

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S NAME:	CASE NUMBER:
<b>ORDER ON PETITION TO TRANSFER CASE INVOLVING AN INDIAN CHILD TO TRIBAL JURISDICTION</b>	RELATED CASES (if any):

1. Child's name: \_\_\_\_\_ Date of birth: \_\_\_\_\_
2. a. Date of hearing: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_
- b. Persons present:
 

<input type="checkbox"/> Child	<input type="checkbox"/> Parent (name): _____	<input type="checkbox"/> Parent's attorney
<input type="checkbox"/> Child's attorney	<input type="checkbox"/> Parent (name): _____	<input type="checkbox"/> Parent's attorney
<input type="checkbox"/> Probation officer/social worker	<input type="checkbox"/> Guardian	<input type="checkbox"/> CASA
<input type="checkbox"/> Deputy county counsel	<input type="checkbox"/> Deputy district attorney	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Tribal representative (name): _____		
3. The court has read and considered the
  - ICWA-50, *Notice of Petition and Petition to Transfer Case Involving an Indian Child to Tribal Jurisdiction*
  - Other relevant evidence (specify): \_\_\_\_\_
4.  The child's tribe has informed this court that it has a tribal court or other administrative body vested with authority over child custody proceedings.
5. **THE COURT FINDS AND ORDERS** under  Family Code, § 177(a);  Probate Code, § 1459.5(b);  Welfare and Institutions Code, § 305.5;  25 U.S.C. § 1911(a) (Exclusive Jurisdiction)
  - a.  The request for transfer is granted and the following ordered:
    - (1) The child's case is ordered transferred to the jurisdiction of the tribe listed below:  
 Name of tribe: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, state, zip code: \_\_\_\_\_  
 Telephone number: \_\_\_\_\_
    - (2) Physical custody of the child is transferred to a designated representative of the tribal court listed below:  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, state, zip code: \_\_\_\_\_  
 Telephone number: \_\_\_\_\_
  - b. 
    - (1) The case is being transferred from a juvenile court, and all of the findings and orders or modifications of orders that have been made in the case are attached.
    - (2) The case is being transferred from a juvenile court, and the county agency is hereby directed to release its case file to the tribe under section 827.15 of the Welfare and Institutions Code.
    - (3) The case is being transferred from a juvenile court, and all originals contained in the court file must be transferred to the tribal court; a copy of the transfer order and findings of fact must be maintained by the transferring court.

CHILD'S NAME:	CASE NUMBER:
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5. (4) A party that intends to seek appellate review of the transfer order is advised that the party must take an appeal before the transfer to tribal court is finalized. Failure to request and obtain a stay (delay the effective date) of the transfer order will result in a loss of appellate jurisdiction.
- c.  The petition to transfer is denied because one of the following circumstances exist:
- (1)  One or both of the child's parents opposes the transfer.  
Name of opposing parent: \_\_\_\_\_
  - (2)  The tribal court or other administrative body of the child's tribe declines the transfer.
- d.  The petition to transfer is denied because good cause exists not to transfer the case.
- (1)  Name of opposing party: \_\_\_\_\_ has submitted information or evidence in writing to the court and all parties.
  - (2)  Petitioner has had the opportunity to provide information or evidence in rebuttal.
  - (3)  After conducting an evidentiary hearing on \_\_\_\_\_ (date), as detailed on the record, the party opposing the transfer has established that there is good cause not to transfer the proceeding to tribal court.
  - (4)  The court provided a tentative decision in writing with reasons to deny the transfer in advance of the hearing at which the order to deny was made.
6.  Proof that the tribe has accepted transfer is attached and jurisdiction is terminated.
7.  Hearing is set for (date): \_\_\_\_\_ (time): \_\_\_\_\_ (dept.): \_\_\_\_\_  
to confirm that tribe has accepted transfer and to terminate jurisdiction.

Date:

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JUDICIAL OFFICER

