

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PIMA**

IN THE MATTER OF:

XXXXXXXXXX, XXXXXXXX

DOB: **03/07/16**

XXXXXXXXXXXXX, XXXXXX

DOB: **03/28/17**

Persons under 18 years of age.

CASE NO. DC XXXXXXXXXX

**NATURAL FATHER'S VOLUNTARY
CONSENT TO TITLE 25 THIRD PARTY
LEGAL DECISION-MAKING AUTHORITY
AND FOR PLACEMENT OF A CHILD
PURSUANT TO A.R.S. § 25-409 AND THE
INDIAN CHILD WELFARE ACT, AND
CERTIFICATION**

I.

My name is **XXXXXXXX**, and I am the father of **XXXXXXXX**, who was born on **March 7, 2016**. I speak, read, and write the **English** language. (**Insert language re: accommodations made if primary language is not English**). (**Insert information regarding parents' eligibility for enrollment if you know**). My child is eligible to be enrolled as a member of the **Tohono O'odham Nation** and therefore, the Indian Child Welfare Act applies.

II.

I am entering into this consent of my own free will and I have not been threatened or forced in any way to consent to delegating third party legal decision making authority and for placement of my child **XXXXXXXX** with their **maternal grandmother, XXXXX**. I am signing this consent freely and voluntarily and not as a result of any fraud, duress or undue influence. The terms, conditions, and consequences of this consent have been explained to me.

III.

I understand the following consequences of my consent to delegating third party legal decision making authority and for placement of my child with **XXXXXXXXXX**:

1. I will no longer have the legal right to make decisions for the care, education, custody or control of **XXXXXXXX** until further order of the court.
2. I will no longer have the legal right to receive monies payable for the support of **XXXXXXXXXXXX** under the terms of any statutory benefit, insurance, private contract, devise, trust, conservatorship or custodianship.

- 1 3. I will only be allowed to visit **XXXXXXXXXX** with the prior approval of his
2 **maternal grandmother** and/or pursuant to the Memorandum of Understanding
3 re: Parenting Plan Agreement the Court as adopted as an order in this case.

4 **IV.**

5 I understand my rights to withdraw my consent, under the Indian Child Welfare Act, 25
6 U.S.C. § 1913(b), to the delegation of third party rights of **XXXXXXXXXX** to the maternal
7 grandmother, and I intend to waive my rights as follows:

- 8 1. I intend to waive my right to withdraw my consent to delegating third party
9 rights until further order of this court, by signing this consent.
10 2. I do not intend to waive any of my other rights under the Indian Child Welfare
11 Act by signing this consent, aside from the right to withdraw my consent to
12 delegate third party rights under § 1913(b) as described above.

13 **V.**

14 I understand that according to A.R.S. § 25, if there is a significant change of circumstances
15 after a final decree and delegation of third party rights, I have a right to file a petition for
16 modification of the delegation of third party rights.

17 **VI.**

18 Consistent with the terms and conditions above, I hereby consent to the following:

- 19 1. Third party rights for **XXXXXXXXXX** will be delegated to his **maternal**
20 **grandmother, XXXXXXXX.**
21 2. **XXXXXX** will have legal and physical custody of **XXXXXXXXXX** until a court of
22 competent jurisdiction determines otherwise.

23 DATED: _____ SIGNED: _____
24 **Mother/ Father**
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COURT CERTIFICATION

In accordance with the Indian Child Welfare Act of 1978, P.L. 95-608:

1. I hereby certify that XXXXXXXX on this day consented to delegating third party rights of XXXXXXXX to the maternal grandmother, XXXXXXXXX and executed the foregoing document by signing the consent before me this day in open court.
2. This consent was given voluntarily, knowingly, and without force, threat, or any type of coercion.
3. The terms and consequences of this consent were fully explained, in detail, to XXXXXXXX in the English language, and she/he understood the explanation given to her/him.

Dated this _____ day of _____, 2020.

JUDGE