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## 2019 REGION 4 ICW CASE REVIEW REPORT



Washington State Department of  
**CHILDREN, YOUTH & FAMILIES**



Washington State Department of  
**CHILDREN, YOUTH & FAMILIES**

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## Vision

### Washington State Department of Children, Youth & Families Commitment

The Washington State Department of Children, Youth & Families (DCYF) commitment to the Indian Child Welfare Act (ICWA)<sup>1</sup> requires:

- Protecting the essential tribal relations and best interests of Indian children by promoting practices designed to prevent out-of-home placement of Indian children that is inconsistent with the rights of the parents, the health, safety or welfare of the children, or the interests of their tribe.
- When placement away from the parent or Indian custodian is necessary, the placement reflects and honors the unique values of the child's tribal culture and is best able to assist the Indian child in establishing, developing and maintaining a political, cultural, social and spiritual relationship with the tribe and tribal community.

## Background and Purpose

### Washington State Indian Child Welfare (ICW) Case Review

DCYF follows a government-to-government approach to seek consultation and participation by representatives of tribal governments in policy development and service program activities. DCYF is committed to a government-to-government approach through consultation with Federally Recognized Tribes of Washington State, and to work in collaboration with Recognized American Indian Organizations (RAIOs) and individual American Indians and Alaska Natives to ensure quality and comprehensive service delivery to all Indian children and families served.

To fulfill this commitment, in 2003 the Washington State Indian Child Welfare (ICW) Case Review was developed in collaboration with Washington State Tribes and the former Children's Administration – now DCYF's child welfare services. The ICW Case Review is the result of ongoing collaboration between Washington State Tribes, RAIOs, the Tribal Policy Advisory Committee (TPAC) and DCYF. The first ICW Case Review was conducted in 2007. Subsequent reviews have occurred in 2009, 2012 and 2015. The ICW Case Review Tool was developed to evaluate ICWA compliance and the quality of ICW social work practice in all areas of the state through assessing compliance in meeting:

- The requirements of the Federal Indian Child Welfare Act (ICWA);
- The Washington Indian Child Welfare Act (WICWA);
- DCYF Indian Child Welfare Policies and Procedures; and
- Memoranda of Agreement between Washington State Tribes and DCYF.

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<sup>1</sup> Based on the legislative findings of the Washington State Indian Child Welfare Act, Laws of 2011, ch. 309 § 3.

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## Goals of ICW Case Review

- Evaluating compliance with Washington State and federal ICWA. The state and federal ICWA apply to Indian children who are (1) members of tribes or (2) eligible for membership and the biological child of a member. The tribe must be a federally recognized tribe(s) including recognized Alaska Native regional corporations and Alaska Native villages.
- Evaluating the quality of culturally competent case management for all Indian families. This includes families where the child meets ICWA's definition of an Indian child.
- Enhancing staff development and understanding of ICW practice by utilizing the ICW Case Review for training and skill building. The ICW Case Review identifies ICWA requirements and the elements of sound culturally competent case management with references to the WICWA and DCYF ICW Policies and Procedures.
- The ICW Case Review results lay the groundwork for improving the quality of ICW social work at the regional and statewide level. Specific practice areas include:
  - Early identification of Indian children
  - Early engagement and ongoing collaboration with Tribes
  - Active efforts to provide services to parents and families to prevent the removal of the child, or to safely return the child home
  - Timely legal notice to Tribes of dependency actions

## Components of ICW Case Review

Cases included in the review are from all program areas served by DCYF which include:

- Child Protective Services (CPS) Investigations
- Family Assessment Response (FAR) Interventions
- Family Voluntary Services (FVS)
- Child and Family Welfare Services (CFWS)
- Family Reconciliation Services (FRS)

## ICW Case Review Design

The 2019 ICW Case Review Tool was comprised of 43 questions that are divided into eight practice areas. Five sections are devoted to ICW compliance and quality of practice, and the last three sections focus on child safety, well-being and permanency. All ICW compliance questions reference ICWA, DCYF policy, the WICWA or the Washington State Tribal/State Agreement. The ICW Case Review Tool is designed to be used for multiple purposes:

- Systematic statewide ICW Case Reviews
- Training tool for DCYF caseworkers and managers on the requirements of ICWA and DCYF ICW policy
- Local regional and/or office reviews of ICW cases to be conducted by DCYF staff and Tribes

The 2019 ICW Case Review was facilitated by the Office of Tribal Relations in collaboration with the Central Case Review Team (CCRT) and conducted by a team of reviewers, comprised of:

- Tribal representatives
- RAIO representatives
- Casey Family Programs
- Court Partners
- Alliance Trainers
- DCYF caseworkers and managers

All DCYF reviewers were identified by the region to participate in the review process.

Reviews occurred in six locations across the state. The Office of Tribal Relations developed a random sample, coordinated logistical arrangements of the review and hosted each of the six reviews. The CCRT facilitated consensus building and assisted reviewers to ensure inter-rater reliability. There were different Tribal, RAIO and review participants at each of the six locations. All participants attended training on the ICW Case Review process and tool. The ICW Case Review design includes:

- Four-day reviews that begin on Tuesday and end on Friday
- Review of each case by at least two team members
- Feedback sheets completed on each case reviewed identifying strengths and areas needing improvement. The feedback sheets are provided to the caseworker, supervisor and administrators at the end of the review
- A review team debrief at the end of the third day to discuss the regional results. During the debrief, the team identifies practice themes, strengths, areas needing improvement and systemic issues
- An exit meeting on the fourth day with local administrators, supervisors and caseworkers. The review team provides feedback on the regional ICW practice themes.

