

JDF 1353	<p align="center">Notice of Custody Proceeding Pursuant to the Indian Child Welfare Act (ICWA)</p>	
A. Court Information Type: <i>(ex: District)</i> Colorado County: Court Address:		<p align="center"><i>This box is for court use only.</i></p>
B. Parties to the Case Petitioner: & Respondent: <i>(or co-petitioner)</i>		
C. My Information Name: Mailing Address: City, State, Zip: Phone: Email:		D. Case Details Number: Division/Courtroom:

This Notice is being sent pursuant to C.R.S. § 19-1.2-108; 25 U.S.C. § 1901 et seq; and 25 C.F.R. § 23.111. See also Rule 6, Colorado Rules of ICWA Procedures. You must keep the information in this Notice confidential.

Please take notice that:

The children named in this notice are a part of a child custody proceeding (guardianship, allocation of parental responsibilities, paternity/maternity, adoption, dependency and neglect, etc.) and may be Indian children, as defined by 25 U.S.C. § 1903 and C.R.S. § 19-1.2-103(10).

A decision in this matter may affect the custodial rights of the parents and the Indian custodian (if any) to the children named in this notice.

This notice is being sent to you because special rules and procedures apply when an Indian child is involved in a custody proceeding.

1. Child(ren)

a) Name:

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

The child is a member of, or may be eligible for membership in, the following tribes:

Tribal membership information, enrollment number, and blood quantum: *(if available)*

Names of the child's parents: *(Including maiden, married, former, and alias names)*

b) Name:

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

The child is a member of, or may be eligible for membership in, the following tribes:

Tribal membership information, enrollment number, and blood quantum: *(if available)*

Names of the child's parents: *(Including maiden, married, former, and alias names)*

c) Name:

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

The child is a member of, or may be eligible for membership in, the following tribes:

Tribal membership information, enrollment number, and blood quantum: *(if available)*

Names of the child's parents: *(Including maiden, married, former, and alias names)*

d) Name:

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

The child is a member of, or may be eligible for membership in, the following tribes:

Tribal membership information, enrollment number, and blood quantum: *(if available)*

Names of the child's parents: *(Including maiden, married, former, and alias names)*

2. Court Address & Next Hearing

The next event in the case is a: *(hearing type if known)*

Scheduled for: *(date and time)*

This hearing is: *(select one)* ☐ Virtual ☐ In-person ☐ Hybrid ☐ Unknown

If Virtual or Hybrid, you may participate by utilizing the following link:

Court address: *(including courtroom or division)*

Court's telephone number:

3. Parents

a) Parent Name:

Contact Information:

All names: *(examples: maiden, married, former, and alias names)*

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

Tribal membership information and enrollment number: *(if available)*

Parental Relationship: *(select one)*

☐ Biological mother ☐ Biological father ☐ Other *(specify)*

Note - those selecting "Other" should also complete "Section 6 - Other Parties," below.

b) Parent Name:

Contact Information:

All names: *(examples: maiden, married, former, and alias names)*

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

Tribal membership information and enrollment number: *(if available)*

Parental Relationship: *(select one)*

☐ Biological mother ☐ Biological father ☐ Other *(specify)*

Note - those selecting "Other" should also complete "Section 6 - Other Parties," below.

c) Parent Name:

Contact Information:

All names: *(examples: maiden, married, former, and alias names)*

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

Tribal membership information and enrollment number: *(if available)*

Parental Relationship: *(select one)*

☐ Biological mother ☐ Biological father ☐ Other *(specify)*

Note - those selecting "Other" should also complete "Section 6 - Other Parties," below.

d) Parent Name:

Contact Information:

All names: *(examples: maiden, married, former, and alias names)*

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

Tribal membership information and enrollment number: *(if available)*

Parental Relationship: *(select one)*

☐ Biological mother ☐ Biological father ☐ Other *(specify)*

Note - those selecting "Other" should also complete "Section 6 - Other Parties," below.

e) Parent Name:

Contact Information:

All names: *(examples: maiden, married, former, and alias names)*

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

Tribal membership information and enrollment number: *(if available)*

Parental Relationship: *(select one)*

☐ Biological mother ☐ Biological father ☐ Other *(specify)*

Note - those selecting "Other" should also complete "Section 6 - Other Parties," below.

f) Ancestral Chart

Please complete the ancestral charts below for each biological parent.

