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**IN THE DISTRICT COURT FOR THE CHOCTAW NATION OF OKLAHOMA**

INSTRUCTIONS FOR TERMINATING A MINOR GUARDIANSHIP

1. Read all instructions carefully.
2. We have provided an editable version of the Motion to Terminate a Minor Guardianship. There are highlighted directions contained within the editable version that needs to be deleted before printing your forms. Delete any part of the editable version that does not apply to your situation. Print the Motion to Terminate Guardianship on 8 1/2” x 11” letter-size paper. Print on ONE SIDE ONLY of each page. Use as many or few pages as needed for your situation. You must sign the Motion in front of a notary.
3. Order Terminating Guardianship form is what the Judge needs to sign to grant the termination of the guardianship. Print this Order and bring it with you on your court date.
4. Fill out Information Sheet and mail in with Motion to Terminate Guardianship. We need an address for yourself, parents and current guardians.

ENCLOSE THE FOLLOWING WITH YOUR PETITION:

When you are ready to mail, or personally bring, your Motion to Terminate Guardianship to be filed with the Court Clerk’s office, you MUST bring the following in order to file your Motion:

1. Copy of your CDIB/membership card.
2. Information Sheet (THIS MUST BE COMPLETED AND RETURNED ALONG WITH YOUR MOTION).

If you have any questions, you may contact the Court Clerk’s office at 580-920-7027. Mail all correspondence to

P.O. Box 1160, Durant, OK 74702. If filing in person, you may use the Court Clerk’s Office in Durant, located at 2250 Chukka Hina Drive or the Court Clerk’s office in Talihina, located in the BIA Building at 302 Church Street.

**IN THE DISTRICT COURT FOR THE CHOCTAW NATION OF OKLAHOMA**

TYPE OF CASE

Guardianship

MOVANT’S INFORMATION

NAME: Last: First: Middle: ADDRESS: CITY: STATE: ZIP: DATE OF BIRTH: TELEPHONE: ALTERNATE NUMBER:

E-MAIL: TRIBAL AFFILIATION:

MOTHER’S INFORMATION

NAME: Last: First: Middle: ADDRESS: CITY: STATE: ZIP: DATE OF BIRTH: TELEPHONE: ALTERNATE NUMBER:

E-MAIL: TRIBAL AFFILIATION:

FATHER’S INFORMATION

NAME: Last: First: Middle: ADDRESS: CITY: STATE: ZIP: DATE OF BIRTH: TELEPHONE: ALTERNATE NUMBER:

E-MAIL: TRIBAL AFFILIATION:

CURRENT GUARDIANS’ INFORMATION

NAME: Last: First: Middle: ADDRESS: CITY: STATE: ZIP: DATE OF BIRTH: TELEPHONE: ALTERNATE NUMBER:

E-MAIL: TRIBAL AFFILIATION:

**IN THE DISTRICT COURT FOR THE CHOCTAW NATION OF OKLAHOMA**

IN RE THE GUARDIANSHIP OF: CASE NO. PGM-

DOB:

Minor Child.

MOTION TO TERMINATE GUARDIANSHIP

Comes now , appearing pro se herein, and moves the Court to terminate guardianship in this case for the reasons that

 and a guardianship is not needed.

WHEREFORE ALL PREMISES CONSIDERED, Petitioner prays this Honorable Court to set the above styled and numbered cause for guardianship termination hearing and at that time terminate the guardianship.

DATED this day of , 20 .

(Movant’s name and address)

STATE OF OKLAHOMA
COUNTY OF

Before me, a Notary Public in and for said County and State, on this day

of 20 , personally appeared , of lawful age, being first duly

sworn upon oath state:

That is the Movant above named; that he/she has read the above and foregoing Motion to Terminate Guardianship and understand the same; that the facts contained therein are true and correct.

Subscribed and sworn to before me this day of , 20 .

Notary Public

My Commission Exp.:

STATE OF OKLAHOMA COUNTY OF

AFFIDAVIT PURSUANT TO

UNIFORM CHILD CUSTODY JURISDICTION ACT

I , , being first duly sworn, state:

Name of Movant]

1. I am the Movant in a civil action currently pending in this Court.
2. and are the parents of minor [child/children], namely:

[number of children]

 , born ;

[Name of Child No. 1] [birth date of child 1]

 ; born ;

[Name of Child No. 2] [birth date of child 2]

and, , born .

[Name of Child No. 3] [birth date of child 3]

* 1. The present address of the [child/children] is .
	2. The [child/children] [has/have] resided with the following persons at the following addresses for the past five (5) years: [Or list address for the past five (5) years]

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| DATES(To-From) | ADDRESS | CITY | STATE | WITH |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

* 1. I have not participated as a party, witness or in any other capacity, in other litigation concerning the custody of the [child/children] in this state or in any other state. [EXCEPT: ].
	2. I have no knowledge of any custody proceeding concerning the [child/children] pending in any court.
	3. I know of no other party not a party to these proceedings who has physical custody of the [child/ children] or claims to have custody or visitation rights with respect to the [child/children].
	4. The [child/children] [is/are] not of Indian descent.
1. I have prepared this Affidavit in compliance with the Uniform Child Custody Jurisdiction Act and understand that I have a continuing duty to inform the Court of any custody proceeding concerning the [child/children] in this or any other state of which I obtain information during this proceeding.

# FURTHER AFFIANT SAITH NOT.

Affiant

Subscribed and sworn to before me the undersigned Notary Public this the day of , 20 .

Notary Public

My Commission Expires:

**IN THE DISTRICT COURT FOR THE CHOCTAW NATION OF OKLAHOMA**

IN RE THE GUARDIANSHIP OF: CASE NO. PGM-

DOB:

Minor Child.

ORDER AND NOTICE OF HEARING MOTION TO TERMINATE GUARDIANSHIP

Now on this day of 20 , , mother/father of the minor children having filed her Motion stating it is no longer necessary that a Guardianship of the person and estates of (child/children’s names) is necessary.

That the day of 20 , at the hour of .m. in the Choctaw Nation Judicial Center, located at 2250 Chukka Hina Drive, Durant, OK 74701, has been appointed as the time and place for hearing of said Motion, when and where any person interested may appear and show cause, if any they have, why such termination should not be ordered.

Dated this .

# Choctaw Nation District Court Clerk By

**IN THE DISTRICT COURT FOR THE CHOCTAW NATION OF OKLAHOMA**

IN RE THE GUARDIANSHIP OF: CASE NO. PGM-

DOB:

Minor Child.

ORDER TERMINATING GUARDIANSHIP

This cause comes on for hearing of the Motion of (movant’s name) for her Motion to Terminate Guardianship for (child/children names). The Movant appears in person. The Court then called the case for trial and after reviewing the file, hearing the agreement of all the matters as announced by the parties and after being otherwise fully advised in the premises, find: the court has jurisdiction in this matter since the minor is located in this jurisdiction and is a member of the Choctaw Nation and that it is in the best interest of the minor child, ,

that the guardianship is hereby terminated, and the Guardians are discharged from their duties.

Dated this day of , 20 .

Judge of Choctaw Nation District Court