There were five non-ICWA questions within the Culturally Competent Case Management section which were developed to be companion questions to the ICWA case management questions. These five questions are not included within the main body of the report, but are included as Appendix A at the end of this report.

## Washington Statewide 2019 ICW Report Overview

The Washington Statewide Report includes state and regional results as well as statewide recommendations for quality assurance and improvement plans. The statewide recommendations are designed to be included in future quality assurance and improvement plans in collaboration with Washington State Tribes to increase compliance with ICWA and DCYF ICW policy, and reduce disproportionality. The 2019 Statewide Report includes the following recommendations:

- Improve early engagement of Tribes
- Specialization of ICW offices, units, designated caseworkers
- Utilization of Verified Sources for Ancestry Charts
- Improved Documentation
- Locating Absent Parents and Providing Active Efforts
- Assist with Completion of Paperwork
- Increase Shared Planning Meetings

The Washington Statewide 2019 ICW Report also includes systemic issues that were identified by ICW review teams as barriers to completing ICW requirements. The systemic issues include:

- Native American Evidence Based Providers
- ICWA Case Identification
- ICWA Training
- Documentation of Tribal Legal Notice
- Utilization of a Qualified Expert Witness
- Utilization of ICW Workload Ratios'
- Worker Retention
- File Upload Documentation

## Region 4 ICW Overview

The Region 4 ICW Case Review was conducted July 29 to Aug. 2, 2019 at the Office of Indian Child Welfare (OICW) DCYF field office.

### Context: Indian Child Welfare in Region 4

There are two federally recognized Tribes in Region 4, the Muckleshoot Indian Tribe and the Snoqualmie Indian Tribe. Both Tribes have tribal courts.

Region 4 has a working protocol with the Muckleshoot Tribe. All CPS investigations regarding Muckleshoot Tribal children are co-investigated with the Tribe and meetings between the OICW office and Tribal representatives occur twice monthly. DCYF and the Tribe offer in-home family services jointly. The Muckleshoot Tribe provides social services to families living on the reservation or living within the Muckleshoot community. Services provided by the Tribe include chemical dependency treatment for adults and youth, family violence prevention, mental health counseling, legal aid, Birth to Three, Head Start, a youth service program, fatherhood engagement services and a child development center. The Muckleshoot Tribe also has a K-12 Tribal School and Tribal health clinic.

The Snoqualmie Tribe has a Tribal Court and in some cases initiates dependency actions and provides in-home services. Whenever possible, DCYF and the Tribe conduct joint CPS investigations. Social services available to Tribal members include child welfare services and chemical dependency treatment. The Snoqualmie Tribe also has a health clinic providing medical and dental care services.

There are three RAIOS in Region 4, the United Indians of All Tribes Foundation, the Seattle Indian Health Board and the Chief Seattle Club. The United Indians of All Tribes Foundation is a social service and Child Placing Agency (CPA) serving the King county urban Native population. Services include licensing foster care homes, Early Childhood Education and Assistance Program, home visiting services, youth services, parenting classes and cultural programs for families. The Seattle Indian Health Board provides medical and dental services, domestic violence services, educational advocacy, prenatal programs and substance abuse treatment. Chief Seattle Club connects families to health care clinics, housing assistance, job readiness training and other local resources in the community. Chief Seattle Club also provides daily meals and self-care items to families in need.

Region 4 is comprised of seven field offices serving King County: King East in Bellevue, King West in North Seattle, OICW and West Seattle in the West Seattle area, Martin Luther King Jr. in South Seattle and King Southwest and Southeast in Kent. The OICW field office serves the majority of the ICW cases in all program areas. Families identified as Native American at Intake are assigned to OICW. When Indian ancestry is discovered during the course of a CPS investigation, the case then transfers to OICW for continued investigation and services if the case remains open. There is currently one LICWAC team for the region which meets every third Wednesday of the month.

### Region 4 ICW Case Review Sample

A random sample of 31 cases was reviewed. The sample was stratified to be representative of the proportion of ICW cases served by each office within the region. The sample included cases of children or parents identified as Native American in FamLink, the DCYF State Automated Child Welfare Information System (SACWIS). For out-of-home cases when there were multiple children in the family, the case was evaluated regarding one randomly selected child. Cases were open in one or more of the months from July 2018 to December 2018. The case sample was designed so that approximately 50% of families were affiliated with a Washington State Tribe.

Cases were classified as either an in-home case or an out-of-home case according to the Children's Bureau federal review definition.

- **In-home service cases:** The case remained open 45 consecutive days or more to provide in-home services and/or to monitor child safety. All children remained in the home during the last 12 months.
- **Out-of-home care cases:** The identified child was in out-of-home care 24 hours or more through court action or a Voluntary Placement Agreement (VPA) during the last 12 months. The child may have returned home within the last year or had siblings who remained in the home.