Child's Father
Name:
Date of Birth:
Tribe:

Grandmother
Name:
Date of Birth:
Tribe:

Grandfather
Name:
Date of Birth:
Tribe:

Great-Grandmother
Name:
Date of Birth:
Tribe:

Great-Grandfather
Name:
Date of Birth:
Tribe:

Great-Grandmother
Name:
Date of Birth:
Tribe:

Great-Grandfather
Name:
Date of Birth:
Tribe:

Child's Mother
Name:
Date of Birth:
Tribe:

Grandmother
Name:
Date of Birth:
Tribe:

Grandfather
Name:
Date of Birth:
Tribe:

Great-Grandmother
Name:
Date of Birth:
Tribe:

Great-Grandfather
Name:
Date of Birth:
Tribe:

Great-Grandmother
Name:
Date of Birth:
Tribe:

Great-Grandfather
Name:
Date of Birth:
Tribe:

4. Indian Custodians

a) Indian Custodian Name:

Contact Information:

All names: *(examples: maiden, married, former, and alias names)*

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

Tribal membership information and enrollment number: *(if available)*

b) Indian Custodian Name:

Contact Information:

All names: *(examples: maiden, married, former, and alias names)*

Birthdate:

Birthplace: *(city, state, geographical location, or reservation)*

Tribal membership information and enrollment number: *(if available)*

5. Family Members

List all known information for the child(ren)'s direct lineal ancestors *(include grandparents, great-grandparents, etc.)*:

Name & Relationship to Child(ren)	Birthdate	Birthplace (city, state, geographical location, or reservation)	Tribal Affiliation (Name of tribe, enrollment number, etc., if available)

Name & Relationship to Child(ren)	Birthdate	Birthplace (city, state, geographical location, or reservation)	Tribal Affiliation (Name of tribe, enrollment number, etc., if available)

6. Requesting Parties

(The Requesting Parties are the petitioner(s) or other parties seeking guardianship, allocation of parental responsibilities, paternity/maternity, adoption, dependency and neglect, etc.)

a) Name:

Contact Information:

Lawyer's name: *(if any)*

Lawyer's address:

Lawyer's phone:

Lawyer's email address:

b) Name:

Contact Information:

Lawyer's name: *(if any)*

Lawyer's address:

Lawyer's phone:

Lawyer's email address:

c) Name:

Contact Information:

Lawyer's name: *(if any)*
Lawyer's address:
Lawyer's phone:
Lawyer's email address:

7. Other Parties

The other parties in this case *(if any)*, are:

Name	Role	Address & Telephone Number	Attorney Information (If party is represented)

8. If ICWA Applies:

- a) An Indian child's parent or Indian custodian has the right to intervene in this case and participate in the proceeding.
- b) An Indian child's Tribe has the right to intervene or participate in the proceeding as a party or in an advisory capacity.
- c) The Indian child's parents or Indian custodians have the right to be represented by a lawyer at every stage of this proceeding.
- d) If an Indian child's parent or Indian custodian cannot afford a lawyer and the Court determines that they are indigent, the Court will appoint one for them.
- e) The court may appoint a lawyer to represent the child(ren) in this case.
- f) No court hearing shall take place until at least 10 days after receipt of this Notice.
- g) An Indian child's parent, Indian custodian, or Indian Tribe has the right to up to an additional 21 days to prepare for the proceeding upon request to the Court.
- h) An Indian child's parent, Indian custodian, or Indian Tribe may request the case be transferred to a Tribal court or object to such transfer.
- i) An Indian child's parent, Indian custodian, or Indian Tribe has the right to request to examine all reports or other documents filed with the court regarding this case.

9. Possible Outcomes of the Case

Depending on the type of case (*guardianship, allocation of parental responsibilities, maternity/paternity, adoption, dependency and neglect, etc.*), the possible outcomes of the case include the following:

- a) This case could result in custody of the child(ren) being placed with someone other than a parent or Indian custodian, including the possibility of losing temporary or permanent custody;

In dependency and neglect or adoption cases, the possible outcomes of the case include the following:

- a) Parental rights could be terminated; and/or
- b) The child(ren) could be made available for adoption.

10. Attachments (*required*)

- ☐ Attached to this Notice is the Petition or Motion seeking placement (guardianship, allocation of parental responsibilities, paternity/maternity, etc.) or termination of parental rights (dependency and neglect, or adoption).

11. Certificate of Service

I certify that on (*enter date*)

I provided a copy of this document to the following by certified or registered mail with return receipt requested, to:

- a) Each tribe of which the child(ren) may be a member (*address listed in Section 1*).
- b) The child(ren)'s parents (*address listed in Section 3*).
- c) The child(ren)'s Indian custodian(s) (*if any*) (*address listed in Section 4*).
- d) The appropriate Regional Director of the Bureau of Indian Affairs (*if the identity or location of the child(ren)'s parents, the child(ren)'s Indian custodian, or the Tribes in which the Indian child(ren) is a member or eligible for membership cannot be determined*).
- e) Other parties to this case (*address listed in Section 7*).

12. Certified or Registered Mail Receipts

I understand that I must file copies of the certified or registered mail receipts with the Court.

- ☐ Attached to this Notice are the certified or registered mail receipts; or
- ☐ I will file the return receipts with the Court promptly after I receive them.

13. Sign & Date

Signature:

Date: