil Procedure, and the Pyramid Lake Tribal Court Operational Procedures.

21 When you return to the Court and sign these documents for filing, the Court assumes
22 that all documents are read carefully and all potential outcomes of litigation in this matter
23 are understood.

24 ****BEFORE FILING IN ANY PORTION OF THE PETITION, READ ALL MATERIALS**
25 **AND, IF NEEDED, REQUEST CLARIFICATION FROM THE COURT STAFF.****

- 1 1. Fill out the Petition completely. Use blue or black ink only to fill out the forms and
2 neatly print the information requested. DO NOT USE WITE-OUT or any other
3 fluid/tape on the forms. The Complaint will not be accepted by the Court
4 Personnel if correction fluid/tape is used.
- 5 2. On page 1, state your name(s) as Petitioner(s);
- 6 3. On page 1, list the proposed ward and their date of birth.
- 7 4. Write Petitioners name on the blank lines on Page 1, Line 13 – 14.
- 8 5. Completely fill out the information regarding Proposed Guardian I.
- 9 6. Completely fill out the information regarding Proposed Guardian II (if applicable).
- 10 7. Completely fill out the requested information regarding the proposed ward.
- 11 8. Completely fill out the parental information requested.
- 12 9. Answer regarding prior guardianship / custody orders.
- 13 10. Completely fill out requested information of the relatives of the ward.
- 14 11. Completely fill out the prayer for relief.
- 15 12. If you plan on returning to the Courthouse to file the Petition, wait to sign the
16 Petition in front of staff so they may sign stating that the signature was
17 witnessed. However, if you are mailing, emailing, or faxing the Complaint, have
18 each area designated for a signature, **notarized**.
- 19 13. Once the Petition is completed and ready to be filed, submit the filing fee
20 (\$50.00), the civil service fee (\$15.00 if in the boundaries of the PL Reservation,
21 TBD if outside jurisdiction), and the Petition to Court Personnel. If the
22 Respondent resides outside of the Pyramid Lake Reservation the Court staff will
23 contact the county to determine the service fee, and you will be responsible to
24 pay the fee to the County in question.
25

1 14. If you are submitting your Petition with an Application Waive Filing Fees (herein
2 after: "Application") the Petition will not be filed until a decision on the Application
3 is rendered. Should the Judge approve the Application, your petition will be filed,
4 however, if it is denied, you will be contacted and must pay the filing fee prior to
5 the Petition being filed. If the Application is approved, no filing fees will be
6 assessed for thirty (30) days per Application.

7
8 15. Once the Petition is filed, Court staff will issue a Summons that must be served
9 on any interested parties. The Summons and Petition will be forwarded to the
10 Pyramid Lake Police Department (or applicable Police Department) for service.

11 *Double check and make sure that the address noted for the Respondent is
12 correct as incorrect addresses will slow the process and could add additional
13 service fee charges. If there are no interested parties the matter will be
14 automatically set for a hearing at the next available Court date.

15 16. Once the Respondent is served, he/she will have twenty (20) days to respond to
16 the Petition. Once an Answer/Response is filed, along with the \$15.00 filing fee,
17 a hearing will be scheduled and all parties will be served notice via mail. If the
18 respondent chooses not to respond, the full twenty (20) days will be allocated
19 and a hearing will be scheduled on the 21st day.

20
21 17. If you are unable to appear on the date provided, you may request that this
22 matter be continued via Motion to Continue (herein after "Motion"). Submit Motion
23 and payment (\$15.00) at least eight (8) working days prior to the hearing.

