

1 PYRAMID LAKE TRIBAL COURT
2 P.O. BOX 257 / 221 HWY 447
3 NIXON, NV 8424
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5 **PETITION FOR APPOINTMENT OF**
6 **TEMPORARY GUARDIANSHIP OF**
7 **MINOR CHILD(REN)**
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10 **PACKET INCLUDES PETITION INSTRUCTIONS AND FILING PROCESS**
11

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

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

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

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

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

- 3
- 4 1. Fill out the Petition (herein after "Petition") completely. Use blue or black ink only
5 to fill out the forms and neatly print the information requested. DO NOT USE
6 WITE-OUT or any other fluid/tape on the forms. The Complaint will not be
7 accepted by the Court Personnel if correction fluid/tape is used.
- 8 2. On page 1, write the name(s) of the proposed ward(s) and their date of birth(s);
- 9 3. On page 1, list the proposed ward and their date of birth.
- 10 4. Write Petitioners name on the blank lines on Page 1.
- 11 5. Completely fill out the information regarding Proposed Guardian I.
- 12 6. Completely fill out the information regarding Proposed Guardian II (if applicable).
- 13 7. Completely fill out the requested information regarding the proposed ward(s).
- 14 8. Completely fill out the parental information requested.
- 15 9. Completely fill out the requested information about Contact with parents;
- 16 10. Answer regarding prior guardianship / custody orders.
- 17 11. Completely fill out requested information of the relatives of the ward.
- 18 12. Completely fill out the prayer for relief.
- 19 13. If you plan on returning to the Courthouse to file the Petition, wait to sign the
20 Petition in front of staff so they may sign stating that the signature was
21 witnessed. However, if you are mailing, emailing, or faxing the Complaint, have
22 each area designated for a signature, **notarized**.
- 23
- 24 14. Fill out the Affidavit by explaining why you believe the guardianship is needed;
- 25

1 15. Once the Petition is completed and ready to be filed, submit the filing fee
2 (\$50.00), the civil service fee (\$15.00 if in the boundaries of the PL Reservation,
3 TBD if outside jurisdiction), and the Petition to Court Personnel. If the
4 Respondent resides outside of the Pyramid Lake Reservation the Court staff will
5 contact the county to determine the service fee, and you will be responsible to
6 pay the fee to the County in question.

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

13 17. Once the Petition is filed, Court staff will issue a Summons that must be served
14 on any interested parties. The Summons and Petition will be forwarded to the
15 Pyramid Lake Police Department (or applicable Police Department) for service.
16 *Double check and make sure that the address noted for the Respondent is
17 correct as incorrect addresses will slow the process and could add additional
18 service fee charges. If there are no interested parties the matter will be
19 automatically set for a hearing at the next available Court date.

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

3 19. If you are unable to appear on the date provided, you may request that this
4 matter be continued via Motion to Continue (herein after "Motion"). Submit Motion
5 and payment (\$15.00) at least eight (8) working days prior to the hearing.
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1 IN THE PYRAMID LAKE TRIBAL COURT
2 IN AND FOR THE PYRAMID LAKE INDIAN RESERVATION
3 WASHOE COUNTY, STATE OF NEVADA
4

5 In the Matter of the Permanent
6 Guardianship of:

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

7 _____
8 Name of Minor Child
9 _____

**PETITION FOR APPOINTMENT
OF TEMPORARY GUARDIANSHIP OF
MINOR CHILD(REN)**

10 _____
11 Date of Birth
12 _____

13 _____
14 Name of Minor Child
15 _____

16 _____
17 Date of Birth
18 _____

19 _____
20 Name of Minor Child
21 _____

22 _____
23 Date of Birth
24 _____

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

COMES NOW, Petitioner(s), _____ and

_____, respectfully petitions the Court for an

Order of Temporary 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:

The current physical residence of Petitioner is: _____

_____.

The Petitioner's mailing or post office address is: _____

_____.

Is this residence located on the Pyramid Lake Paiute Reservation?

___ Yes; ___ No.

How long has Petitioner lived at this address? _____.

Petitioner's Tribal Affiliation (if any) is _____.

Is Petitioner an enrolled member of the Pyramid Lake Paiute Tribe:

___ Yes; ___ No.

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

Petitioner's date of birth is: ____/____/____

Petitioner's relationship to the proposed ward is: _____

_____.

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

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

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

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

Information Regarding the Proposed Guardian # 2

The current physical residence of Petitioner is _____
_____.

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

Is this residence located on the Pyramid Lake Paiute Reservation?

Yes; No.

How long has Petitioner lived at this address? _____.

Petitioner's Tribal Affiliation (if any) is _____.

Is Petitioner an enrolled member of the Pyramid Lake Paiute Tribe:

Yes: No.

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

Petitioner's date of birth is: ____/____/____

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

Proposed Guardian #2 (**check one**) *has* ; *has not* been judicially determined to have committed abuse, neglect or exploitation of a child, spouse, parent or other person.

1 Proposed Guardian #2 (**check one**) ___ *has*; ___ *has not* been convicted of a felony.

2 If Petitioner has been convicted of a felony, provide date of conviction, describe felony,

3 sentence upon conviction, whether Petitioner was granted parole/probation:

4 _____
5 _____
6 _____
7 _____
8 _____

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

10
11 **II: THE PROPOSED WARD(S)**

12 **Information about the First Proposed Ward**

13 Proposed ward's full name _____.

14 First

Middle

Last

15 Proposed ward's date of birth: ____/____/____.

16
17 Check one:

18 The proposed ward is at under 14 years of age. Therefore, no consent from the minor
19 will be filed.

20 The proposed ward is over the age of 14 and has consented to the guardianship. The
21 written consent will be filed with Petition.

