

|                        |                     |       |                   |                   |             |
|------------------------|---------------------|-------|-------------------|-------------------|-------------|
| Court Case File Number | Type of Hearing     | Coder | Tribe(s) of Child |                   | Date        |
| Judicial Officer       | County/Jurisdiction | State | Num of children   | # child selected: | M O D Y Y R |

Parties Present at Hearing ☒ Relatives ☒ Interpreter ☒ Foster Parent  
☒ Mother ☒ Mother's Atty ☒ Child ☒ Child's Atty ☒ Tribal Representative ☒ CASA ☒ Treatment Prov  
☒ Father ☒ Father's Atty ☒ Social worker ☒ State's Atty ☒ Atty for Tribe ☒ GAL ☒ Other: \_\_\_\_\_

Was an attorney appointed **at this hearing** for: the mother? ☒ ☐ the father? ☒ ☐ the child? ☒ ☐

## ICWA Applicability

| 1. Application of ICWA                                                                      | Yes                                 | No                       |
|---------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| 1a. Did the judge inquire about the applicability of ICWA?<br>Who was asked? _____          | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1b. Has the child's tribe(s) been identified?                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1c. Is the child a member, or eligible for membership of a federally recognized tribe?      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1d. Did the judge make a finding <b>orally on the record</b> that ICWA does/does not apply? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1e. Does ICWA apply in this case? (even if no finding)                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

## 2. Jurisdiction

|                                                                                                                    | Yes                                 | No                       |
|--------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| 2a. Did the judge make a finding <i>on the record</i> that the tribe(s) received formal notice of petition filing? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2b. Is the child a ward of a tribal court?                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2c. Is the child domiciled or living on the reservation?                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2d. Does the state court have jurisdiction?                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

\*\*\*If this is not the initial hearing, is there indication that this is an ICWA case? ☒ ☐

## ICWA Compliance

| 3. Findings on the Record & Placement                                                                                                                                                                                             | Finding Made                                                 | Notice Given                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------|
| 3a. Did the judge make a finding that the <b>tribe(s)</b> received notice of this hearing?                                                                                                                                        | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3b. Did the judge make a finding that the <b>mother</b> received notice of this hearing?                                                                                                                                          | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3c. Did the judge make a finding that the <b>father</b> received notice of this hearing?                                                                                                                                          | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3d. Did the judge make a finding that the <b>Indian custodian</b> received notice of this hearing?                                                                                                                                | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3e. Did the judge order the child in to (or to remain in) out of home placement?                                                                                                                                                  | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3f. Did the judge make a finding that emergency removal was necessary to prevent <b>imminent physical damage or harm</b> to the child?                                                                                            | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3g. Was there <b>qualified expert witness</b> testimony presented at this hearing?                                                                                                                                                | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3h. Did the judge make a finding that there was clear and convincing evidence that the child was likely to suffer <b>serious emotional or physical damage</b> if continued in the custody of the parent?                          | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3i. Did the judge make a finding of <b>active efforts</b> <input checked="" type="checkbox"/> <input type="checkbox"/> to prevent removal? <input checked="" type="checkbox"/> <input type="checkbox"/> to return the child home? | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3j. Was there discussion of why child was not placed with relatives?                                                                                                                                                              | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 3k. Did the judge make a finding of good cause <b>not</b> to follow the placement preferences? If <b>yes, why?</b> _____                                                                                                          | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |

## 4. Tribal Intervention

|                                                                                                                                                                                             | Yes                                                          | No                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------|
| 4a. Did the tribe petition or move to intervene in the case?                                                                                                                                | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 4b. Did the judge grant the tribe's petition or motion to intervene in the case?                                                                                                            | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 4c. Did the tribe have a recommendation to present to the court?                                                                                                                            | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 4d. Did the judge allow the tribe to present its recommendation to the court?                                                                                                               | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 4e. Did the judge adopt all <input checked="" type="checkbox"/> adopt some <input checked="" type="checkbox"/> or not adopt <input checked="" type="checkbox"/> the tribe's recommendation? | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |

## 5. Transfer to Tribal Court

|                                                                                                                                                                                                            | Yes                                                          | No                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------|
| 5a. Did a party request a transfer of the case to tribal court at this hearing?                                                                                                                            | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 5b. Did the judge make a decision about the transfer to tribal court? <input checked="" type="checkbox"/> <input type="checkbox"/> Grant <input checked="" type="checkbox"/> <input type="checkbox"/> Deny | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 5c. Did the judge make a finding of <b>good cause</b> to deny the request to transfer the case? If <b>yes, why?</b> _____                                                                                  | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |

## 6. Engagement of Tribe

|                                                                                    | Yes                                                          | No                                                           |
|------------------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------|
| 6a. Was there discussion of how the tribe has been involved in case planning?      | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 6b. Was there discussion of culturally appropriate services for the family?        | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| 6c. Was there discussion of how the tribe has been involved in locating relatives? | <input checked="" type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> |

Child Placement Order: ☒ New order ☒ Continuation Is this an adoptive home? ☒ ☐ ☐

☒ Home/Parent ☒ Indian Home ☒ Treatment Facility  
☒ Relative ☒ Non-Indian Home ☒ Unable to Determine  
☒ Tribal Home ☒ Group Home