24 **IN THE PYRAMID LAKE TRIBAL COURT**

25 **IN AND FOR THE PYRAMID LAKE INDIAN RESERVATION**

WASHOE COUNTY, STATE OF NEVADA

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**In the Matter of the Permanent
Guardianship of:**

) Case No.: PL.CV-GD-_____-_____.
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)

Name of Proposed Ward

**PETITION FOR APPOINTMENT
OF PERMANENT GUARDIANSHIP**

Date of Birth

**AN ADULT OVER THE AGE OF
EIGHTEEN (18) YEARS OLD.**

COMES NOW, Petitioner(s), _____ and

_____, respectfully petitions the Court for an
Order of Permanent Guardianship for the above named. Petitioner(s) respectfully
represents the following to this Honorable Court:

I. THE PROPOSED GUARDIAN(S)

Information Regarding the Proposed Guardian # 1:

1. The current physical residence of Petitioner is: _____
_____.
2. The Petitioner's mailing or post office address is: _____
_____.
3. Is this residence located on the Pyramid Lake Paiute Reservation?
___ Yes; ___ No.
4. How long has Petitioner lived at this address? _____.
5. Petitioner's Tribal Affiliation (if any) is _____.
6. Is Petitioner an enrolled member of the Pyramid Lake Paiute Tribe:

1 ___ Yes; ___ No.

2 7. Is Petitioner eligible for enrollment with the Pyramid Lake Tribe ___ Yes; ___ No.

3 8. Petitioner's date of birth is: ____/____/____

4 9. Petitioner's relationship to the proposed ward is: _____

5 _____.

6 10. Proposed Guardian #1 (**check one**) ___ *has* ; ___ *has not* been judicially
7 determined to have committed abuse, neglect or exploitation of a child, spouse,
8 parent or other person.

9 11. Proposed Guardian #1 (**check one**) ___ *has*; ___ *has not* been convicted of a
10 felony.

11 12. If Petitioner has been convicted of a felony, provide date of conviction, describe
12 felony, sentence upon conviction, whether Petitioner was granted parole/
13 probation: _____

14 _____

15 _____

16 _____

17 13. Proof of the disposition of any felony conviction must be filed with the court.

18 **Information Regarding the Proposed Guardian # 2**

19 14. The current physical residence of Petitioner is _____

20 _____.

21 15. The Petitioner's mailing or post office address is _____

22 _____.

23 16. Is this residence located on the Pyramid Lake Paiute Reservation?

1 27. Proposed ward's full name _____
First Middle Last

2 28. Proposed ward's date of birth: ____/____/____.

3 29. Check one:

4
5 The proposed ward is at least 18 years of age and has consented to the
6 guardianship. The written consent will be filed with this petition.

7
8 The proposed ward is over the age of 18, but cannot consent.

9 30. The proposed ward currently resides at: _____

10 _____

11 31. How long has the proposed ward lived at this address: _____

12 32. The name and address of the current care provider for the proposed ward

13 is: _____

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15
16 33. The proposed ward's place of birth is: _____, _____
City State

17 34. The proposed ward's Tribal affiliation (if any) _____

18 35. Is proposed ward an enrolled Pyramid Lake Paiute Tribe member?

19 ___ Yes; ___ No.

20 36. Is proposed ward eligible for enrollment with the Pyramid Lake Tribe?

21 ___ Yes; ___ No.

22 37. Does the proposed ward have any assets or income? Please list: _____

23 _____

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25 _____

III. PARENTAL INFORMATION

1 **Parental Information - Mother**

2 38. Full name of the Mother of the child(ren) is: _____
3 First Middle Last

4 39. Mother's current physical address: _____
5 _____

6 40. Mother's mailing address: _____
7 _____

8 41. The Mother's Tribal affiliation (if any) _____

9 42. Is the Mother is an enrolled Pyramid Lake Paiute Tribe member?

10 ___ Yes; ___ No.

11 43. Is the Mother is eligible for enrollment with the Pyramid Lake Tribe?

12 ___ Yes; ___ No.

13 **Parental Information - Father**

14 15 44. Paternity for the proposed ward(s) has been established by:

- 16 a) ___ Paternity was never established.
- 17 b) ___ Paternity was established through a voluntary acknowledgment
- 18 by both parents at the time of birth and Father's name is on the birth
- 19 certificate.
- 20 c) ___ Paternity was established through a Court proceeding. Please
- 21 state name/address of Court, the date of the proceeding and the case
- 22 number of the proceeding:

23 _____
24 _____
25 _____

1 _____
2 d) _____ Through genetic testing, a copy of which is attached to this
3 pleading.