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In-Home Cases	Out-Of-Home Cases	Total Cases
3	28	31

The cases reviewed were classified as ICWA or Non-ICWA. In-home cases were classified as “ICWA Eligible” if one of the children in the family home was either a member or the child of a member and eligible for membership with a federally recognized tribe. It is recognized that ICWA does not apply to in-home cases and the ICWA specific questions were not applicable to in-home cases. The designation of “ICWA Eligible” was for classification purposes only. The number of cases reviewed for each classification is as follows:

Out-Of-Home ICWA	In-Home ICWA Eligible	Out-Of-Home Non-ICWA	In-Home Non-ICWA Eligible
11	0	17	3

The number of cases reviewed from each field office in the region was as follows:

Region 4 Offices	Number of Cases
King East	2
King Southeast	2
King Southwest	7
King West	4
MLK	1
OICW	13
West Seattle	2

### Tribal Affiliation of the Children Included in the Region 4 Review

Tribal affiliation included all Tribes identified by a parent or family member including:

- Tribes that have determined the child’s Indian status as a member, eligible for membership or non-member
- Tribes whose determination of the child’s Indian status was still pending
- Tribes identified by a parent or family member, with whom inquiry of Indian status was not completed with the identified Tribe

Some children were affiliated with more than one Tribe, including Washington State Tribes and Tribes outside of Washington State. The Tribes and the number of children affiliated with them are listed below.



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Tribe	Number of Children
Aleut (Egegik Village)	1
Angoon Community Association	1
Assiniboine And Sioux Tribes of the Fort Peck Indian Reservation	1
Bad River Band of the Lake Superior Chippewa	2
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana	6
Central Council of Tlingit Haida	4
Cherokee (unspecified)	10
Cherokee Nation	4
Chippewa (unspecified)	2
Chippewa-Cree Indians of the Rocky Boy's Reservation	1
Choctaw (unspecified)	1
Choctaw Nation of Oklahoma	1
Coeur D'Alene	1
Comanche Nation	1
Confederated Salish and Kootenai Tribes of the Flathead Reservation	1
Cowlitz Indian Tribe	2
Fort Belknap Indian Community	1
Makah Tribe	1
Muckleshoot Indian Tribe	1
Nooksack Indian Tribe	1
Puyallup Tribe of Indians	1
Quinault Indian Nation	1
Rosebud Sioux Tribe of the Rosebud Indian Reservation	1
Tsimshian Tribe	1
Turtle Mountain Band of Chippewa Indians	1

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United Keetoowah Band of Cherokee Indians in Oklahoma	1
White Earth Band of Minnesota Chippewa Tribe	2
Yakutat Tlingit Tribe	1

### Children with Washington State Tribal Affiliation

Children were identified by Tribal affiliation in an effort to assess if there were practice differences when serving families from federally recognized Washington State Tribes versus out-of-state federally recognized Tribes and non-federally recognized tribes or Canadian First Nations.

Primary Tribal Affiliation of the Child	Number of Cases
Washington State Tribe	4
Out-Of-State Tribe	27
Non-Federally Recognized Tribe or Canadian First Nation	0

## Region 4 ICW Case Review Results

### Comparison of Results to Standard Office Reviews and Past ICW Reviews

It is important to note that the results of this review **cannot** be compared to the results of field office review completed by the Central Case Review Team. The statewide ICWA review was completed with a review tool utilizing questions and rating criteria developed by the statewide Tribal Relations team, which are not comparable to the questions and rating criteria utilized within the Children’s Bureau Onsite Review Instrument. While some of the questions are similar in structure, the case sampling and rating criteria are not comparable.

### Comparison of 2015 ICW Case Review Results with 2019 Case Review Results

As noted above, a note of caution regarding the comparison of previous ICW reviews to the 2019 ICW case review. Previous ICW reviews included case sampling of CPS investigation only cases and CPS-FAR intervention cases. These cases are often short in duration (under 45 days) and do not include services to the family. The purpose of including these cases in the past was to assure the department met policy requirements of inquiry to identify Native American families involved with the department from the inception of the case. During the 2019 ICW review, case sampling criteria utilized the federal definition of a case as an in-home case or an out-of-home case. In addition, since the previous ICW review in 2015, there have been updates to policy expectations and practice clarification which have occurred. Based on these policy updates and practice expectations, individual question wording and rating criteria were adjusted to match these requirements.

## Regional Practice Themes

### Strengths:

The practice areas below are identified as strengths with a review rating result of 80% or higher.

#### 1. Initial Inquiry with The Mother

- In 83% (20 of 24) of the cases, the mother or maternal relatives were asked if the child had American Indian/Alaska Native ancestry.
- In 80% (16 of 20) of the cases, the mother was asked timely if the child had American Indian/Alaska Native ancestry. This applied to cases that were opened within the past two years.

#### 2. Second Inquiry with Federally Recognized Tribes to Determine Indian Status

- In 80% (12 of 15) of the cases, when the federally recognized Tribe(s) did not respond to the initial inquiry to determine Indian status, a second inquiry was made to the Tribe(s).
- In 83% (10 of 12) of the cases, the second inquiry was made to a federally recognized tribe within 60 days of the first inquiry.

#### 3. Ongoing Active Efforts to Provide Services to The Mother

- In 90% (9 of 10) of the cases that remained open for in-home or out-of-home services, there were ongoing active efforts to provide services to the mother including engaging and actively working with the mother to complete services.

#### 4. Initial Contact with A Washington State Tribe

- In 100% (1) of the cases, when the child was a member or eligible for membership with a Washington State federally recognized Tribe(s), the Tribe was contacted within one working day to discuss case planning when the case was opened in-home services, out-of-home services or when there was an emergency removal of a child in the last year.

#### 5. FTDM Staffing

- In 80% (8 of 10) of the cases, FTDM staffing occurred when a child was placed into out-of-home care or a placement move was being considered.