22 The proposed ward currently resides at: _____

23 _____
24 _____

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

1 The name and address of the current care provider for the proposed ward

2 is: _____

3 _____.

4 The proposed ward's place of birth is: _____, _____.

5 City State

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

7 Is proposed ward an enrolled Pyramid Lake Paiute Tribe member?

8 ___ Yes; ___ No.

9 Is proposed ward eligible for enrollment with the Pyramid Lake Tribe?

10 ___ Yes; ___ No.

11 Does the proposed ward have any assets or income? Please list: _____

12 _____

13 _____.

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16 **Information about the Second Proposed Ward**

17 Proposed ward's full name _____.

18 First Middle Last

19 Proposed ward's date of birth: ____/____/____.

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21
22 Check one:

- 23 The proposed ward is at under 14 years of age. Therefore, no consent from the
24 minor will be filed.

1 Check one:

- 2 The proposed ward is at under 14 years of age. Therefore, no consent from the
3 minor will be filed.
- 4 The proposed ward is over the age of 14 and has consented to the guardianship.
5 The written consent will be filed with Petition.

6 The proposed ward currently resides at: _____
7 _____.

8 How long has the proposed ward lived at this address: _____
9 _____.

10 The name and address of the current care provider for the proposed ward
11 is: _____
12 _____.

13 The proposed ward's place of birth is: _____, _____.
14 City State

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

16 Is proposed ward an enrolled Pyramid Lake Paiute Tribe member?

17 ___ Yes; ___ No.

18 Is proposed ward eligible for enrollment with the Pyramid Lake Tribe?

19 ___ Yes; ___ No.

20 Does the proposed ward have any assets or income? Please list: _____
21 _____
22 _____

23
24 **III: PARENTAL INFORMATION**

25 **Parental Information - Mother**

1 Full name of the Mother of the child(ren) is: _____.

2 First Middle Last

3 Mother's current physical address: _____

4 _____

5 Mother's mailing address: _____

6 _____

7 The Mother's Tribal affiliation (if any) _____

8 Is the Mother is an enrolled Pyramid Lake Paiute Tribe member?

9 Yes; No.

10 Is the Mother is eligible for enrollment with the Pyramid Lake Tribe?

11 Yes; No.

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13
14 **Parental Information - Father**

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

16 Paternity was never established.

17 Paternity was established through a voluntary acknowledgment by both parents
18 at the time of birth and Father's name is on the birth certificate.

19 Paternity was established through a Court proceeding. Please state
20 name/address of Court, the date of the proceeding and the case number of the
21 proceeding:
22

23 _____

24 _____

25 _____

1 _____.

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

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

4 The full name of the Father is: _____.

5 First Middle Last

6 _____

7 Father's current physical address: _____

8 _____

9 Father's mailing address: _____

10 _____

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

12 Is the Father is an enrolled Pyramid Lake Paiute Tribe member?

13 _____ Yes; _____ No.

14 Is the Father eligible for enrollment with the Pyramid Lake Tribe?

15 _____ Yes; _____ No.

16 _____

17 _____

18 **IV: CONTACT WITH PARENTS**

19 Please explain the type of contact that both parents have had with the child(ren),
20 including physical, telephone, video, etc.

21 Mother has had contact with the child(ren) in the following way: _____

22 _____

23 _____

24 _____

25 _____

1 Father has had contact with the child(ren) in the following way: _____

2 _____

3 _____

4 _____

5 _____

6 **V: PRIOR GUARDIANSHIP OR CUSTODY ORDERS**

7 If any kind of guardianship or custody order has ever been filed - including orders for
8 Temporary Protection - regarding the proposed ward, state the approximate date and
9 the provisions of the orders. If no orders were ever filed, print "NONE" in the space:
10

11 _____

12 _____

13 _____

14 _____

15 **VI: RELATIVES OF THE WARD(S)**

16 The names and addresses of the following relatives of the wards are:

17 (Note: attach an additional page if more room is needed to list wards' relatives and their
18 addresses)
19

20 **Relatives of Mother:**

21 Maternal Grandmother of Ward: _____

22 Maternal Grandfather of Ward: _____

23 Mother's brothers: _____

24 _____

1 Mother's sisters: _____

2 _____
3 _____
4 **Relatives of Father:**

5 Paternal Grandmother of Ward: _____

6 Paternal Grandfather of Ward: _____

7 Father's brothers: _____
8 _____

9 _____
10 Father's sisters: _____

11 _____
12 _____
13 _____
14 **PRAYER FOR RELIEF**

15 **WHEREFORE**, Petitioner(s) prays for the following:

16 1. That the Petitioner(s), _____, be appointed
17 Permanent Guardian(s) of the following proposed ward: _____
18 _____
19 _____

20 _____
21 2. That the Petitioner(s) be awarded permanent legal and physical custody of the
22 above-named proposed ward.

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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 _____
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19 _____

20 DATE: _____

PETITIONER I: _____

21
22 DATE: _____

PETITIONER II: _____

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) _____

17
18
19 **FILING FEE: \$50.00**
20 **SERVICE FEE WITHIN RESERVATION BOUNDARIES: \$15.00**
21 **SERVICE FEE OUTSIDE JURISDICTION: TBD**
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