

DCFS

INDIAN CHILD WELFARE

MANUAL

Issued

09/01/91

M E M O R A N D U M

TO: Tribal Leaders/Indian Organizations/Interested Parties

FROM: Members of the Indian Child Welfare Tribal/State Agreement
Negotiating Team

DATE: March 28, 1990

SUBJECT: DCFS Indian Child Welfare Manual

The primary purpose of this Indian Child Welfare Manual is to partially implement a formal agreement between 20 tribes and the state. The Department of Social and Health Services (DSHS) subsequently adopted it as the statewide policy in order to extend the agreement's protections to all Indian children in the state. The agreement governs the Indian Child Welfare (ICW) procedures and practices of the state and state licensed agencies and seeks to maximize the opportunity for tribal participation in every phase of agency decision-making affecting Indian children.

The effort to secure this agreement with the state began in 1983 when representatives of five Olympic Peninsula tribes met in Port Angeles to develop a strategy to tackle what the tribes considered to be egregious state non-compliance with Indian Child Welfare Act requirements. These discussions continued through early 1984. By May, 1984, tribal representation had increased to include all ten Olympic Peninsula tribes and several other Western Washington tribes. A plan to develop a multi-tribe agreement that would be presented to the state for negotiation was endorsed.

From May, 1984, until May, 1985, the tribal representatives met regularly to identify issues and draft a proposed agreement. A final draft agreement was approved by the tribal representatives in May, 1985. The agreement was developed with input from most of the tribes in the state.

In September, 1985, tribal representatives had their first negotiating session with the Director of Division of Children and Family Services (DCFS) and various DCFS staff. Agreement was finally reached in August, 1987 and was subsequently signed by Governor Gardner in November, 1987, and approved by 20 tribes.

The agreement cements a government-to-government tribal/state partnership that recognizes the paramount sovereign interest of tribes in decision-making involving the care, custody, and control of Indian children.

Following approval of the agreement, tribal and state representatives worked on the preparation of this DCFS manual as part of the plan to implement the provisions of the agreement. Preparation of a final draft of the manual was completed in February, 1990. The manual is intended to, and for most part does, fully and accurately incorporate those portions of the tribal/state agreement that can be implemented through a manual. However, the manual has not yet been reviewed to determine whether this purpose has been entirely accomplished. Revisions may be necessary to fully achieve this goal.

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While the intention is to submit this draft manual to interested persons for comment and to modify the manual as necessary to address concerns raised by reviewers, those provisions of the manual that directly implement the tribal/state agreement cannot be changed.

The adoption of this manual does not complete the implementation of the tribal/state agreement and does not complete the institutionalization of systems necessary to address the full scope of ICW needs in the state. Full implementation of the tribal/state agreement requires certain changes in DCFS policies and regulations and purchase of services contracts with tribes that would enable tribes to supplant the state as the primary service provider for Indian children and families. It is expected that steps to accomplish full implementation will proceed expeditiously. When fully implemented, the tribal/state agreement will establish the strongest commitment in the United States of any state and tribes to child welfare practices that are sensitive to Indian culture and that respect tribal sovereignty.

Also, in order to comprehensively address ICW needs, tribal/state agreements with other divisions of DSHS and with other departments having child welfare related responsibilities must be negotiated.

Respectfully Submitted,

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01.01 INTRODUCTION

This manual provides policy and procedural guidelines for staff of the Division of Children and Family Services (DCFS), child care agencies, including child placing agencies, and other DCFS contractors working with American Indian children and families.

Establishing a separate Indian child welfare (ICW) manual consolidates ICW procedures in one manual.

A. Changes From DCFS Manual

DCFS staff, child care agencies, including child placing agencies, and other DCFS contractors follow procedures in this manual as well as those existing in the DCFS Manual for non-Indian children and families. If there is a conflict between procedures in this manual and DCFS Manual procedures, follow procedures in this manual.

01.05 PURPOSE AND OBJECTIVESA. Purpose

Historically there has been a disproportionate number of removals of Indian children from their families and placement of those children outside of their families, tribes and Indian culture. Significant social problems developed from the cultural drift associated with the unwarranted relocation of Indian children.

The procedures in this manual are designed to prevent the arbitrary removal of Indian children from their families and prevent cultural drift if such removal is necessary. The procedures include, but are not limited to:

1. Notice of pre-judicial intervention to Washington State tribes;
2. Notice of child custody proceedings to a child's tribe as well as to the Indian child's parents or Indian custodians;
3. Transfer of child custody cases from State Court to Tribal Court;
4. The right of a child's tribe to intervene in child custody proceedings;
5. Case planning and consultation with a child's tribe;
6. Placement of Indian children in Indian homes;
7. More stringent standards of evidence than those usually applicable in child custody cases;
8. Procedures for court approval of consent to place, voluntary relinquishment, and adoption of Indian children; and
9. Special rights for Indian adoptees.

B. Objectives

The DCFS and child care agencies including child placing agencies, and other contractors make every effort to provide and enhance culturally relevant and sensitive child welfare services to Indian children and their families.

DCFS is committed to:

1. Preserving the cultural heritage of Indian children by ensuring tribal children are identified immediately and connected to their tribes through early notification of the tribes by DCFS and child care agencies, including child placing agencies and other DCFS contractors.

2. Assisting Washington State Indian tribes to enhance self-determination efforts relative to child welfare matters.
3. Establishing procedures and policies that protect Indian children from arbitrary removal from their families and tribal affiliations.

01.10 SCOPE

The rules and procedures set forth in this manual apply to all actions involving children and families of North American Indian descent. Included are Canadian Indians, taken by the DCFS, and child care agencies, including child placing agencies, and other DCFS contractors in the administration of the Children and Family Services Program.

01.15 LEGAL BASIS

Rules and procedures are based on:

25 USC 1901 et seq - Indian Child Welfare Act
RCW 26.44 - Child Abuse Reporting Law
RCW 13.34 - Juvenile Court Act
RCW 13.32A - Families in Conflict
RCW 26.33 - Adoption
RCW 74.13 - Child Welfare Services
RCW 74.15 - Licensing of Child Care Agencies
RCW 26.34 - Interstate Compact
Tribal/State Agreement of 1987
Washington Administrative Code
U.S. Constitution
Treaties between Indian Tribes and the US government
Treaties between Indian Tribes and the state of Washington
State and Federal Court decisions
PL 96-272
PL 94-257
Federal and State statutes

01.20 GENERAL OVERVIEWA. Federal and State Law/Policy

1. The federal Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.) was the first federal legislation enacted to protect Indian children and families. This landmark law defines the rights of tribes to assume jurisdiction over children who are members or eligible to be members in a tribe. The Act also requires that:
 - a. State and federal government give full faith and credit to the public acts, records, and judicial proceedings of Indian tribes;
 - b. Preventative services be given to Indian families prior to placing children in out-of-home care;
 - c. Family rehabilitation be facilitated; and
 - d. Indian children be returned to their families whenever possible. The Act also requires preference be given to placing an Indian child with a member of the child's extended family, a foster home specified by the child's tribe, or an Indian foster home or institution for children approved by the tribe or operated by an Indian organization.
2. House Bill 480, the state Indian Child Welfare Act, was enacted in 1987. (The provisions of HB 480 are codified in Chapter 13.34 RCW, Chapter 26.33 RCW, Chapter 74.13 RCW, and Chapter 74.15 RCW.) It brings state procedures regarding voluntary foster care placements, relinquishments and adoptions into compliance with the federal Indian Child Welfare Act. HB-480 also specifies that:
 - a. DCFS develops a plan for recruiting adequate numbers of Indian homes;
 - b. DCFS has authority to pay foster care for Indian children in tribal custody or care (if funds are available); and
 - c. DCFS and its licensing agencies may place Indian children in tribally licensed child care facilities. HB-480 also recognizes that Indian tribes have the authority to license child care or placing agencies or facilities within their boundaries.
3. In addition to federal and state laws, the state of Washington entered into a Tribal-State Agreement with Washington tribes that sets standards for notification, casework practice, and cooperative case planning in cases involving Indian children.

