

INSTRUCTIONS FOR FILLING OUT FORM

PURPOSE. This form is to be used after the person attempting to personally serve the petition and notice of hearing on the natural parent cannot locate the natural parent after reasonable diligent attempts to locate the natural parent are made. If the court finds that the person attempting to personally serve the natural parent has made reasonably diligent attempts to locate the natural parent for personal service and those attempts have failed, the court will order the petitioner to serve the natural parent by mailing the petition and notice of hearing to the natural parent's last known mailing address by first class mail and also to either publish (at the petitioner's expense) the notice of hearing in a local paper or by posting the notice of hearing at a conspicuous place at the Tribal Building and at the Tribal courthouse.

The person serving the natural parent with the petition and notice of hearing must attempt to do so at least 10 days before the scheduled hearing.

FORMS INVOLVED. The form is an **Affidavit of Personal Service on Natural Parent Not Possible**. You will need to fill in the necessary information with help from the instructions below and then file the affidavit with the court.

Have the person who attempts to personally serve the natural parent fill out the **Affidavit of Personal Service on Natural Parent Not Possible** and sign it before a Notary Public. Then file the affidavit of service with the court to placed in your court file.

INSTRUCTIONS FOR FILLING OUT THE FORM. To fill out this form follow these instructions. The number below is the number on the form where the information for that number needs to be inserted.

Instructions for filling out the Affidavit of Service:

- (1) on this line insert the name of each child you are seeking to adopt and their date of birth (DOB).
- (2) on this line insert the name of person who personally served the Petition and Notice of Hearing.
- (3) on this line insert name of the person served with the petition and notice of hearing.
- (4) on this line insert the date the person was served with the petition and notice of hearing.
- (5) on this line insert the day.
- (6) on this line insert the month.
- (7) on this line insert the year.
- (8) on this line have the person who attempted to serve the petition and notice of hearing, sign their name before a notary public.

Have the person who attempted to serve the papers date and sign this form before a Notary Public and file it with the court.

ROSEBUD SIOUX TRIBAL COURT)
ROSEBUD INDIAN RESERVATION)SS
ROSEBUD, SOUTH DAKOTA)

IN CHILDREN'S COURT

DOCKET _____

IN RE THE MATTER OF THE ADOPTION OF:

(1) _____ DOB: _____

(1) _____ DOB: _____

(1) _____ DOB: _____

(1) _____ DOB: _____

(1) _____ DOB: _____

(1) _____ DOB: _____

AFFIDAVIT OF PERSONAL SERVICE
ON NATURAL PARENT
NOT POSSIBLE

Comes now, (2) _____ and upon oath states and alleges as follows:

1. That I did attempt to personally serve a true and correct copy of the attached Petition for Adoption and Notice of hearing upon (3) _____ on the following dates (4) _____ within the exterior boundaries of the Rosebud Sioux Indian Reservation.

2. That I have made reasonably diligent attempts to locate the natural parent for personal service and those attempts have failed.

3. That I am over the age of 18 years old.

4. That I am an enrolled member of the Rosebud Sioux Tribe.

5. That I am a resident and do reside on the Rosebud Indian Reservation.

6. That I am not a party to this to this a adoption.

Dated this (5) _____ day of (6) _____, (7) _____.

BY:

(8) _____
AFFIANT

Sworn and subscribed to before me this _____ day of _____, _____.

Notary Public
My commission expires:
(SEAL)