

MENOMINEE INDIAN TRIBE OF WISCONSIN MENOMINEE TRIBAL COURT IN THE INTEREST OF  
**Temporary Physical Custody Request (CHIPS)**  
 Expectant Mother §278-44)

Name

Date of Birth

Referring Agency Case Number

Department Case Number

**Expectant Mother's Name** (Last, First, Middle)

EM's Date of Birth

EM's Place of Birth

EM's Tribal Affiliation

EM's Home Telephone Number

Unborn Child's approx development:

**Expectant Mother's Address**

Requesting Agency Complete	address is on the Menominee Indian Reservation with jurisdiction under § 278-3.		Why was expectant mother taken into custody? (§§278-44 Menominee Tribal Code) Warrant/capias                      Order by judge Substantial risk to physical health of unborn child due to alcohol or controlled substance/analog Expectant mother violated conditions of an order or temporary physical custody order				
	Expectant Mother's County of Residence						
	<b>Mother's Name and Address</b>		Mother's Date of Birth	Mother's Place of Birth	Mother's Tribal Affiliation	Mother's Home Telephone Number	Mother's Work Telephone Number
	<b>Father's Name and Address</b> <b>See attached for additional parties.</b>		Father's Date of Birth	Father's Place of Birth	Father's Tribal Affiliation	Father's Home Telephone Number	Father's Work Telephone Number
	Legal Status:    Birth    Adjudicated/Adoptive    Presumed    Alleged    Unknown						
	<b>Legal Guardian/Indian Custodian's Name and Address</b>		Date of Birth	Place of Birth	Tribal Affiliation	Home Telephone Number	Work Telephone Number
	Other known information in regard to tribal affiliation or enrollment, including all potential tribes that the child may be a member and aliases or enrollment numbers of parents, grandparents, or other direct lineal ancestors:						
	Date and Time Taken Into Custody		Taken Into Custody By		Agency		
	The adult relative or friends notified by referring party?		Yes (Date and Time)                      No		Additional information on notice:		
	Why was expectant mother not released?						
Supporting facts of reason why expectant mother was taken into physical custody (§278-44 Menominee Tribal Code):						See attachment	
Copy provided to expectant mother:    Yes    No							
Dept Worker Complete	Was Expectant Mother notified of right to counsel at own expense? Yes    No						
	Were notice of custody decision and hearing rights provided? (§278-44 Menominee Tribal Code)				If no, what ongoing efforts have been made to notify?		
	Adult 1:	Yes, Date _____	Time _____	a.m.			p.m.
		No					
Adult 2::	Yes, Date _____	Time _____	a.m.	p.m.			
	No						
Adult 3::	Yes, Date _____	Time _____	a.m.	p.m.			
	No						
Tribe:	Yes, Date _____	Time _____	a.m.	p.m.			
	No						

<b>Department Worker Complete</b>	<p><b>Jurisdictional Basis:</b></p> <p>CHIPS: §278-44.</p>		
	<p><b>Continued Custody Criteria:</b> (§§ 278-44 D and E)</p> <p>Expectant mother lack of self-control in use of alcohol beverages controlled substances/controlled substances analogs creates a substantial risk that the physical health of the unborn child, and of the child when born, will be affected or endangered unless the expectant mother is taken into custody and the expectant mother is refusing or has refused to accept any alcohol or other drug abuse services offered or is not making or has not made a good faith effort to participate in any alcohol or other drug abuse services offered.</p> <p>There is substantial risk that the physical health of the unborn child, and then child when born, will be seriously affected or endangered due to expectant mother's lack of self-control in use of alcohol beverages controlled substances/controlled substances analogs unless expectant mother taken into custody.</p>		
	<p><b>Placement Decision:</b></p>		
	<p>1. Expectant mother released to adult relative or friend or released under own supervision after counseling or behavior warning.</p> <p>2. Custody: (§§278-23, and 34, or 278-51, 52, and 278-193 Menominee Tribal Code.)</p> <ul style="list-style-type: none"> <li>· At licensed community-based residential facility</li> <li>· A medical clinic, hospital or appropriate medical facility.</li> <li>· At licensed treatment facility approved as the expectant mother is believed to have a mental illness or developmental disability or to be drug dependent and exhibits conduct that constitutes a substantial probability of physical harm to the self or unborn child or to others, or a very substantial probability of physical impairment or injury exists due to the impaired judgment of the expectant mother.</li> <li>· At approved treatment facility for emergency treatment as the expectant mother is believed to be an intoxicated person who has threatened, attempted or inflicted physical harm on herself or on another and is likely to inflict such physical harm unless committed, or is incapacitated by alcohol.</li> </ul>		
	<p>Release of Expectant Mother from custody is contrary to the welfare of the expectant mother and unborn child, due to:</p> <p style="text-align: right;">See attachment</p> <p>Efforts made to prevent custody and all safe return to the home include:</p> <p style="text-align: right;">See attachment</p>		
Name of Placement	Address	Telephone Number	
Special precautions/information:			
Signature of Intake Worker	Date and Time Custody Authorized	Date and Time of Custody Hearing	Date and Time of Release