4. The Washington Administrative Code (WAC) contains provisions recognizing the unique problems and status of Indian tribes and their children. These provisions predate the federal and state acts and were the result of a unique coalition between Washington State Indian tribes, off reservation Indian groups and individuals interested in the welfare of Indian children.
5. Local Indian Child Welfare Advisory Committees (LICWAC) have been active in this state and DCFS since 1971. LICWAC serves in an advisory capacity to DCFS in determining care planning for Indian children. LICWAC volunteers are active in every region in the state and provide a valuable service to DCFS and Indian families.
6. DSHS created an Indian Affairs Office in 1974. The Indian Affairs Office is staffed by personnel of Indian ancestry who are familiar with Indian communities. This office is advisory to all branches of Department of Social and Health (DSHS). It provides an ear for the various tribal and off reservation Indian communities and a voice for input into policy development.

B. Historical Background

Historically, the roots of the "special" treatment of Indian people go back to before the United States was formed. When Europeans arrived on the shores of North America, they entered into wars, alliances and treaties with the Indian nations that were already on the continent. Some of those treaties were accepted by the United States and numerous other treaties were negotiated after the United States was formed.

The purpose of treaties was to cede land and make peace between the United States and Indian tribes, prevent tribes from alliances with other European nations and regulate commerce between the United States and Indian tribes. A treaty with an Indian tribe is similar to a treaty between the United States and any other nation. Indian treaty law, however, is very confusing and is not evenly interpreted. Treaties frequently cede certain lands and rights to the United States while reserving (hence "reservations") other lands and rights to the tribes. In return the U.S. government promised to give monetary compensation, goods, education, health care and protection from its other citizens to Indian tribes.

Although it is frequently argued that Indian treaty rights are historical and accusations are made about living in the past, treaties are legal contracts and the passage of time does not erode their validity. It is out of this unique relationship with the U.S. government that the Indian Child Welfare Act derives its authority to assert the rights of Indian tribes to jurisdiction over their citizens.

Indian children have been the subject of special interest by non-Indian groups since the mid-1800s when missionary groups were represented in force on Indian reservations. The original justification for

interference with Indian families and removal of their children was to save their souls, educate their minds to white culture and break the bonds to their tribes and families.

Although adoptions of Indian children were not known at this time, the majority of children were removed to educational institutions such as boarding schools. These residential programs were mandatory for children of a certain height and age. Like other institutions where children are separated from their natural caretakers or family substitutes, abusive practices were rampant. Soon after arrival, the children's heads were shaved and they were clothed in European fashion. Discipline was harsh and Indian language and customs were rigorously prohibited. Very few of the mission schools were located near Indian tribes and children rarely returned home during vacations. Disease was epidemic and the school cemeteries were filled with the small graves of children who would never go home.

The boarding school system weakened natural familial ties, separated the children by language from their traditional teachers, who were the grandparents and elders of their tribe, and prevented generations of children from learning how to be parents in a normal fashion. Many Indian people, after experiencing the punishments for practicing cultural and language, did not want their children to learn anything of their tribal ways.

The relocation policy also resulted in the movement of Indian families and individuals away from the reservation. Relocation was a policy designed to make Indian people move into cities for vocational training. The training frequently did not end in employment, but it did put children at risk by separating them from community sanctions against deviant behavior and from extended family supports.

The extreme poverty of many Indian people always served as a reason to remove Indian children from their families. To this day, Indian people continue to be the poorest in the land. Many Indian parents were and are labeled as hopeless cases because they lack knowledge about state approved methods of child care. These parents receive little or no aid to correct problems that often are a result of poverty and lack of knowledge about the system. Additionally, the child's extended family was rarely considered a placement option.

Indian parents who encountered the social service system often did not understand their rights or what was expected of them. Many Indian people have a native tongue as their primary language despite the enormous pressure against this. Even when the primary language is English, many Indian people have had limited educations and are not able to take advantage of services when offered.

C. Indian Child Rearing Practices

Indian cultures have high regard for their children. Many traditional cultures believe that if a child is not cared for by its relatives and loved, the spirit will return to the other side. Children are valued by Native American cultures and most tribes, by custom, prohibited abusive practices which were part of European North American culture. Writings from the 1800s and early part of this century criticized Indian parents for "sparing the rod and spoiling the child."

One aspect of Indian culture that has been a continuous source of misunderstanding in child welfare practice is that children were often not considered to be solely under parental care and authority. Extended family, especially grandparents, had a formal say in decisions affecting children. Many tribes expected that children would be turned over to an aunt, an uncle or the grandparents for rearing. These practices continued in traditional families, although sometimes in modified forms. Such children, when encountered by non-Indian systems, would be labeled as abandoned children and removed from the caretakers.

In 1960 one third of all Indian children were in some type of out of home placement in Washington State. The majority of those placements were in non-Indian homes or institutions. As the children grew older or became adults, Indian tribes and organizations experienced the phenomena of teenagers and young adults searching for their Indian identity as they left failed adoptions and institutions. Many felt as if something was terribly wrong with their lives. Many of the children were deeply disturbed, some were extremely depressed and suicidal.

As tribes reasserted their intention to survive as governing entities and cultural groups, one of the pressing issues was to preserve what the tribes called their greatest natural resource, their children. This was fully supported by off reservation Indian groups. These groups, which organized cultural and political activities, attracted large numbers of Indian adolescents and young adults who had been separated from their families and who were searching for their lost cultural identity.

D. Indian Child Welfare in Washington State Today

In the early 1970's Indian tribes and groups began to address the issue of separation of Indian children from their communities. To correct the problem, Indian child welfare coalitions asked for changes in state policy, recognizing the harm caused by former state policy.

As a result of work in the 1970's, each DCFS region now has a local LICWAC composed of tribal and Indian organization representatives. The LICWACs review case plans of Indian children, help search for relative, tribal or other Indian resources and provide additional services to benefit the case plans and children. The LICWAC members give their time at no cost to the state.

With the passage of the federal and state Indian Child Welfare Acts, state and private agencies were put on notice that they would have to develop higher standards of service practice for Indian families and children. Unfortunately, the lack of consistent and adequate funding has hampered the efforts of tribes and Indian organizations to assume complete charge of Indian child welfare. Many Indian resources have been developed despite lack of funding, however, and hopefully this trend will continue.

The future of Indian child welfare in Washington State seems strong. Off reservation and tribal groups expect to see Indian representation throughout the ranks of state employees. LICWACs and parents have campaigned to recruit volunteers and foster parents. Many regions have hired Indian workers to handle Indian cases. Some regions have designated trained groups of service workers ("Indian units") that specialize in cases involving Indian children.

The Indian community is trying to develop tribal resources and off reservation Indian agencies that can provide culturally appropriate services to Indian families and placements for children. Many tribal centers and most urban areas have at least limited mental health, drug/alcohol and other resources for individuals of Indian descent. These agencies do not always have contracts and struggle frequently with limitations of tight funding.

In the absence of adequate funding and Indian resources, training must be provided to service workers, supervisors, administrative and policy making staff. Agency staff must be trained to screen their cases for Indian cases and to have such cases staffed by the tribes or LICWAC. Cases involving Indian children must be closely monitored to ensure compliance with WAC regulations and state and federal law.

Training is also needed for the Indian social service workers and advocates. The Tribal-State Agreement indicates DCFS will support and train tribal agencies at their request and when funds are available. A regular system and funding base for Indian child welfare training has been a priority item in state, tribal and off reservation recommendations.

Several special problems remain in this area. The first is that there continues to be difficulties ensuring consistent compliance with the federal and state Indian Child Welfare Acts and the Tribal-State Agreement. The second is that experts who can provide culturally appropriate services or testify in court need to be appropriately identified. Such experts should be knowledgeable about the specific culture of the tribal group of origin and about ICW practice. These experts should be identified and approved by tribal groups or Indian organizations.

In the chapters to come, this manual will identify what is accepted practice in Indian child welfare and will help service workers comply with federal and state law, the Tribal/State Agreement, and the

Washington Administrative Code. DCFS looks forward to a future where tribal, off reservation Indian, state and private systems intermesh to provide the high standards of protection, services and social work outlined by the Indian Child Welfare Act. DCFS looks forward to a time when disputed cases will not separate children from their Indian culture and children can count on receiving appropriate services and placement with smooth interaction between the state, private agencies, and Indian resources.

01.25 DCFS INDIAN AFFAIRS POLICYA. Indian Policy Statement

The State of Washington recognizes the unique cultural and legal status of American Indians. (Supremacy Clause and Indian Commerce Clause of the U.S. Constitution, Federal Treaties, Executive Orders, The Indian Citizens' Act of 1924, the Indian Child Welfare Act of 1978 (25 USC 1901), other statutes, and State and Federal Court decisions.)