#### 6. Case Planning and Family Support of the Child

- In 80% (4 of 5) of the cases of children placed in out-of-home care who were ICWA eligible, there were ongoing efforts made to engage the child in the case planning process on an age-appropriate level.
- In 80% (8 of 10) of the cases of children placed in out-of-home care and ICWA applied, there were ongoing efforts to support the child's contact with his/her parents and extended family members.

#### 7. Placement Preference

- In 83% (5 of 6) of the cases in which the tribes placement preference was identified, the placement preference was assessed for suitability and the child was placed with the Tribe's preferred placement; or, the Tribe's placement preference was assessed for suitability and was not followed due to safety or well-being concerns for the child and there were follow-up efforts to resolve the differences with the Tribe(s) in a timely and collaborative manner and a

resolution was reached; or, a resolution was unable to be reached and the court found good cause not to follow the placement preference of the Tribe(s) by clear and convincing evidence.

#### **8. Child Safety in Out-Of-Home Care**

- In 93% (26 of 28) of the cases of children placed in out-of-home care, risk and safety threats were adequately identified, assessed and addressed. Children were placed with a safe relative, other suitable person or foster home and if safety threats were identified regarding the child's out-of-home caregiver, all threats were assessed and addressed.

#### **9. Child Well-Being**

- In 100% (9) of the cases that remained open for services or safety monitoring, the child's educational needs were adequately assessed and appropriate services were provided when needs were identified. When the child's Tribe had educational resources there was ongoing collaboration with the Tribe regarding meeting the child's educational needs.
- In 82% (9 of 11) of the cases when ICWA applied, the child's physical health needs were adequately assessed and appropriate health services were provided when needs were identified, including routine well-child and dental exams. When the child's Tribe had health resources, there was ongoing collaboration with the Tribe regarding meeting the child's health needs.
- In 80% (4 of 5) of the cases when ICWA applied, the child's mental/behavioral health needs were adequately assessed and appropriate services were provided when needs were identified. When the child's Tribe had mental health resources, there was ongoing collaboration with the Tribe regarding meeting the child's mental health needs.

#### **Areas Needing Improvement:**

The practice areas below are identified as areas needing improvement with a review rating result lower than 70%.

##### **1. Initial Inquiry with The Father**

- In 58% (14 of 24) of the cases, the father or paternal relatives were asked if the child had American Indian/Alaska Native ancestry.
- In 57% (8 of 14) of the cases, the father was asked timely if the child had American Indian/Alaska Native ancestry. This applied to cases that were opened within the past two years.

##### **2. Initial Contact with The Federally Recognized Tribe at Case Opening**

- In 20% (1 of 5) of the cases, when it was known at case opening that the child was a member or eligible for membership with a federally recognized Tribe, the Tribe was contacted within 24 hours of being assigned the case as per policy.

##### **3. Completing The Indian Identity Request Form at The Initial Visit and Uploading the Form**

- In 40% (10 of 25) of the cases, the mother or maternal relatives were asked to complete the Indian identity request form at the initial visit.
- In 17% (4 of 24) of the cases, the father or paternal relatives were asked to complete the Indian Identity Request form at the initial visit.
- In 57% (12 of 21) of the cases, the Indian Identity Request form was uploaded into FamLink.

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#### 4. Referral to The Native American Inquiry (NAIR) Unit and Initial Inquiry

- In 58% (14 of 24) of the cases, when Indian ancestry was identified with a federally recognized tribe the caseworker provided a complete referral to the NAIR unit within 10 working days of learning the information.
- In 46% (11 of 24) of the cases, the initial inquiry to federally recognized tribes was completed within 30 days from the time Indian ancestry was identified.

#### 5. LICWAC Staffing

- In 7% (1 of 15) of the cases, the case was staffed with LICWAC when an inquiry was pending with a federally recognized tribe.
- In 50% (1 of 2) of the cases, the case was staffed with LICWAC for guidance when the child's Tribe(s) was unavailable or the tribe was in agreement with guidance from the LICWAC occurring.

#### 6. Ongoing Efforts to Engage the Mother and The Father

- In 55% (6 of 11) of the cases that remained open for in-home or out-of-home services, there were timely and diligent efforts to engage the parent in services, including services offered by tribes and Indian organizations when possible.

#### 7. A Cultural Support of the Child

- In 45% (5 of 11) of the cases of children placed in out-of-home care who were a member or eligible for membership with a federally recognized Tribe, ongoing efforts were made to encourage and support the child's participation in Tribal customs and activities specific to the child's Tribe.

#### 8. Court Requirements

- In 50% (3 of 6) of the cases of children where ICWA applied, the federally recognized Tribe was provided legal notice prior to all dependency fact-finding, guardianship fact-finding and termination hearings.
- In 67% (4 of 6) of the cases of children where ICWA applied, there was a qualified expert witness for all dependency fact-finding, guardianship fact-finding and termination proceedings in the last two years.

#### 9. Identify The Tribe's Placement Preference

- In 60% (6 of 10) of the cases of children placed in out-of-home care where ICWA applied, efforts were made to identify the Tribe's placement preference. This included efforts to consult with the Tribe prior to making a non-emergent placement decision and efforts to consult with the Tribe in a timely manner after an emergency placement occurred. This measure goes beyond documenting that the tribe was in agreement with the placement, identifying specifically the tribe's placement preference.

#### 10. Assessing and Addressing Child Safety in The Family Home

- In 58% (7 of 12) of the cases of children who resided in the family home during the last year, risk and safety threats were adequately identified, assessed and addressed.

