

FORM SUMMARY

Name of Form:	Summons – Indian Child Welfare Act
Form Number:	IW-1720
Statutory Reference:	§§48.23, 48.27, 938.23, and 938.27, Wisconsin Statutes; 25 U.S.C. §1912
Benchbook Reference:	JV 2, 3, & 13
Purpose of Form:	Formal notice to an individual to appear in court and respond to a citation or petition.
Who Completes It:	District attorney, corporation counsel, or juvenile clerk.
Distribution of Form:	Original to court, copies for service on juvenile, parent/guardian/legal custodian, Indian custodian, tribe, foster parent, treatment foster parent, or other physical custodian, nonadjudicated parents (when appropriate; see §48.27(3) and §938.27(3)) and other interested parties.
Accompanying Forms:	Citation or petition
New Form/Modification:	New Form.
Modifications:	Created a Indian Child Welfare Act (ICWA) version.
Comments:	<p>This form is intended to be used in both ch. 48 and ch. 938 matters.</p> <p>RMC recommends that the petition be attached to the summons even though sections 48.27(3)(a) and 938.27(3)(a), Wisconsin Statutes, provide that "[t]he first notice to any interested party shall be written and may have a copy of the petition attached to it." For that reason the summons has been drafted with the assumption that the petition will always be attached.</p> <p>If this is the first notice in a proceeding involving a child/juvenile subject to the Indian Child Welfare Act, notice must be provided to the parent/Indian custodian and the tribe by certified mail with return receipt requested. If the identity or location of the tribe cannot be determined, notice must be sent by certified mail with return receipt requested to the secretary of the Interior, Bureau of Indian Affairs.</p>
About this form:	<p>This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.</p> <p>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</p>