Indian people retain the right to tribal self-government and hold dual status as citizens of the state and citizens of Tribal governments. (Indian Self-Determination Act of 1964 and the DSHS Indian Affairs Policy Statement issued March 28, 1974 by Secretary Charles R. Morris, updated and reconfirmed in 1980 by Secretary Gerald Thomas.)

DCFS staff shall obtain consultation from the DSHS Regional Indian Specialist when additional information or clarification is needed on Indian affairs or issues pertaining to the delivery of services to Indian clients.

B. Indian Child Welfare Advisory Committees (ICWAC)

As one effort to improve the delivery of services to Indian citizens, DCFS has established ICW Advisory Committees. The purpose of ICW Advisory Committees is to:

1. Promote relevant social service planning for Indian children.
2. Encourage the preservation of Indian families and tribes and the heritage of each Indian child referred to DCFS and the child care agencies that it licenses.
3. Assure necessary assistance is provided to department staff by Indian tribal representatives and off reservation Indian organizations in the social service planning for Indian children for whom DCFS has a responsibility.

C. Tribal/State Agreement

As a further effort to provide services to Indian children and families, DCFS has adopted the Tribal-State Agreement as policy. It provides a blueprint for the development of local agreements, training, and other activities related to ICW issues. The Agreement was the result of a partnership formed by Indian tribes in the state of Washington and DCFS. The Agreement is consistent with and expands on the Indian Child Welfare Act, the ICW provisions of the WAC and Washington State law.

01.30 AUDIENCE

The audience for this manual includes DCFS staff, child care agencies, including child placing agencies and DCFS contractors.

For the purpose of this manual the term "service worker" means all staff in the referenced audience providing services to Indian children and families. If a specific task is the responsibility of a particular agency, that agency is specifically referenced, i.e., the first part of Chapter 05 applies to DCFS child protective service workers only.

01.35 SANCTIONS FOR NONCOMPLIANCE - PRIVATE AGENCIES AND CONTRACTORS

Private child care agencies, including child placing agencies and DCFS contractors are mandated to follow all federal and state laws and policies related to Indian child welfare. Complaints regarding noncompliance should be referred to the DCFS licensor for the agency, the DCFS child placing agency program manager, and Indian Child Welfare Program manager. If DCFS determines after investigation, that the above referenced child care/child placing agencies and DCFS contractors have not followed the applicable laws, policies or manual procedures, the following corrective actions shall be taken:

A. Licensed Agencies

1. Where it appears noncompliance is an isolated incident, the licensor shall write a deficiency report and require a plan of correction. The correction plan shall rectify care or cases in question assuring no repetition of the noncompliant practice. The licensor shall provide a copy of the corrective action plan to the tribe(s) of any Indian child(ren) involved in a noncompliance incident.
2. Where, as the result of a review or additional complaints, it appears it is the agency's intent or ongoing practice not to enforce or comply with the requirements of this manual or with WAC 388-73-044 or the Indian Child Welfare Act on which it is based, the DSHS shall take action against the license and/or the contract of the child placing agency, depending on the degree of violation. Licensing action may include, but is not limited to, the following:
 - a. Suspension/summary suspension of a license. Either action would prohibit an agency from operating during the period of suspension and interrupt payments being made to the agency for child care and services. The suspension may be lifted when the agency comes into conformity.
 - b. Provisional licensure of an agency. The agency may operate and receive payment during the period in which it is provisionally licensed. However, application for full relicensure may be denied if the agency fails to provide evidence of compliance corrective action within 30 days of receipt of the provisional license.
 - c. Amendment or modification of a license to prohibit the agency from caring for Indian children or impose other restrictions/requirements upon the licensee.
 - d. Revocation of a license. Where it is evident that less drastic actions have not been/will not be effective in gaining compliance with the requirements, a license shall be revoked.

B. DCFS Contractors

For those agencies having contracts with the DSHS, contract actions may be taken in addition to licensing actions. Contract actions are not initiated by licensing staff, but by regional or state office contracting staff after determining the agency is out of contract compliance. Child care agency contracts also require conformity to licensing standards, so contract action may be based on the finding of noncompliance with the requirements of this manual or with WAC 388-73-044, as well.

Contract actions include, but are not limited to, the following:

1. Stop placement notice. A stop placement notice, usually issued by a regional office, informs the agency, other regions, and the state office that the DSHS will not make placements with the agency. The stop placement notice does not interrupt payment on behalf of children already placed with the agency by the DSHS. The stop placement notice does not prohibit the agency from accepting children from sources other than the DSHS.
2. Amendment of the contract to stop payment for the care of Indian children.
3. Termination of the contract stops payments for any child placed with the agency by the DSHS and for whom the DSHS is making contract payment.

C. Additional Sanctions for Noncompliance

In all cases where an agency is found to be in violation of federal law, DCFS shall take the following actions, in addition to possible licensing and contract actions.

1. The regional DCFS administrator shall prepare and send to the DCFS director a report of noncompliance. The DCFS director shall forward the report to the Bureau of Indian Affairs. If the case involves children who are members of or eligible for membership in a Washington State tribe, a copy of the noncompliance report shall also be provided to the tribe.
2. The director of the DSHS, on tribal/Bureau of Indian Affairs recommendation, shall request the Attorney General to develop an amicus brief in support of tribal/Bureau of Indian Affairs legal action taken against an agency for noncompliance.
3. In support of any tribal/Bureau of Indian Affairs legal action, the DSHS staff may serve as expert witnesses in legal proceedings, upon request of the tribe/Bureau of Indian Affairs.

4. DCFS, in consultation with the Attorney General's Office, shall explore and pursue other available legal remedies to secure compliance with federal law requirements.

01.40 EXPLANATION OF FORMAT

A. Organization of Chapters

1. Chapters are arranged in outline form.
2. Sections are numbered .05, .10, .15, .20, etc.
3. Each chapter contains a table of contents.

B. Definitions

Definitions are located in Chapter 14. The definitions are terms used in this manual.

C. Forms

All forms and instructions used solely for ICW cases are reproduced in Chapter 13 of this manual.

01.45 DISTRIBUTION REQUIREMENTS

This manual is intended for DCFS and private child care agencies, including child placing agencies and other DCFS contractors that deliver services to children and families of Indian descent.

01.50 REVISION REQUIREMENTS

A Revision Control Sheet is filed at the front of this manual. Record the action on the control sheet.

01.55 MANUAL ASSEMBLY

Insert the chapters into the three ring binder.

01.60 INTERIM NOTICES

Interim Notices for the Indian Child Welfare Manual are blue and will use a "T" prefix.

01.65 CONTROL SHEETS

Control sheets for regular revisions and interim notices are located in the front of the manual.

RESERVED

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03.01 INTRODUCTION

It is necessary to identify whether a child is of Indian ancestry in order to preserve the child's culture and to ensure the requirements of the Federal and State Indian Child Welfare Acts and the WAC are met.

Early identification of a child as Indian is necessary to ensure the Indian child is not traumatized by culturally inappropriate and/or illegal placements that must be interrupted at a later date to comply with the Indian placement requirements of the Indian Child Welfare Acts and/or WAC.

03.05 DEFINITIONS OF INDIAN CHILD

The requirements of this manual apply to several different categories of Indian children. The law and procedures that apply in a particular case are determined by the individual child's category. For this reason it is critical that the service worker understand the categories and take the necessary steps to identify the child's Indian category at the very outset of service involvement. The following definitions of categories of Indian children apply in this manual.