#### 11. Actions to Achieve Permanency

- In 55% (6 of 11) of the cases of children who resided in out-of-home care during the last year, the child returned home during the last year or there were sufficient and timely efforts made to achieve permanency for the child in the last year.

### Region 4 and Statewide Results for Each Case Review Question

Rating criteria for each question can be obtained through the *2019 Washington State Indian Child Welfare Case Review Tool*.

### Inquiry of Indian Status

*(The questions in this section were designed to measure compliance and quality of practice regarding inquiry and determination of Indian status per WICWA.)*

#### 1. Was the father, Indian custodian or paternal relatives asked if the child had American Indian/Alaska Native ancestry?

Region 4 Results	2019 Statewide Results
58% (14 of 24)	61% (62 of 101)

Region 4 Office Results	
King East	100% (2)
King Southeast	50% (1 of 2)
King Southwest	50% (3 of 6)
King West	100% (3)
MLK	0% (0 of 1)
OICW	38% (3 of 8)
West Seattle	100% (2)

Regional Results by Case Type	
In-Home Cases	33% (1 of 3)
Out-Of-Home Cases	62% (13 of 21)

Primary Affiliation with a Washington State Tribe
67% (2 of 3)

**2. Was the mother, Indian custodian or maternal relatives asked if the child had American Indian/Alaska Native ancestry?**

Region 4 Results	2019 Statewide Results
83% (20 of 24)	79% (84 of 106)

Region 4 Office Results	
King East	50% (1 of 2)
King Southeast	100% (2)
King Southwest	100% (6)
King West	67% (2 of 3)
MLK	100% (1)
OICW	75% (6 of 8)
West Seattle	100% (2)

Regional Results by Case Type	
In-Home Cases	50% (1 of 2)
Out-Of-Home Cases	86% (19 of 22)

Primary Affiliation with a Washington State Tribe
67% (2 of 3)

**3. If the mother, Indian custodian, maternal relatives were asked regarding the child's Indian ancestry, were they asked timely?**

Region 4 Results	2019 Statewide Results
80% (16 of 20)	74% (59 of 80)

Region 4 Office Results	
King East	100% (1)

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King Southeast	0% (0 of 2)
King Southwest	100% (6)
King West	0% (0 of 2)
MLK	100% (1)
OICW	100% (6)
West Seattle	100% (2)

Regional Results by Case Type	
In-Home Cases	100% (1)
Out-Of-Home Cases	79% (15 of 19)

Primary Affiliation with a Washington State Tribe
100% (2)

4. If the father, Indian custodian, paternal relatives were asked regarding the child’s Indian ancestry, were they asked timely?

Region 4 Results	2019 Statewide Results
57% (8 of 14)	64% (38 of 59)

Region 4 Office Results	
King East	0% (0 of 2)
King Southeast	0% (0 of 1)
King Southwest	100% (3)
King West	0% (0 of 3)
OICW	100% (3)
West Seattle	100% (2)



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Regional Results by Case Type	
In-Home Cases	0% (0 of 1)
Out-Of-Home Cases	62% (8 of 13)

Primary Affiliation with a Washington State Tribe
100% (2)

5. If it was known at case opening that the child was either (1) a member of a federally recognized Tribe(s) or (2) eligible for membership and the biological child of a member of a federally recognized Tribe(s), was the Tribe(s) contacted within 24 hours of being assigned the case per policy?

Region 4 Results	2019 Statewide Results
20% (1 of 5)	57% (24 of 42)

Region 4 Office Results	
OICW	20% (1 of 5)

Regional Results by Case Type	
Out-Of-Home Cases	20% (1 of 5)

Primary Affiliation with a Washington State Tribe
50% (1 of 2)

6. Was the mother, Indian custodian or maternal relatives asked to complete the Indian Identity Request (IIR) form (#09-761) at the initial visit per policy?

Region 4 Results	2019 Statewide Results
40% (10 of 25)	36% (36 of 101)

Region 4 Office Results	
King East	50% (1 of 2)

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King Southeast	0% (0 of 2)
King Southwest	71% (5 of 7)
King West	0% (0 of 3)
MLK	0% (0 of 1)
OICW	38% (3 of 8)
West Seattle	50% (1 of 2)

Regional Results by Case Type	
In-Home Cases	50% (1 of 2)
Out-Of-Home Cases	39% (9 of 23)

Primary Affiliation with a Washington State Tribe
0% (0 of 3)

7. Was the father, Indian custodian or paternal relatives asked to complete the Indian Identity Request (IIR) form (#09-761) at the initial visit per policy?

Region 4 Results	2019 Statewide Results
17% (4 of 24)	26% (23 of 89)

Region 4 Office Results	
King East	0% (0 of 2)
King Southeast	0% (0 of 2)
King Southwest	33% (2 of 6)
King West	0% (0 of 3)
MLK	0% (0 of 1)
OICW	13% (1 of 8)
West Seattle	50% (1 of 2)

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Regional Results by Case Type	
In-Home Cases	0% (0 of 3)
Out-Of-Home Cases	19% (4 of 21)

Primary Affiliation with a Washington State Tribe
0% (0 of 3)

8. Was the Indian Identity Request form(s) uploaded into FamLink (#09-761)?

Region 4 Results	2019 Statewide Results
57% (12 of 21)	63% (49 of 78)

Region 4 Office Results	
King East	100% (1)
King Southeast	50% (1 of 2)
King Southwest	50% (3 of 6)
King West	0% (0 of 4)
OICW	83% (5 of 6)
West Seattle	100% (2)

