
Name

Mailing Address

City, State Zip Code

Phone Number Email

- Petitioner (without attorney/advocate)
- Respondent (without attorney/advocate)
- Attorney/Advocate for _____

IN THE TRIBAL COURT OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD RESERVATION, PABLO, MONTANA

<input type="checkbox"/> In re the Marriage of: <input type="checkbox"/> In re the Parenting concerning: _____, Petitioner: _____ and Respondent: _____	Cause No. _____ <b style="text-align: center;">VERIFIED MOTION TO ENFORCE PARENTING PLAN
--	---

NOTE: If you need **more space** than is provided, attach additional pages and indicate the corresponding paragraph that goes with the attachment. **You must fill out the entire form.** If a section does not apply, put "N/A" (not applicable).

I am the Petitioner Respondent. I request the Court to enforce the existing Parenting Plan, entered on _____ (date) in Cause No. _____ and order the Petitioner Respondent to show cause for failure to follow the parenting plan order.

1. Information about Petitioner: Check if in Military

Full Legal Name: _____ Date of Birth: _____

Mailing Address: _____ Apt. No. _____

Physical Address: _____

Primary Phone No. _____

Length of Residence on Flathead Reservation: _____ (Years/Months)

Dates: _____

Petitioner is is not a member of a federally recognized tribe.

Tribal Affiliation: _____ Enrollment Number: _____

Petitioner has the following relationship with the minor child(ren):

- Child(ren)'s Mother
- Child(ren)'s Father
- Other (please specify): _____

2. Information about Respondent: Check if in Military

Full Legal Name: _____ Date of Birth: _____

Mailing Address: _____ Apt. No. _____

Physical Address: _____

Primary Phone No. _____

Length of Residence on Flathead Reservation: _____ (Years/Months)

Dates: _____

Respondent is is not a member of a federally recognized tribe.

Tribal Affiliation: _____ Enrollment Number: _____

Respondent has the following relationship with the minor child(ren):

- Child(ren)'s Mother
- Child(ren)'s Father
- Other (please specify): _____

3. Information about the Minor Child(ren).

Full Legal Name: _____ Date of Birth: _____

Mailing Address: _____ Apt. No. _____

Physical Address: _____

Primarily lives with: _____

Primary Phone No. _____

Length of Residence on Flathead Reservation: _____ (Years/Months)

Dates: _____

Minor child is is not a member of a federally recognized tribe.

Tribal Affiliation: _____ Enrollment Number: _____

Full Legal Name: _____ Date of Birth: _____

Mailing Address: _____ Apt. No. _____

Physical Address: _____

Primarily lives with: _____

Primary Phone No. _____

Length of Residence on Flathead Reservation: _____ (Years/Months)

Dates: _____

Minor child is is not a member of a federally recognized tribe.

Tribal Affiliation: _____ Enrollment Number: _____

4. Jurisdiction. This Court ordered a final parenting plan in this action and has jurisdiction pursuant to CSKT Laws Codified, § 1-2-104(1).

5. Parenting Plan

The last order regarding the Parenting Plan was entered on _____ (date) in Cause No. _____.

Copies of the court's Order Adopting Parenting Plan and Parenting Plan is attached to this Motion (required).

6. Notice of Parenting Plan

Petitioner Respondent knows about the final court ordered Parenting Plan because: (Choose All That Apply):

- Was in court when the Order was made.
- Was given a copy of the Order.
- Followed the Order in the past.
- Knew about the Order because:

_____.

7. Failure to Follow Plan. Describe how the Petitioner Respondent is violating the court ordered Parenting Plan and how this violation is not in the best interest of the child(ren):

8. Request. I request the Court to:

- Schedule a *Show Cause Hearing* as quickly as possible and order the offending party to appear and show why the *Motion to Enforce Parenting Time* should not be granted.
- Require both parties to attend mediation and report the results to the Court **within** _____ **days**.
- Impose sanctions as follows (see page 5 regarding sanctions):

- Order any other relief the as the Court deems just and proper under the circumstances.

-
- By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.
 - By checking this box, I am acknowledging that I have made a change to the original content of this form.
-

RESPECTFULLY SUBMITTED this _____ day of _____, 20__ by:

Signature of: Petitioner Respondent
 Attorney/Advocate for _____.

VERIFICATION AND ACKNOWLEDGMENT

I, _____, swear/affirm under penalty of perjury that I have read the foregoing document and that the information provided set forth therein is true and correct to the best of my knowledge.

Signature

Date

Subscribed and sworn to or affirmed before me at _____, Montana on the ____ day of _____, _____.

(SEAL)

Clerk of Court, Notary Public or other person authorized to administer oath.

My commission expires: _____

Possible sanctions that may be imposed by the Court. The possible sanctions to be imposed by the Court may include but **are not limited** to one or more of the following:

1. An order imposing additional terms and conditions on parenting time consistent with the Court’s previous order; except that the court shall separate the issues of child support and parenting time and shall not condition child support upon parenting time.
2. An order modifying the previous order to meet the best interests of the child.
3. An order requiring either or both parties to attend a parental education program at the expense of the non-complying party.
4. An order requiring the parties to participate in family counseling, at the expense of the non-complying party.
5. An order requiring the party who violated the parenting time order to post bond or security to insure future compliance.
6. An order requiring that make up parenting time be provided for the aggrieved party or child under the following conditions:
 - a. That such parenting time is of the same type and duration of parenting time as that which was denied, including but not limited to parenting time during weekends, on holidays, and on weekdays and during the summer.
 - b. That such parenting time is made-up within six months after the non-compliance occurs, unless the period of time or holiday cannot be made up within six months in which case the parenting time shall be made up within one year after non-compliance occurs.
 - c. That such parenting time takes place at the time and in the manner chosen by the aggrieved party if it is in the best interest of the child.
7. An order finding the non-complying party in contempt of court and imposing a fine.
8. Any other orders that the Court finds to promote the best interests of the child involved.
9. In the event the party responding to this action, is found to not be in violation of the parenting time order, the Court may order the party who filed the motion to pay the court costs, attorney fees, and expenses incurred by the other party.