- A. Indian child - An Indian child is an unmarried person under the age of 18 and who is either:
1. A member of a federally recognized Indian tribe, including Eskimo, Aleut or other Alaska Native; or
 2. Eligible for membership in a federally recognized Indian tribe, including Eskimo, Aleut, or other Alaska Native, and is the biological child of a member of a federally recognized Indian tribe. See the definition of Indian in Chapter 14 of this manual.
- See Chapter 12 for a list of federally recognized Indian tribes in the United States. The list is not totally accurate because it does not contain newly recognized tribes. The service worker shall contact the tribe or the Bureau of Indian Affairs directly for assistance in determining the current status of any unlisted Indian tribe.
- B. Washington State Indian Child - An Indian child meeting the definition of Indian Child found in 03.05(A), and whose tribe is a federally recognized tribe located within the state of Washington. See Chapter 12 for a list of federally and nonfederally recognized tribes in Washington State.
- C. Canadian Indian Child - A Canadian Indian child is an unmarried person under the age of 18 who is a member of a treaty tribe, Metis Community, or a nonstatus Indian community from Canada. See Chapter 12 for Canadian tribal contact information. Seek the advice of LICWAC if additional assistance is required. See Chapter 10 regarding LICWAC.
- D. An Unenrolled Indian Child - An unenrolled Indian child is an unmarried person under the age of 18 who does not meet the definitions of Indian child, Washington State Indian child, or Canadian Indian child found in 03.05 (A), (B), and (C). Regardless of enrollment or membership status, an unenrolled Indian child is a child considered to be Indian by a federally or nonfederally recognized Indian tribe or off-reservation Indian/Alaska Native community organization. See Chapter 12 for a list of nonfederally recognized tribes located in the United States.

03.10 APPLICATION OF INDIAN CHILD WELFARE MANUAL

- A. Unless otherwise specifically indicated, the requirements of this Manual apply to all children meeting the definitions of Indian child and Washington State Indian child found in Chapter 03.05 (A) and (B), above.
- B. Unless otherwise specifically indicated, procedures applicable to Canadian and unenrolled Indian children, as defined in Chapter 3.05 (C) and (D), are found in Chapter 11 of this Manual.

03.15 APPLICATION OF LAWS, POLICIES AND PROCEDURES

- A. Application of federal and state laws as well as the WAC varies depending on the Indian child's definitional category. A chart found on page 7 of this Chapter will help the service worker determine what general requirements apply in various cases. The "X's" under the headings at the top of page indicate the applicable requirements based on membership status.

- B. The Indian Child Welfare Compliance Checklist, DSHS 09-777 has been developed to assist the service worker in following the procedures in this Manual. The service worker may insert the checklist in the service file for easy reference.

INDIAN CHILD WELFARE

APPLICATION OF FEDERAL AND STATE LAWS AND POLICIES

INDIAN CHILD

1) Member of a federally recognized Indian Tribe or
2) Eligible for membership in a federally recognized tribe and the biological child of a tribal member

CANADIAN

Member of a treaty tribe/Metis community/non-status Indian community.

UNENROLLED

Considered Indian by federally/non-federally recognized tribe or urban Indian/Alaskan native community organization.

		<u>INDIAN CHILD</u>	<u>CANADIAN</u>	<u>UNENROLLED</u>
FEDERAL INDIAN CHILD WELFARE ACT (25 U.S.C. 1901) et seq.	Exclusive tribal jurisdiction over reservation Indian children under certain circumstances	X		
	Transfer of jurisdiction from state to tribal court upon request of child's parent/tribe	X		
	Parent's/tribe's rights to notice/intervention in state custody proceedings	X		
	Higher standards of proof for involuntary F.C./termination.	X		
	Court validation of voluntary consents to F.C./termination	X		
	Placement preferences for F.C./adoptive placements	X		
STATE STATUTES (RCW)	Court procedures re voluntary F.C. validation (RCW 13.34)	X		
	Notice to tribes of voluntary F.C. validation proceedings (RCW 13.34)	X		
	Notice to tribes of voluntary relinquishments/adoptions (RCW 26.33)	X		
WASHINGTON ADMINISTRATIVE CODE (WAC)	Culturally sensitive case planning	X	X	X
	Special case documentation requirements	X	X	X
	Placement preferences for F.C./adoptive placements	X	X	X
	Staffing with LICWAC	X	X	X
SUPERIOR COURT (CR)	Intervention by tribes in state custody proceedings (CR 24)		X	X

03.20 INQUIRY INTO CHILD'S INDIAN STATUS

- A. The provisions of this section apply to Indian children of all four categories. See Chapter 03.05 of this manual for definition of the categories.
- B. Upon acceptance of a case for service, the service worker shall immediately seek to discover whether the involved child is of Indian ancestry. **THIS SHALL BE DONE IN EVERY CASE.** The service worker shall document in the case record all efforts to discover a child's ancestry. At a minimum the service worker, including intake staff, shall ask a referent, parent(s)/Indian custodian(s), child (if the child is of sufficient age), and relatives of the child:
1. Whether the child is of Indian or native ancestry.

Alaska Native and Canadian Indians often use terms other than "Indian" to describe their ancestry. For this reason, inquiry should be made about "native" ancestry as well as "Indian" ancestry. "First Nation," "from a band," and "aboriginal peoples" are also common terms used to describe Canadian Indian ancestry. Canadian Indians often use the terms "band" and "reserve" to denote "tribe" and "reservation."
 2. Whether the child is or has been the ward of any Tribal Court.
- C. The service worker for a licensed child placing agency obtains from each parent a completed Ethnic Identity Request, DSHS 09-761.
1. The service worker files the original in the child's service record.
 2. Within ten (10) working days following the parent's completion of the form, the service worker provides a copy of the form to the DCFS Regional Administrator and the DCFS Headquarters Indian Welfare Specialist.
- D. Unless it has been established with reasonable certainty that a child is not Indian, the child shall be considered Indian if any one of the following circumstances exist:
1. Any party to the case, Indian tribe, Indian organization, or public or private agency informs the service worker that the child is an Indian child.
 2. The referent, the child, the child's parent(s)/Indian custodian(s), or relatives give reason to believe that the child is Indian.
 3. The service worker discovers information suggesting the child is Indian.

4. The residence or domicile of the child or the child's parent(s)/custodian(s) is known to be a predominantly Indian community. See Chapter 14 for definition of residence/domicile. Whenever residence or domicile in a predominantly Indian community forms the sole basis for considering that a child is Indian, the child may be treated as non-Indian if the service worker has verified information that the child is non-Indian.
 5. The child is or has been a ward of any Tribal Court.
- E. Upon receipt of information that the child is of Indian ancestry, the service worker immediately takes necessary steps to identify the child's tribe and contacts the tribe for verification of the child's Indian status. See Chapter 03.25, below.
1. If the identity of the child's tribe is unknown, the service worker follows the procedures in Chapter 03.25 E, for contacting the Bureau of Indian Affairs.
 2. The service worker also immediately take steps to follow LICWAC procedures, if applicable. See Chapter 10 regarding LICWAC.

03.25 VERIFICATION OF CHILD'S INDIAN STATUS

- A. If the identity of the child's tribe is known, the service worker contacts the tribe by phone as quickly as possible, and no later than one working day, following discovery of the tribe's identity. The service worker follows the telephone call with a written request for verification of the child's Indian status. The service worker uses DSHS 09-539, Inquiry to Indian Tribe, Band, or Nation and DSHS 04-220(X), Family Ancestry Chart.
- B. In seeking to verify the child's Indian status, the service worker inquires as to whether the child or child's Indian parent(s) was previously adopted.

If the child or child's Indian parent(s) was previously adopted, the service worker makes reasonable attempts to obtain available information regarding the identity of the child's/Indian parent's biological family and promptly provides such information to the child's tribe or, if the identity of the child's tribe is unknown, the Bureau of Indian Affairs. See 03.25 (E) below.

- C. If the child is affiliated with more than one tribe, the service worker contacts each tribe by telephone and sends each tribe a written request for verification of the child's Indian status.
- D. Whenever the service worker contacts a tribe for verification of Indian status as required above, the service worker also asks whether the tribe considers the child to be Indian regardless of the child's membership status.

This additional request for information is contained in the verification forms required above.

- E. Only when the identity of the child's tribe is unknown or uncertain, the service worker contacts the Portland area office of the Bureau of Indian Affairs (BIA) by telephone. See Chapter 12 for BIA contact information. The service worker follows the telephone call with a written request for verification of the child's Indian status. The service worker uses DSHS 09-536, Inquiry To Bureau of Indian Affairs (BIA) and DSHS 04-220(X), Family Ancestry Chart.
- F. If there is reason to believe the child is Canadian Indian but the identity of the child's tribe/band is unknown, the service worker immediately contacts the Indian child welfare specialist at DCFS Headquarters by telephone to request assistance in identifying the child's tribe/band. The service worker follows the telephone call with a written request for assistance.