Regional Results by Case Type	
In-Home Cases	50% (1 of 2)
Out-Of-Home Cases	58% (11 of 19)

Primary Affiliation with a Washington State Tribe
50% (1 of 2)

**9. If Indian ancestry was identified with a federally recognized Tribe, did the worker provide a complete referral to the Native American Inquiry Referral (NAIR) Unit within 10 working days of learning this information?**

Region 4 Results	2019 Statewide Results
58% (14 of 24)	48% (47 of 97)

Region 4 Office Results	
King East	100% (2)
King Southeast	100% (1)
King Southwest	50% (3 of 6)
King West	0% (0 of 4)
MLK	100% (1)
OICW	63% (5 of 8)
West Seattle	100% (2)

Regional Results by Case Type	
In-Home Cases	33% (1 of 3)
Out-Of-Home Cases	62% (13 of 21)

Primary Affiliation with a Washington State Tribe
46% (11 of 24)

**10. Was the initial inquiry to the federally recognized Tribe(s) completed within 30 days from the time Indian ancestry was identified?**

Region 4 Results	2019 Statewide Results
46% (11 of 24)	44% (43 of 97)

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Region 4 Office Results	
King East	100% (2)
King Southeast	100% (1)
King Southwest	17% (1 of 6)
King West	0% (0 of 4)
MLK	100% (1)
OICW	63% (5 of 8)
West Seattle	50% (1 of 2)

Regional Results by Case Type	
In-Home Cases	33% (1 of 3)
Out-Of-Home Cases	48% (10 of 21)

Primary Affiliation with a Washington State Tribe
67% (2 of 3)

11. Was comprehensive genealogical information gathered to complete the ancestry chart?

Region 4 Results	2019 Statewide Results
79% (19 of 24)	85% (83 of 98)

Region 4 Office Results	
King East	100% (2)
King Southeast	0% (0 of 1)
King Southwest	83% (5 of 6)
King West	75% (3 of 4)
MLK	100% (1)

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OICW	75% (6 of 8)
West Seattle	100% (2)

Regional Results by Case Type	
In-Home Cases	33% (1 of 3)
Out-Of-Home Cases	86% (18 of 21)

Primary Affiliation with a Washington State Tribe
100% (3)

12. If a federally recognized Tribe(s) did not respond to the initial inquiry to determine Indian status, was a second inquiry made to the Tribe(s)?

Region 4 Results	2019 Statewide Results
80% (12 of 15)	83% (34 of 41)

Region 4 Office Results	
King East	100% (2)
King Southeast	100% (1)
King Southwest	100% (4)
King West	50% (1 of 2)
MLK	0% (0 of 1)
OICW	100% (4)
West Seattle	0% (0 of 1)

Regional Results by Case Type	
In-Home Cases	100% (2)
Out-Of-Home Cases	77% (10 of 13)

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Primary Affiliation with a Washington State Tribe
100% (2)

**13. Was the second inquiry to the federally recognized Tribe(s) completed within 60 days of the first inquiry?**

Region 4 Results	2019 Statewide Results
83% (10 of 12)	91% (31 of 34)

Region 4 Office Results	
King East	0% (0 of 1)
King Southeast	100% (1)
King Southwest	100% (4)
King West	50% (1 of 2)
OICW	100% (4)

Regional Results by Case Type	
In-Home Cases	100% (2)
Out-Of-Home Cases	80% (8 of 10)

Primary Affiliation with a Washington State Tribe
100% (2)

**14. Was the case staffed with the Local Indian Child Welfare Advisory Committee (LICWAC) when inquiry was pending with a federally recognized Tribe?**

Region 4 Results	2019 Statewide Results
7% (1 of 15)	29% (12 of 41)

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Region 4 Office Results	
King East	0% (0 of 1)
King Southeast	0% (0 of 2)
King Southwest	0% (0 of 5)
King West	0% (0 of 2)
MLK	0% (0 of 1)
OICW	50% (1 of 2)
West Seattle	0% (0 of 2)

Primary Affiliation with a Washington State Tribe
NA

15. If the case was staffed with a LICWAC during the time inquiry was pending with the Tribe, did the LICWAC staffing occur timely?

Region 4 Results	2019 Statewide Results
100% (1)	92% (11 of 12)

Region 4 Office Results	
OICW	100% (1)

Primary Affiliation with a Washington State Tribe
NA



### Active Efforts/Collaboration with Tribes

*(The questions in this section were designed to measure compliance and quality of practice regarding Active Efforts and collaboration with Tribes per federal and state ICWA.)*

#### 16. Were ongoing active efforts made to provide services to the father or Indian custodian, including ongoing engagement to complete services?

Region 4 Results	2019 Statewide Results
70% (7 of 10)	44% (30 of 68)

Region 4 Office Results	
OICW	70% (7 of 10)

Primary Affiliation with a Washington State Tribe
67% (2 of 3)

#### 17. Were ongoing active efforts made to provide services to the mother or Indian custodian including ongoing engagement to complete services?

Region 4 Results	2019 Statewide Results
90% (9 of 10)	64% (46 of 72)

Region 4 Office Results	
OICW	90% (9 of 10)

Primary Affiliation with a Washington State Tribe
100% (4)

#### 18. Were ongoing efforts made to engage the child in case planning on an ongoing basis?

Region 4 Results	2019 Statewide Results
80% (4 of 5)	79% (22 of 28)

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Region 4 Office Results	
OICW	80% (4 of 5)

Primary Affiliation with a Washington State Tribe
100% (2)

19. If the child was a member or the biological child of a member and eligible for membership with a Washington State federally recognized Tribe, was the Tribe(s) contacted within 24 hours of case assignment to discuss jurisdiction?

