

3051

Sponsor(s): Representatives Pettigrew, Cairnes, Santos, McCoy, Sump, Linville, Buck, Chase and Upthegrove

Brief Description: Revising notice provisions for proceedings involving Indian children.

HB 3051 - DIGEST

(SUBSTITUTED FOR - SEE 1ST SUB)

Provides that, whenever the court or the petitioning party in a third party custody proceeding knows or has reason to know that an Indian child is involved, the petitioning party must promptly provide notice to the child's parent or Indian custodian and to the agent designated by the child's Indian tribe to receive such notices. Notice shall be by registered mail with return receipt requested.

Provides that, if the identity or location of the parent or Indian custodian and the tribe cannot be determined, notice shall be given to the secretary of the interior by registered mail with return receipt requested.

Requires the notice to: (1) Contain a statement notifying the parent or custodian and the tribe of the pending proceeding; and
(2) Notify the tribe of the tribe's right to intervene and/or request that the case be transferred to tribal court.