4 e) _____ The child(ren) has the Father's last name.

5
6 45. The full name of the Father is: _____
7 First Middle Last

8 46. Father's current physical address: _____

9
10 47. Father's mailing address: _____

11
12 48. The Father's Tribal affiliation (if any) _____

13 49. Is the Father is an enrolled Pyramid Lake Paiute Tribe member?

14 ___ Yes; ___ No.

15 50. Is the Father eligible for enrollment with the Pyramid Lake Tribe?

16 ___ Yes; ___ No.
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22 IV. PRIOR GUARDIANSHIP OR CUSTODY ORDERS

23 If any kind of guardianship or custody order has ever been filed - including orders for
24 Temporary Protection - regarding the proposed ward, state the approximate date and
25 the provisions of the orders. If no orders were ever filed, print "NONE" in the space:

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V. RELATIVES OF THE WARD(S)

51. The names and addresses of the following relatives of the wards are:

(Note: attach an additional page if more room is needed to list wards' relatives and their addresses)

Relatives of Mother:

Maternal Grandmother of Ward: _____

Maternal Grandfather of Ward: _____

Mother's brothers: _____

Mother's sisters: _____

Relatives of Father:

Paternal Grandmother of Ward: _____

Paternal Grandfather of Ward: _____

Father's brothers: _____

Father's sisters: _____

VI. PRAYER FOR RELIEF

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WHEREFORE, Petitioner(s) prays for the following:

1. That the Petitioner(s), _____, be appointed Permanent Guardian(s) of the following proposed ward: _____
_____.
2. That the Petitioner(s) be awarded permanent legal and physical custody of the above-named proposed ward.
4. For such other and further relief as the Court may deem just and proper.

Dated this _____ day of _____, 20__.

Petitioner I Signature

Petitioner II Signature

Subscribed and sworn to before me on this _____ day of _____
20____.

Notary Public/Court Clerk

1 **IN THE PYRAMID LAKE TRIBAL COURT**
2 **IN AND FOR THE PYRAMID LAKE INDIAN RESERVATION**
3 **WASHOE COUNTY, NEVADA**

4 **AFFIDAVIT IN SUPPORT OF PERMANENT GUARDIANSHIP**

5 I, _____, being first duly sworn on oath, affirm that I am
6 the affiant in this cause that the statements made herein are true and correct to the best
7 of my knowledge, recollection and belief, as follows:

8 _____
9 _____
10 _____
11 _____
12 _____
13 _____
14 _____
15 _____
16 _____
17 _____
18 _____
19 _____

20 DATE: _____ AFFIANT: _____

21
22 DATE: _____ AFFIANT: _____

23 Subscribed and Sworn to before me on this ___ day of _____, 20__.

24
25 _____
Notary Public/Court Administrator

1 **PLEASE PROVIDE THE FOLLOWING CASE INFORMATION TO THE COURT WHEN**
2 **SUBMITTING THE PETITION**

3 {This portion must be completed or the petition will not be accepted.}

4 PETITIONER I NAME: _____

5 MAILING ADDRESS: _____

6 PHYSICAL ADDRESS: _____

7 EMAIL ADDRESS: _____

8 PHONE NO(s): (H) _____ (W) _____

10
11 PETITIONER II NAME: _____

12 MAILING ADDRESS: _____

13 PHYSICAL ADDRESS: _____

14 EMAIL ADDRESS: _____

15 PHONE NO(s): (H) _____ (W) _____

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19 **FILING FEE: \$50.00**
20 **SERVICE FEE WITHIN RESERVATION BOUNDARIES: \$15.00**
21 **SERVICE FEE OUTSIDE JURISDICTION: TBD**
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