- G. Unless it is determined a child meets one of the definitions of Indian child, as defined above in Chapter 03.05, the service worker asks the child's parent(s)/custodian(s) and the child (if of sufficient age) whether the child is considered to be Indian by an off-reservation Indian/Alaskan native community organization.
1. The service worker attempts to contact any tribe or organization identified in response to the above inquiry. When an organization is identified, the service worker asks the organization whether it considers the child or the child's parent(s) to be Indian. The service worker uses DSHS 18-192, Inquiry To Indian Organization.
 2. When a tribe is identified, the service worker contacts the tribe as required in Chapter 03.25(A), above.
- H. The service worker attempts to obtain a written response to requests for verification of a child's Indian status. At a minimum, the service worker includes written documentation in the service record of the name, address, and telephone number of the person who provided information about the child's Indian status and a summary of the information provided.
- I. The service worker may request LICWAC assistance in obtaining verification of a child's Indian status. See Chapter 10 for LICWAC procedures.

03.30 DETERMINATION OF TRIBAL MEMBERSHIP STATUS

- A. Only a tribe makes determination of a child's tribal membership status. A tribal determination of membership or eligibility for membership is final. THE SERVICE WORKER DOES NOT MAKE THE DETERMINATION OF AN INDIAN CHILD'S MEMBERSHIP OR ELIGIBILITY STATUS.
1. Except as otherwise provided in Chapter 11, the term "Indian child's tribe" means the federally recognized tribe(s) in which an Indian child is a member or eligible for membership.
 2. If an Indian child is a member or eligible for membership in more than one tribe, the service worker provides notification to each of the tribes and, with respect to each tribe, follows all other applicable procedures in this manual.
- B. In circumstances where the BIA was contacted because the identity of the child's tribe was unknown, a determination by the BIA regarding a child's tribal membership status is final unless later contradicted by a tribe subsequently identified as the Indian child's tribe.
- C. See Chapter 11 for procedures regarding determination of Canadian Indian or unenrolled Indian status.

03.35 WHEN THE CHILD MAY BE CONSIDERED NON-INDIAN

- A. The provisions of this manual shall be followed until it has been established with reasonable certainty that a child does not meet the definition of Indian child, Washington State Indian child, Canadian Indian child or unenrolled Indian child found in Chapter 03.05 (A), (B), (C), and (D). If the child does not meet any of the above definitions, the child is considered non-Indian and the provisions of this manual do not apply.

The service worker documents in the service record the actions taken to identify a child's Indian status in accordance with the requirements of this chapter, and the basis for concluding that none of the above definitions apply.

- B. In cases where the service worker has requested verification of a child's Indian status as required by this chapter and has not received a response to such request(s), the service worker may consider a child non-Indian and need not follow the provisions of this Manual if ALL of the below requirements are satisfied:
1. The service worker has sent a written request for verification of the child's Indian status to the Tribe and/or the BIA as required in Chapter 03.25.
 2. If verification was not provided within 15 calendar days following the date the written request for verification was sent, the service worker has sent a second written request and has contacted the tribe and/or BIA by telephone.
 3. Verification has not been provided by the tribe or the BIA within 15 calendar days following the date that the second written request was sent and neither the tribe nor the BIA have requested additional time for verification.
 4. If additional time for verification was requested, verification has not been provided within 45 calendar days after the first written request for verification was sent. See B(2), above.
 5. The service worker has provided all available information regarding the child's family history to the tribe or the BIA and has taken reasonable steps to obtain and provide any additional information requested by the tribe or the BIA.
 6. The child is not a Canadian or unenrolled Indian child. See Chapter 11 regarding Canadian and unenrolled Indian children.
 7. The service worker has documented in the service record all information necessary to demonstrate compliance with the above requirements, including the name, address, and telephone number of the person(s) contacted by telephone within the tribe and/or the BIA.

- D. If a child has been identified as non-Indian in accordance with the provisions of C, above, and the tribe and/or BIA subsequently verifies the child is Indian as defined in Chapter 03.05, the service worker follows the requirements of this manual in performing casework or placement activities **AFTER** the date the child's Indian status is verified.

A tribe and/or the BIA may verify a child's Indian status orally or in writing. If the verification is oral, the service worker documents in the service record the date verification was provided and the name, address, and phone number of the person who provided the verification.

03.45 TRIBAL, BUREAU OF INDIAN AFFAIRS AND CANADIAN TRIBE/BAND CONTACT
INFORMATION

See Chapter 12 of this manual.

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04.05 GUIDELINES REGARDING DISCLOSURE OF CONFIDENTIAL RECORDS/INFORMATION TO TRIBES

Disclosure of confidential records, documents, or information to an authorized tribal or Indian organization representative is conditioned upon:

- A. Federal or state laws which require or authorize DCFS, child care agencies including child placement agencies, or DCFS contractors to disclose confidential information; or
- B. Entry of an order, by a state, federal, or tribal court with jurisdiction over the parties and the subject matter, which requires or authorizes DCFS, child care agencies, including child placing agencies, or DCFS contractors to disclose confidential information; or
- C. Written consent, by the person who is the subject of the confidential information, authorizing DCFS, child care agencies, including child placing agencies or DCFS contractors to disclose such information; or
- D. A contractual agreement between DCFS and a tribe or an Indian organization whereby CPS, CWS, or other social services are provided by the tribe or Indian organization and disclosure of confidential information is necessary for provision of services under the contract.

04.06 25 U.S.C. 1917

Upon application an adopted Indian individual who has reached the age of 18, the court which entered the final adoption decree shall inform the individual of the tribal affiliation, if any, of the individual's biological parents and provide such other information as may be necessary to protect rights flowing from the individual's tribal relationships.

04.07 25 U.S.C. 1951

Upon the request of an adopted individual over the age of 18, the adoptive or foster parents of an Indian child, or an Indian tribe, the Secretary of the Interior shall disclose such information as may be necessary for enrollment as a tribal member or for determining any rights associated with that membership.

04.10 APPLICATION OF DISCLOSURE GUIDELINES

- A. Whether particular information can be disclosed to a tribal or Indian organization representative in an individual case will depend upon the following variables:**
- 1. The child's tribal membership status;**
 - 2. The nature of the information to be disclosed;**
 - 3. The legal status of the case, i.e., pending state or tribal court action; and**
 - 4. The purpose of the disclosure.**
- B. Unless parental rights have been permanently terminated, the service worker should attempt to obtain written consent to disclosure from the child's parents. If parental rights have been terminated or if the service worker is unable to obtain parental consent to disclose, the following general guidelines regarding disclosure of confidential information shall apply (except that the identity of confidential Child Protection Service (CPS) referents shall not be disclosed without the referent's permission and information regarding a person's HIV/AIDS status shall only be disclosed in accordance with written DCFS policies/guidelines). Although the guidelines are not all inclusive, the most common circumstances where disclosure of information is authorized or required are set forth below:**
- 1. Identifying information regarding a child who may be Indian and the child's family may be disclosed for purposes related to verification of the child's Indian status, determination of tribal wardship status, and determination of the child's residence/domicile.**
 - 2. Information regarding a child who is a member of or eligible for membership in a federally recognized Washington State tribe shall be disclosed to the tribe for purposes related to child welfare case planning upon the tribe's request.**
 - 3. If a state or tribal court proceeding pertains to voluntary foster care placement, dependency, guardianship, termination of parental rights, alternative residential placement (ARP), or relinquishment/adoption and the proceeding involves a child who is a member of or eligible for membership in a federally recognized Indian tribe, information regarding the child shall be disclosed to the child's tribe upon request of the tribe. Case record information shall be sent to the tribe by certified mail, return receipt requested, within five (5) working days of receipt of the tribe's request.**

4. If a Canadian tribe/band or a federally/nonfederally recognized Indian tribe intervenes as a party in a state court proceeding involving voluntary foster care placement dependency, ARP, or relinquishment/adoption of a Canadian Indian child or an unenrolled Indian child, information regarding the child shall be disclosed to the intervening tribe/band.
 5. Information regarding an Indian child, a Canadian Indian child or an unenrolled Indian child may be disclosed for case planning and/or consultation purposes to the child's tribe/band, Indian organizations, social service agencies, or other service resources.
 6. Information regarding a child of Indian ancestry shall be disclosed to the appropriate LICWAC for case planning purposes and staffings conducted in accordance with Chapter 10 of this manual.
 7. Information regarding an Indian child, a Canadian Indian child, or an unenrolled Indian child shall be disclosed as required or authorized by the provisions of this manual. Information regarding the HIV/AIDS status of an Indian child shall only be disclosed in accordance with written DCFS policies/guidelines. See Division of Children and Family Services HIV/AIDS Guidelines.
 8. Information regarding the parents, Indian custodian, foster parents, prospective adoptive parents, and adoptive parents shall be disclosed as required or authorized by the provisions of this manual, except that information regarding any person's HIV/AIDS status shall only be disclosed in accordance with written DCFS policies/guidelines. See Division of Children and Family Services HIV/AIDS Guidelines.
- C. The service worker shall consult with the Attorney General's Office or other appropriate legal representative if questions arise regarding confidentiality or disclosure of information.

