

# **Registering Tribal Child In Need of Protection Orders w/ the State Court**

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# **Registering Tribal Court CINP Orders with the State Court**

## **Why choose to register your Tribal Court Child in Need of Protection Order?**

Alaska has adopted court rules for Tribes to send child protection orders to the state court for recognition and enforcement.

State of Alaska

CINA Rule 24 and Rule 25



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## Registering Tribal Court CINP Orders with the State Court

**CINA Rule 24:** Is the *Registration and Confirmation* of Tribal Court Orders under the Indian Child Welfare Act. Confirms the Tribal Court has: Jurisdiction, Order has not been stayed, vacated or modified. The person contesting did receive notice in a manner reasonable calculated to give actual notice of the proceeding before the court that issued...and had an opportunity to be heard.

**CINA Rule 25:** Is the *Expedited Enforcement* of Tribal Court Orders under the Indian Child Welfare Act. Ex Parte Hearing to Issue a *Writ of Assistance*.



## Registering Tribal Court CINP Orders with the State Court

- CINA Rule 24: (non-emergency), a hearing is set on only if a respondent requests a hearing on the matter w/in 20 days of service. If no one asks for a hearing the Order is confirmed and registered.
- CINA Rule 25: Is the *Expedited Enforcement* of Tribal Court Orders under the Indian Child Welfare Act. Ex Parte Hearing to Issue a *Writ of Assistance*.



# Registering Tribal Court CINP Orders with the State Court

**The benefits of registering a Tribal CINP Order is recognition and enforcement.**

- ✓ Under CINA Rule 25, the Tribe is able to get a Writ of Assistance for law enforcement or a peace officer assistance in removing a child.
- ✓ The Tribe needs to Register the Order using Rule 24 guidelines, at the same time as petitioning for Rule 25.

# Registering Tribal Court CINP Orders with the State Court

A Tribe does not have to register their Child In Need of Protection Order, but they may.

If you will request law enforcement assistance (from Alaska State Troopers or from municipal police) you need to Register using CINA Rule 24 & 25.



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# Forms to Register a Tribal Court CINP Order are listed below

There are several resources available:

[https://public.courts.alaska.gov/web/forms/  
docs/tribal-court-toolbox.pdf](https://public.courts.alaska.gov/web/forms/docs/tribal-court-toolbox.pdf)

:

Alaskatribes.org ~ Alaska Legal Services  
website



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