Region 4 Results	2019 Statewide Results
100% (1)	54% (14 of 26)

Region 4 Office Results	
OICW	100% (1)

Regional Results by Case Type	
Out-Of-Home Cases	100% (1)

20. Were there ongoing efforts to consult and collaborate with the Indian child's federally recognized Tribe(s) in case planning?

Region 4 Results	2019 Statewide Results
70% (7 of 10)	49% (37 of 75)

Region 4 Office Results	
OICW	70% (7 of 10)

<b>Primary Affiliation with a Washington State Tribe</b>
75% (3 of 4)

**21. If the Tribe or LICWAC did not concur with the child’s case plan and notified DCYF that an impasse existed, were the impasse procedures followed?**

Region 4 Results	2019 Statewide Results
NA	NA

An impasse is defined as a deadlock between DCYF, the LICWAC or the child’s Tribe regarding the child’s case plan. There were no applicable cases to this question in 2012, 2015 or 2019. This question remains in the ICW case review to serve as a reminder to Tribes and LICWACs that DCYF strongly encourages the use of these procedures as steps to resolve issues at the lowest possible level within the DCYF organizational structure recognizing that DCYF cannot impose these requirements on Tribes as Sovereign nations.

**Culturally Competent Case Management**

*(The questions in this section were designed to measure compliance and quality of practice regarding providing culturally competent case management.)*

**22. Did a Family Team Decision Making (FTDM) staffing occur when placement of the child or a placement move was being considered?**

Region 4 Results	2019 Statewide Results
80% (8 of 10)	79% (50 of 63)

Region 4 Office Results	
King East	100% (1)
King Southwest	0% (0 of 1)
OICW	88% (7 of 8)

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Regional Results by Case Type	
Out-Of-Home Cases	80% (8 of 10)

Primary Affiliation with a Washington State Tribe
67% (2 of 3)

**23. If a FTDM staffing occurred, was the child’s federally recognized Tribe(s) notified and encouraged to participate in the staffing in a timely manner?**

Region 4 Results	2019 Statewide Results
75% (6 of 8)	60% (30 of 50)

Region 4 Office Results	
OICW	75% (6 of 8)

Primary Affiliation with a Washington State Tribe
33% (1 of 3)

**24. Were timely and diligent efforts made to engage the parent or Indian custodian in reasonably available and culturally appropriate preventive, remedial, or rehabilitative services, including services offered by tribes and Indian organizations if possible?**

Region 4 Results	2019 Statewide Results
55% (6 of 11)	43% (30 of 69)

Region 4 Office Results	
OICW	55% (6 of 11)

Primary Affiliation with a Washington State Tribe
75% (3 of 4)

**25. When the child was placed in out-of-home care, were there ongoing efforts to support the child’s contact with his/her parents and extended family members?**

Region 4 Results	2019 Statewide Results
80% (8 of 10)	67% (51 of 76)

Region 4 Office Results	
OICW	80% (8 of 10)

Primary Affiliation with a Washington State Tribe
100%

**26. When the child was placed in out-of-home care, were ongoing efforts made to encourage and support the child’s participation in Tribal customs and activities specific to the child’s Tribe?**

Region 4 Results	2019 Statewide Results
45% (5 of 11)	38% (29 of 76)

Region 4 Office Results	
OICW	45% (5 of 11)

Primary Affiliation with a Washington State Tribe
50% (2 of 4)

**27. Was the case staffed with LICWAC for consultation when the child’s Tribe(s) was unavailable, or the Tribe was in agreement with consultation with the LICWAC?**

Region 4 Results	2019 Statewide Results
50% (1 of 2)	56% (9 of 16)

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Region 4 Office Results	
OICW	50% (1 of 2)

Primary Affiliation with a Washington State Tribe
NA

**Court Requirements**

*(The questions in this section were designed to measure compliance and quality of practice regarding notification to Tribes of court proceedings and providing an expert witness per federal and/or state ICWA.)*

**28. Was the child’s Tribe(s) given legal notice prior to dependency fact findings, Title 13 guardianship fact findings, and termination fact findings?**

Region 4 Results	2019 Statewide Results
50% (3 of 6)	57% (25 of 44)

Region 4 Office Results	
OICW	50% (3 of 6)

Primary Affiliation with a Washington State Tribe
50% (1 of 2)

**29. Was the child’s Tribe(s) informed of all dependency reviews?**

Region 4 Results	2019 Statewide Results
70% (7 of 10)	67% (51 of 76)

Region 4 Office Results	
OICW	70% (7 of 10)

Primary Affiliation with a Washington State Tribe
67% (2 of 3)

**30. Was there a qualified Indian expert witness for all dependency fact finding, Title 13 guardianship fact finding, and termination fact finding hearings?**

Region 4 Results	2019 Statewide Results
67% (4 of 6)	58% (18 of 31)

Region 4 Office Results	
OICW	67% (4 of 6)

Primary Affiliation with a Washington State Tribe
100% (2)

**Placement Preference**

*(The questions in this section were designed to measure compliance and quality of practice regarding obtaining and following the placement preference of the Tribe.)*

**31. Were efforts made to identify the Tribe’s placement preference?**

Region 4 Results	2019 Statewide Results
60% (6 of 10)	46% (33 of 72)

Region 4 Office Results	
OICW	60% (6 of 10)

Primary Affiliation with a Washington State Tribe
67% (2 of 3)

**32. Was the Tribe’s placement preference followed?**

Region 4 Results	2019 Statewide Results
83% (5 of 6)	94% (31 of 33)

Region 4 Office Results	
OICW	83% (5 of 6)

Primary Affiliation with a Washington State Tribe	
67% (2 of 3)	

### Safety

*(The questions in this section were designed to measure quality of practice regarding identifying, assessing and addressing risk safety threats for children.)*

#### 33. During the time the child(ren) was living in the family home, were risk and safety threats adequately identified, assessed and addressed?