04.15 LETTERS AND TELEPHONE CALLS TO TRIBES

The service worker shall send letters with confidential information in envelopes marked "Confidential: Indian Child Welfare." The service worker shall not give identifying client information when leaving telephone messages.

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05.01 INTRODUCTION

This chapter applies to casework service provision, including child protective services, prior to court action.

- A. The DCFS children's protective services CPS worker follows the procedures found in the DCFS manual, Chapter 26 as well as the procedures found in Chapter 05.05 through 05.25 of this manual. If there is a conflict between provisions, the service worker follows the CPS procedures in Chapter 05.05 through 05.25 of this manual.
- B. The DCFS family reconciliation services (FRS) worker follows the procedures found in the DCFS Manual, Chapter 24 as well as the procedures found in Chapter 05.45 of this manual. If there is a conflict between provisions, the service worker follows the procedures in Chapter 05.45 of this manual.
- C. All service workers follow the procedures found in the DCFS Manual, Chapter 32 as well as the provisions found in Chapter 05.30 through 05.40 of this manual. If there is a conflict between provisions, the service worker follows the procedures in Chapter 05.30 through 05.40 of this manual.
- D. Except as specifically provided, this chapter does not apply to Canadian or unenrolled Indian children. See Chapter 11 for information about Canadian and unenrolled Indian children.

05.05 CPS REFERRALS - INVOLVEMENT OF FEDERALLY RECOGNIZED WASHINGTON STATE
INDIAN TRIBES BEFORE COURT INTERVENTION

- A. CPS workers shall notify and involve the following federally recognized Indian tribes of Washington State in case planning at the earliest possible point prior to and during any child abuse or neglect investigation regarding a Washington State Indian child, as defined in Chapter 03.05(B). Emergency circumstances may necessitate an investigation or provision of services prior to tribal involvement.

Names of Federally Recognized Tribes in Washington State

- | | |
|--------------------------------------|---------------------------------|
| 1. Chehalis Indian Tribe | 14. Quileute Indian Tribe |
| 2. Colville Indian Tribe | 15. Quinault Indian Tribe |
| 3. Hoh Indian Tribe | 16. Sauk-Suiattle Indian Tribe |
| 4. Jamestown Band of Clallam Indians | 17. Shoalwater Bay Indian Tribe |
| 5. Kalispel Indian Tribe | 18. Skokomish Indian Tribe |
| 6. Lower Elwha Indian Tribe | 19. Spokane Indian Tribe |
| 7. Lummi Indian Tribe | 20. Squaxin Island Indian Tribe |
| 8. Makah Indian Tribe | 21. Stillaguamish Indian Tribe |
| 9. Muckleshoot Indian Tribe | 22. Suquamish Indian Tribe |
| 10. Nisqually Indian Tribe | 23. Swinomish Indian Tribe |
| 11. Nooksack Indian Tribe | 24. Tulalip Indian Tribe |
| 12. Port Gamble Indian Tribe | 25. Upper Skagit Indian Tribe |
| 13. Puyallup Indian Tribe | 26. Yakima Indian Nation |

- B. Upon receipt of a screened-in CPS referral involving a Washington State Indian child, as defined in Chapter 03.05(B), the CPS worker:
1. Notifies the child's tribe of the CPS referral in the quickest way possible, e.g., telephone, telegraph;
 2. Furnishes the tribe or a tribally designated organization with information as required by Chapter 05.20(A) of this manual.
 3. Staffs all cases involving Washington State Indian children with the tribal designee from the child's tribe. If a tribal designee is not available, the service worker staffs the case with LICWAC. See Chapter 10 regarding LICWAC procedures.

4. Contacts tribal social services to explore available services that will:
 - a. Address the safety needs of the child;
 - b. Assist the parent to retain custody of the child; and
 - c. Further the child's tribal relationship.
5. Makes active efforts to prevent out-of-home placement by providing culturally sensitive services. See Chapter 05.30.
6. Involves the child's tribe within one working day if emergency circumstances necessitate investigation or protective services intervention prior to involving the tribe.

05.10 CPS REFERRALS - INVOLVEMENT OF FEDERALLY RECOGNIZED OUT-OF-STATE TRIBES

Upon receipt of a screened-in CPS referral involving an Indian child, as defined in Chapter 03.05(A), whose tribe is located outside the state of Washington, the CPS worker furnishes the child's tribe with information as required by Chapter 05.20(B) of this manual.

05.15 INDIAN INTERPRETER - CPS CASES

- A. Whenever possible and practicable, upon receipt of a screened-in complaint or referral involving child abuse/neglect of an Indian child, the CPS worker contacts a person to serve as an Indian interpreter. See Chapter 14 for definition of "Indian interpreter." An Indian interpreter may be found by contacting the child's tribe, an Indian organization, or the Indian child welfare specialist of DCFS Headquarters, or LICWAC. See Chapter 14 for definition of "Indian organization" and Chapter 10 for LICWAC procedures.
- B. The purpose of involving an Indian interpreter is to assist the CPS worker in:
1. Communicating with the Indian family.
 2. Avoiding unnecessary protective services, intervention or removal of children.
 3. Securing emergency placement in a relative's home or another Indian home in accordance with the placement preference of the tribe or of this manual. See Chapter 07 for placement preferences.
 4. Complying with the notification requirements of this manual. See Chapter 06 for notification requirements.
 5. Securing reliable identification of the child as an Indian child. See Chapter 03 regarding determination of a child's Indian status.

05.20 PROVISION OF CPS CASE RECORD MATERIALS TO INDIAN TRIBES

A. Federally Recognized Tribes in Washington State

1. If the child's tribe is a federally recognized tribe located in Washington State, see list of tribes in Chapter 05.05, the CPS worker:
 - a. Furnishes the tribal designee, or tribally designated organization, with all case record material, reports, family social histories, or other documents related to an incident of abuse and/or neglect.
 - b. Clearly designates the case record material as "CONFIDENTIAL INDIAN CHILD WELFARE INFORMATION";
 - c. Does not divulge the names of confidential referents to the tribal designee without the permission of the referent; and
 - d. Does not divulge information related to the HIV/AIDS status of the child or the child's parent(s) except in accordance with written DCFS policies and guidelines. See Division of Children and Family Services HIV/AIDS Guidelines.

B. All Other Tribes in the United States and Canada

1. In all other cases, i.e., the child's tribe is located out of state or the child is a Canadian or unenrolled Indian, the CPS worker furnishes to the tribe information as necessary to:
 - a. Establish the child's membership status;
 - b. Provide notification of court proceedings: or
 - c. For purposes related to CPS case planning for the child.
2. The CPS worker provides additional information upon request of the child's tribe if the tribe has intervened as a party in a child custody proceeding involving the child.

Whenever the child's tribe requests additional information and the tribe has not intervened in a child custody proceeding, the CPS worker will make reasonable attempts to secure parental consent or a court order authorizing disclosure to the tribe.
3. The CPS worker will not divulge the names of confidential referents to the tribal designee without the permission of the referent.

4. Information regarding the HIV/AIDS status of a the child or his/her parent(s) will not be disclosed except in accordance with written DCFS policies and guidelines. See Division of Children and Family Services HIV/AIDS Guidelines.
5. Material provided by the CPS worker will be clearly designated "CONFIDENTIAL: INDIAN CHILD WELFARE INFORMATION."

