

FILED IN OPEN COURT

10/17/2019

WHATCOM COUNTY CLERK

By \_\_\_\_\_

Deputy

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF WHATCOM

In re the Parenting of:

ZOOEY ADAMS-GALINDO,

Child,

MANUEL GALINDO,

Petitioner,

and,

ELILE ADAMS,

Respondent.

NO. 14-5-00085-2

~~PROPOSED~~ ORDER GRANTING  
MOTION FOR DECLARATORY  
RELIEF PURSUANT TO THE  
UNIFORM CHILD CUSTODY  
JURISDICTION AND  
ENFORCEMENT ACT, CHAPTER  
26.27 RCW

This matter came before the Court on Elile Adams' Motion for Declaratory Relief Pursuant To The Uniform Child Custody Jurisdiction And Enforcement Act, Chapter 26.27 RCW. This Court, having reviewed the files and pleadings herein, hereby finds the following:

1. RCW 26.27.041(b) authorizes this Court to apply RCW 26.27.201 *et seq.*, to the Nooksack Tribe, inclusive of its Tribal Court, "as if it were a state."

2. This Court made the initial child custody determination regarding the Child, Zooley Adams-Galindo, on May 8, 2015. RCW 26.27.201.

3. The Parties and the Child have remained residents of Washington State since this Court made the initial child custody determination. This Court has never found that the Child or the Parties do not have a significant connection to Washington or that they live in another state,

[PROPOSED] ORDER GRANTING MOTION FOR  
DECLARATORY RELIEF PURSUANT TO THE  
UNIFORM CHILD CUSTODY JURISDICTION  
AND ENFORCEMENT ACT, CHAPTER 26.27  
RCW

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1 and this Court has never declined jurisdiction. See RCW 26.27.211(1)(a), (b). The Nooksack  
2 Tribal Court has never found that the Child or the Parties do not have a significant connection to  
3 Washington or that they live in another state.

4 4. The Parties' appearance and participation in the Nooksack Tribal Court custody  
5 proceedings does not waive or divest this Court of its continuing and exclusive jurisdiction.  
6 RCW 26.27.211.

7 ~~5. This Court is not required to recognize the orders issued by the Nooksack Tribal  
8 Court in this child custody proceeding. CR 82.5(c). The Tribal Court lacks jurisdiction to  
9 render any child custody determination by operation of RCW 26.27.211, which vests this Court  
10 with exclusive jurisdiction over that subject. CR 82.5(c)(1). The Nooksack Tribal Court denied  
11 Elile Adams due process guaranteed by the Indian Civil Rights Act of 1968, 25 U.S.C. 1301 et  
12 seq., including, without limitation, her right to counsel of her choosing, at her own expense. CR  
13 82.5(c)(2). The Nooksack Tribal Court does not reciprocally provide for recognition and  
14 implementation of Washington Superior Court orders. CR 82.5(c)(3).~~

15 THEREFORE, IT IS HEREBY ADJUDGED AND ORDERED that Motion for  
16 Declaratory Relief Pursuant To The Uniform Child Custody Jurisdiction And Enforcement Act,  
17 Chapter 26.27 RCW, is hereby GRANTED.

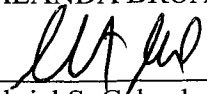
18 IT IS HEREBY DECLARED that this Court retains exclusive, continuing jurisdiction  
19 over the custody of Zooney Adams-Galindo pursuant to the Uniform Child Custody Jurisdiction  
20 And Enforcement Act, Chapter 26.27 RCW. The Court will entertain a motion by Elile Adams  
21 to modify the temporary visitation order entered in this Court on May 8, 2015, provided the  
22 forthcoming motion meets the requirements of RCW 26.09.260.


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24 [PROPOSED] ORDER GRANTING MOTION FOR  
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1 DATED THIS 17 DAY OF October ~~SEPTEMBER~~, 2019

2   
Superior Court Commissioner

3 Presented by:  
4 GALANDA BROADMAN, PLLC  
5   
6 Gabriel S. Galanda, WSBA #30331  
Attorney for Respondent Elile Adams

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8 Elile Adams  
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