

CHILD CUSTODY AND VISITATION AGREEMENT

- Purpose:** To detail the custody and visitation arrangements regarding a particular child. Depending upon what best suits the petitioner's needs there are two forms provided. Form A is a short form and Form B is a long form
- How:** Completed upon judge's order and signed by the parties and the judge.
- Copies:** The original agreement is stored in the court case file.
A copy goes to each party in the proceeding.

FORT PECK TRIBAL COURT
ASSINIBOINE AND SIOUX TRIBES
FORT PECK INDIAN RESERVATION
POPLAR/WOLF POINT, MONTANA

IN THE MATTER OF:)
)
_____) CHILD CUSTODY AND
_____) VISITATION AGREEMENT
_____) AND ORDER
_____)
(A) MINOR INDIAN CHILD(REN)) CASE NO. _____.
)
)

The parties seeking Tribal Court determination of their respective custody and visitation rights with their respective minor child(ren), _____, _____, _____, do now enter into the following Agreement:

1. That primary custody of the child(ren) shall remain with _____.
2. The following visitation rights are granted to _____:

_____.

Other visitation may be granted by _____, upon ____ hours notice.

3. Child support will be:
_____.

In the event either party decides to permanently leave the Reservation, this Agreement will be renegotiated and, if the parties are unable to agree upon a renegotiated agreement, this matter will be again be presented to the Tribal Court for such modification as the Court deems appropriate.

DATED this ____ day of _____, 20____.

PETITIONER

RESPONDENT

ORDER

The Court, having reviewed the contents of the foregoing Agreement and have considered the same, hereby adopts the Agreement and orders the parties to the Agreement to comply therewith. Failure to comply will subject the defaulting party to the usual sanctions for Contempt of Court.

DATED this ____ day of _____, 20____.

Tribal Court Judge

FORT PECK TRIBAL COURT
ASSINIBOINE AND SIOUX TRIBES
FORT PECK INDIAN RESERVATION
POPLAR/WOLF POINT, MONTANA

IN THE MATTER OF:)
)
) CHILD CUSTODY AND
) VISITATION AGREEMENT
) AND ORDER
)
) CASE NO. _____.
(A) MINOR INDIAN CHILD(REN))
)

The parties seeking Tribal Court determination of their respective custody and visitation rights with their respective minor child(ren), _____, _____, _____, do now enter into the following agreement:

1. That primary custody of the child(ren) shall remain with _____, subject to the following specified visitation rights of _____;
 - (a) _____ shall have visitation rights for the _____ weekend(s) of each month, commencing at _____ o'clock on _____ and ending at _____ o'clock on _____, the child(ren) to be supplied with adequate clothing and personal articles for the visitation period, and to be picked up and delivered immediately outside of the home of _____;

(b) _____ shall have visitation on the following

holidays:

- i. holiday: _____
commencing: _____
ending: _____
- ii. holiday: _____
commencing: _____
ending: _____
- iii. holiday: _____
commencing: _____
ending: _____

(c) _____ shall have summer visitation with the
Child(ren) from _____ o'clock on _____, until
_____ o'clock on _____;

2. Prior to the commencement of any visitation period, _____ shall inform _____, in writing, of any proposed trips, including phone numbers and addresses at which the child(ren) can be found during the visitation, of any special clothing that might be necessary, and of the names of people who might be temporarily in charge of the child(ren).

3. In the event visitation for a specific holiday conflicts with the schedule for weekend visitation, rights for weekend visitation for either parent shall be set aside.
4. Any visitation not taken shall be deemed waived and shall not accumulate. Failure to exercise the right of visitation shall not be construed as a waiver of visitation in the future
5. Neither parent shall be entitled to remove the child(ren) from the Reservation without prior written consent of the other parent, or in the absence of such written consent, without a Tribal Court Order after a hearing with due notice to the other party.
6. At such time as _____ obtains employment, he or she will provide child support in the sum of \$_____ dollars (\$_____) per month except for the summer visitation periods when no support shall be required.

In the event either party decides to leave the Reservation, this Agreement shall be renegotiated and if the parties are unable to agree upon a renegotiated agreement, the matter shall again be presented to the Tribal Court for such modifications as the Court deems appropriate.

This Agreement shall be presented to the Tribal Court requesting a specific Order adopting the provisions hereof and directing enforcement of such provisions under the authority of the Fort Peck Tribal Court in Poplar, Montana.

DATED this _____ day of _____, 20____.

PETITIONER

RESPONDNET

ORDER

The Court having reviewed the contents of the foregoing Agreement and having considered the same, hereby adopts the same and orders the parties to the Agreement to comply therewith. Failure to comply will subject the defaulting party to the usual sanctions for Contempt of Court.

DATED this _____ day of _____, 20____.

TRIBAL COURT JUDGE

ATTEST: _____
Clerk of Court