05.25 REPORTS TO LAW ENFORCEMENT

- A. For purposes of complying with the requirements of this section, the term "appropriate law enforcement agency" means the police agency which is responsible for enforcing criminal laws in the geographical area where an incident occurred.
1. If the incident occurred within the boundaries of an Indian reservation, the CPS worker shall report to the tribal police. If the tribe does not have a police agency, the CPS worker shall report to the area Federal Bureau of Investigation (FBI) and to the BIA office serving the tribe. See Chapter 12 for BIA contact information.
 2. The CPS worker shall also report to the police agency for the county and/or city in which the incident occurred.
- B. The CPS worker shall report to the appropriate law enforcement agency any reported incident of:
1. Death of a child;
 2. Sexual abuse of a child;
 3. Nonaccidental physical injury of a child; or
 4. Incidents where an investigation reveals reasonable cause to believe a crime against a child may have been committed.
- C. The CPS worker shall report to law enforcement within three working days of:
1. Receipt of a complaint alleging death, sexual abuse, or nonaccidental physical injury of a child;
 2. Discovery of information creating reasonable cause to believe that a child may have died, suffered sexual abuse or nonaccidental physical injury; or
 3. Discovery of information during a CPS investigation which creates reasonable cause to believe a crime has been committed against a child.
- D. The CPS worker shall report to law enforcement in writing and shall file a copy in the department case record or in an administrative file when no case record exists. The CPS worker shall use a legibly completed Report of Child Abuse or Neglect, DSHS 14-260(X), to comply with the requirement for a written referral.

1. The worker may release referent identification information to law enforcement in all cases where the referent has not requested confidentiality.
 2. The worker may delete the name of the referent from reports sent to law enforcement under this policy when the referent requests confidentiality and no written agreement with law enforcement honoring that status exists.
 3. The worker may include the name of the confidential referent when the local written protocol with law enforcement and prosecutors contains the agreement to hold the name confidential.
 4. The worker shall, when contacted, accept information about third-party child abuse and neglect. The worker shall record this information and forward it to law enforcement when it meets the statutory definition of what is to be reported.
 5. The worker may share information with law enforcement about child abuse or neglect referrals which are not required to be reported.
 6. A report mailed by common carrier shall be considered to be made.
- E. DCFS is not required by statute to report to law enforcement instances of child neglect where no criminal misconduct against children is reported or discovered. Parenting, child rearing practices, or other life circumstances which may be reported to the department for social assessment are not required to be reported to law enforcement when they do not indicate criminal misconduct against children.
- F. A DCFS worker may request the assistance/accompaniment of a law enforcement officer in making field contacts in situations that may be dangerous to the worker or when the worker believes a child at risk may need protective custody.
- G. A DCFS worker may receive children taken into custody under RCW 26.44.050 from law enforcement with a signed Child Custody Transfer, DSHS 10-157(X), or the equivalent emergency placement authorization in local use which is signed by the authorizing law enforcement officer.
- H. Each DCFS office shall develop a written working agreement with each law enforcement agency in its catchment area. Such agreements shall detail local mechanisms for handling A. through D. above.

05.30 SERVICES FOR INDIAN FAMILIES PRIOR TO COURT ACTION

- A. Before filing a dependency, guardianship, or involuntary termination petition in state court, the service worker shall provide social services to the family for protection of an Indian child only when:
 - 1. The circumstances of the family, viewed in light of the prevailing social and cultural conditions and the way of life of the Indian community, require the provision of social services for the protection of the child and to support the relationship between the child and the parent(s)/Indian custodian.
 - 2. The services actively provided by the service worker shall be of a remedial nature designed to rehabilitate and prevent the breakup of the family.
- B. The above services will be jointly developed and, whenever possible, provided in consultation with the social services program of the child's tribe.

05.35 REMEDIAL AND REHABILITATIVE SERVICE PLAN

The remedial and rehabilitative services a service worker provides are based on a plan designed to effectively address and eliminate problems that are destructive to the family. The service worker shall design a plan that:

- A. Ensures active efforts are made to prevent and eliminate the need for removal of the child from the family home.
- B. Is formulated with the direct collaboration of the child's parent(s)/Indian custodian, the child (if of sufficient age), grandparents (when appropriate), the child's tribe, and whenever possible, a qualified expert. See Chapter 14 for definition of "qualified expert."
- C. Takes into account the prevailing social and cultural conditions in the child's Indian community.
- D. Encourages maintenance of an ongoing familial relationship between the parent(s)/Indian custodian and the child, as well as between the child, the child's siblings and other members of the child's extended family throughout the time the service worker is engaged in efforts to prevent family breakup.
- E. Encourages maintenance of an Indian child in the child's own family residence.

05.40 CHILD PROTECTIVE TEAM (CPT) STAFFINGS

- A. Whenever a Child Protective Team (CPT) staffing is necessary for a case involving an Indian child whose tribe is a federally recognized Washington State Indian tribe, the service worker contacts the social services program of the child's tribe to request such a staffing.
- If a child's tribe is unable to conduct a CPT staffing or is otherwise unavailable, the service worker arranges for a CPT staffing with LICWAC. See Chapter 10 regarding LICWAC procedures.
- B. If the child's tribe is a federally recognized tribe located outside of Washington State, the service worker arranges for a CPT staffing with LICWAC. See Chapter 10 regarding LICWAC procedures.
- C. See Chapter 11 for procedures regarding CPT staffing of cases involving Canadian or unenrolled Indian children.

05.45 IMPLEMENTATION OF THE SERVICE PLAN

The service worker's implementation of the plan shall stress the use and involvement, where available, of community services and resources specifically for Indian families. These include:

- A. Extended family.
- B. Tribal social services and other programs.
- C. Indian organization programs aimed at preventing family breakup.
- D. Traditional Indian therapy administered by traditional practitioners, where available and appropriate.
- E. Individual Indian caregivers who have skills to help the family.
- F. Bureau of Indian Affairs and Indian Health Service.
- G. Qualified expert(s), whenever possible. See Chapter 14 for definition of "qualified expert."

05.46 FAMILY RECONCILIATION SERVICES (FRS)

The service worker shall check with the appropriate person in the local DCFS office or the FRS program manager at DCFS Headquarters to determine whether a child's Indian tribe has negotiated a contract with DCFS to provide FRS services within the DCFS catchment area.

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06.01 INTRODUCTION

- A. This Chapter contains very specific procedural requirements that shall be followed when the involved child is an Indian child as defined in Chapter 03.05(A). See Chapter 03 for information about determination of Indian status.
- B. **NONCOMPLIANCE WITH THE PROCEDURAL REQUIREMENTS IN THIS CHAPTER CAN RESULT IN COURT ORDERS BEING SET ASIDE AS INVALID. INVALID ADOPTIONS MAY BE CHALLENGED AND VACATED AFTER ENTRY OF THE ADOPTION DECREE.**
- C. In addition to the requirements of this Chapter, the service worker shall follow the requirements of Chapter 23 and Chapter 32 of the DCFS Manual. If there is a conflict between chapter provisions, the service worker shall follow the requirements of this Chapter.
- D. Except as specifically provided, this Chapter does not apply to Canadian Indian children or unenrolled Indian children. See Chapter 11 for information about Canadian and unenrolled Indian children.

06.05 INDIAN AFFILIATION

Upon acceptance of a case for service, the service worker shall immediately seek to determine if the involved child is an Indian child as defined in Chapter 03.05(A). Procedures for making that determination are found in Chapter 03 of this manual. The service worker must carefully follow the procedures in Chapter 03 so that all subsequent legal actions conform with federal and state law.

06.10 JURISDICTION

Jurisdiction is an important concept in working with Indian tribes. Jurisdiction is generally defined as the authority of a sovereign power to govern those within its territorial boundaries. Indian tribes are sovereign powers and have the ability to govern Indian people who are resident or domiciled within the boundaries of their reservations, even if such persons are temporarily located off the reservation.

Jurisdiction over Indian child custody proceedings can be exclusive to a tribe or concurrent with the state. "Child custody proceeding" means any court action that may or does result in the out-of-home placement of an Indian child. See the definition of "child custody proceedings," in Chapter 14 of this manual. Dependency, voluntary foster care placement, alternative residential placement (ARP), guardianship, termination, voluntary relinquishment, and adoption proceedings are child custody proceedings.