Region 4 Results	2019 Statewide Results
58% (7 of 12)	51% (37 of 72)

Region 4 Office Results	
King Southeast	100% (1)
King Southwest	50% (1 of 2)
King West	0% (0 of 1)
OICW	71% (5 of 7)
West Seattle	0% (0 of 1)

Regional Results by Case Type	
In-Home Cases	67% (2 of 3)
Out-Of-Home Cases	56% (5 of 9)

Primary Affiliation with a Washington State Tribe	
50% (1 of 2)	



**34. During the time the child was placed in out-of-home care, were risk and safety threats adequately identified, assessed and addressed?**

Region 4 Results	2019 Statewide Results
93% (26 of 28)	89% (99 of 111)

Region 4 Office Results	
King East	100% (2)
King Southeast	100% (2)
King Southwest	100% (7)
King West	100% (3)
MLK	100% (1)
OICW	82% (9 of 11)
West Seattle	100% (2)

Primary Affiliation with a Washington State Tribe
75% (3 of 4)

**Well-Being**

*(The questions in this section were designed to measure quality of practice regarding assessing and addressing the well-being needs of children.)*

**35. Were actions taken to assess and address the child(ren)'s educational/developmental needs?**

Region 4 Results	2019 Statewide Results
100% (9)	95% (55 of 58)

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Region 4 Office Results	
OICW	100% (9)

Primary Affiliation with a Washington State Tribe
100% (3)

**36. Were actions taken to assess and address the child(ren)'s physical health needs?**

Region 4 Results	2019 Statewide Results
82% (9 of 11)	61% (47 of 77)

Region 4 Office Results	
OICW	82% (9 of 11)

Primary Affiliation with a Washington State Tribe
75% (3 of 4)

**37. Were actions taken to assess the child(ren)'s mental/behavioral health needs and offer culturally appropriate services when needs were identified?**

Region 4 Results	2019 Statewide Results
80% (4 of 5)	57% (25 of 44)

Region 4 Office Results	
OICW	80% (4 of 5)

Primary Affiliation with a Washington State Tribe
100% (2)

## Permanency

*(The questions in this section were designed to measure quality of practice regarding achieving permanency for children placed in out-of-home care.)*

**38. If the child was placed in out-of-home care, were there sufficient and timely actions per policy, federal and state law, including active efforts when ICWA applies taken to complete the permanent plan?**

Region 4 Results	2019 Statewide Results
55% (6 of 11)	38% (29 of 77)

Region 4 Office Results	
OICW	55% (6 of 11)

Primary Affiliation with a Washington State Tribe
75% (3 of 4)

### Average Length of Stay for ICWA Children included in the Region 4 ICW Case Review

Of the children included in the review, 8 remained in placement at the time of the Region 4 ICW Case Review.

Number of Children	Average Length of Stay
8	17.6 Months

Of the children included in the review, 3 children were on a trial return home at the time of the Region 4 ICW Case Review.

Length of Stay in Out-of-Home Care	Length of Trial Return Home	Total Length of Stay
10 Months	3 Months	13 Months
29 Months	2 Months	31 Months
22 Months	7 Months	29 Months

Length of stay by age group for ICWA children included in the review:

Age Group	Number of Children	Average Length of Stay
Birth – 4	4	14.8 Months
5 – 10	3	34.7 Months
11 - 18	1	47 Months

## Appendix A

### Non-ICWA Culturally Competent Case Management

The child was not a member or the biological child of a member and eligible for membership with a federally recognized Tribe and the court did not determine there was reason to know the child was an Indian child; however, the family self-identified as having Indian cultural heritage, e.g., Indian ancestry with a non-federally recognized Tribe, Canadian First Nation or a descendant of a federally recognized tribe but not eligible for membership.

#### When ICWA did not apply, but the father self-identified Indian cultural heritage, was there ongoing engagement with the father in culturally competent case planning?

Region 4 Results	2019 Statewide Results
0% (0 of 1)	20% (1 of 5)

#### When ICWA did not apply, but the mother self-identified Indian cultural heritage, was there ongoing engagement with the mother in culturally competent case planning?

Region 4 Results	2019 Statewide Results
0% (0 of 5)	11% (1 of 9)

#### When ICWA did not apply, but the child/youth self-identified Indian cultural heritage, was there ongoing engagement with the child in culturally competent case planning?

Region 4 Results	2019 Statewide Results
0% (0 of 1)	50% (3 of 6)

#### When ICWA did not apply, but the family self-identified Indian cultural heritage, were efforts made to identify and encourage involvement in community services and resources specifically for Indian families?

Region 4 Results	2019 Statewide Results
0% (0 of 6)	14% (2 of 14)

#### When ICWA did not apply, but the family self-identified Indian cultural heritage and the child was placed in out-of-home care, were ongoing efforts made to encourage and support the child's participation in Tribal customs and activities?

Region 4 Results	2019 Statewide Results
0% (0 of 6)	23% (3 of 13)