- A. If jurisdiction is exclusive to the tribe, a tribe has sole authority over the disposition of child custody proceedings involving Indian children who reside or are domiciled within the boundaries of its reservation. If jurisdiction is concurrent with the state, the tribe and the state both have authority over child custody proceedings involving Indian children who reside or are domiciled within the boundaries of the tribal reservation. See Chapter 14 for definition of "domicile" and "residence."
1. The tribe not only has jurisdiction over its own child members who are resident/domiciled on the reservation, the tribe also has jurisdiction over Indian children from other tribes who are resident/domiciled on the reservation.
 2. A child's residence or domicile is generally deemed to be that of the parent(s) or legal custodian.
- B. The state has jurisdiction over child custody proceedings involving Indian children who are not a resident of or domiciled within the boundaries of an Indian reservation. See Chapter 14 for definition of "domicile" and "residence."
- C. Even if the state exercises jurisdiction in a case, an Indian child's tribe has the right to request that the case jurisdiction be transferred to Tribal Court. See Section 06.15 of the manual for information about jurisdiction and transfer of jurisdiction.
- D. Regardless of whether a tribe has exclusive or concurrent jurisdiction over child custody proceedings, the tribe always has exclusive jurisdiction over Indian children who are wards of the Tribal Court.

06.11 Federally Recognized Washington State Tribes - Exclusive and Concurrent Jurisdiction

- A. For purposes of applying the requirements of this manual, the following Washington State tribes are recognized as having exclusive jurisdiction over child custody proceedings involving Indian children who are resident or domiciled within the reservation boundaries. See Chapter 14 for definition of "domicile" and "residence."

Colville
Jamestown Klallam
Muckleshoot
Nisqually (exclusive jurisdiction only applies on reservation holdings acquired after 1968)
Nooksack
Port Gamble
Quileute
Sauk-Suiattle
Spokane
Upper Skagit
Yakima

- B. For purposes of applying the requirements of this manual, the following Washington State tribes are recognized as having concurrent jurisdiction with the state over child custody proceedings involving Indian children who reside or are domiciled within the boundaries of the reservation. See Chapter 14 for definition of "domicile" and "residence."

Tribes set forth in this list may disagree with the "concurrent jurisdiction" designation and may in some cases claim exclusive jurisdiction status. If this happens the service worker shall contact the Attorney General's office or other appropriate legal representative for assistance in resolving jurisdictional issues.

Chehalis
Hoh
Kalispel
Lower Elwha
Lummi
Makah
Nisqually (concurrent jurisdiction only applies on reservation holdings acquired before 1968)
Puyallup
Quinault
Shoalwater Bay
Skohomish
Squaxin Island
Stillaguamish
Suquamish
Swinomish
Tulalip

06.12 Determination Of Tribal Or State Court Jurisdiction - All Federally Recognized Tribes (Including Washington Tribes)

Except for emergency cases (see Chapter 06.40, of this manual), the service worker applies the following procedures in seeking to initiate in state court any child custody proceeding involves an Indian child.

- A. Before filing any child custody action in state court or assisting a parent to obtain state court validation of a voluntary consent to placement, termination or adoption, the service worker seeks to determine:
1. Whether or not the Indian child is a ward of Tribal Court.
 2. Whether or not the child is domiciled or residing on an Indian reservation. See Chapter 14 for definition of "domicile" and "residence."
- B. The service worker contacts the child's tribe about tribal court wardship. If there is reason to believe that the child is a court ward of a tribe other than the child's tribe, the service worker also contacts such other tribe. If the child is a ward of Tribal Court, the tribe has exclusive jurisdiction.
1. In nonemergency cases involving an Indian child who is a ward of Tribal Court, the service worker does not file a state court action but refers the case to the appropriate tribal authorities.
 2. In emergency cases, the service worker follows the procedures in Chapter 6.40.
 3. The service worker does not file an action in Tribal Court.
 4. The service worker documents contacts with the tribe(s) in the service record.
- C. The service worker contacts the child's tribe about domicile or residence. If there is reason to believe that the child's domicile or residence is on the reservation of a tribe other than the child's tribe, the service worker also contacts such other tribe. The service worker documents contacts with the tribe(s) and the tribe's position regarding the child's domicile/residence in the service record and reports to court.

If the service worker, after consultation with the Attorney General's Office or other appropriate legal representative, disagrees with the tribe's position on domicile or residence, the service worker notifies the tribe as soon as possible so the tribe has sufficient time to present its position to the court.

- D. Whenever a child does not reside and is not domiciled within the boundaries of an Indian reservation, the service worker files a court action in state court according to Washington State law.
- E. If the service worker determines a child resides or is domiciled within the boundaries of an Indian reservation located in Washington State, the service worker takes the following steps:
1. In nonemergency cases involving Washington State tribes with exclusive jurisdiction, see Chapter 06.11(A), the service worker does not file an action in state court but refers the case to the appropriate tribal authorities.
 2. In nonemergency cases involving Washington State tribes with concurrent jurisdiction, see Chapter 06.11(B), the service worker follows the procedures in Chapter 06.13 of this manual. If the tribe does not wish to assert jurisdiction, the service worker files an action in state court according to Washington State law.
 3. In emergency cases, the service worker follows the procedures in Chapter 6.40.
 4. The service worker does not file an action in Tribal Court.
- F. If the service worker determines a child resides or is domiciled within the boundaries of an Indian reservation located outside of Washington State but within the United States, the tribe has exclusive jurisdiction over child custody proceedings pertaining to the child.
1. In nonemergency cases, the service worker does not file an action in state court but refers the case to the appropriate tribal authorities.
 2. In emergency cases, the service worker follows the procedures in Chapter 6.40.
 3. The service worker does not file an action in Tribal Court.
- G. In questionable cases or cases where the service worker disagrees with the tribe's position on domicile or residence, the service worker seeks the assistance of the Attorney General's Office or other appropriate legal representative in making a determination regarding an Indian child's domicile or residence. The service worker also notifies the tribe. See Chapter 06.12(C).
- H. The service worker follows all notice requirements and other procedures set forth in this chapter whenever the worker commences a state court proceeding involving an Indian child.

- I. In cases where the tribe has exclusive jurisdiction or exercises concurrent jurisdiction over a child custody matter involving an Indian child, the service worker provides available information and documentation that may be necessary to help the tribe commence or pursue a child custody proceeding in Tribal Court.
- J. If, due to the circumstances of a particular case, it is not possible to contact the child's tribe or make a determination regarding the child's wardship status or the child's residence/domicile prior to filing a child custody action in state court, the service worker will make immediate and continuing efforts to do so after filing.

06.13 Special Requirements For Federally Recognized Washington State Indian Tribes With Concurrent Jurisdiction

Except for emergency cases (see Chapter 06.40 of this manual), the service worker shall follow the special requirements in this section in all cases involving Indian children who resides or are domiciled on a reservation of a Washington State Indian Tribe with concurrent jurisdiction over child custody proceedings. See Section 06.11(B) for a list of concurrent jurisdiction tribes in Washington. See Chapter 14 for definition of "domicile" and "residence." These requirements are in addition to those found in Chapter 06.12, above.

- A. A service worker refers matters regarding Indian children who reside or are domiciled on a concurrent jurisdiction Indian reservation to appropriate tribal authorities, so that the child custody proceedings may be commenced in Tribal Court.
- B. If a child resides or is domiciled on a concurrent jurisdiction reservation, a service worker notifies the child's tribe by registered mail return receipt requested of the service worker's intent to file a state court action and of the date that the action will be filed.
 1. A service worker does not file a state court action if a child custody proceeding has already been filed in Tribal Court.
 2. A service worker sends notice to the child's tribe at least five (5) business days prior to filing any state court action.
 3. A service worker includes along with the notice a copy of all documents and records supporting the necessity of initiating a child custody proceeding.
- C. If a service worker is notified or has knowledge of a child custody proceeding has been commenced in a Tribal Court, the service worker does not file a child custody proceeding in state court and, upon timely request by the tribe, assists the Tribal Court in adjudicating the case. See Chapter 6.16 regarding the assistance to be provided by service workers in tribal court proceedings.

D. A service worker does not file an action in Tribal Court.

06.14 Record Keeping/Jurisdictional Determination - All Federally Recognized Tribes (Including Washington Tribes)

A service worker keeps a record on a case-by-case basis of the inquiries made to determine whether a child is a ward of the Tribal Court and of the facts considered in reaching a decision that a child is or is not a resident of or domiciled on the reservation of a federally recognized Indian tribe.

- A. A service worker provides a copy of the record, upon request, to the Indian child's tribe, parent or Indian custodian and any guardian ad litem appointed to represent the child.
- B. A service worker also provides a copy of the record to any Indian tribe claiming the Indian child as a Tribal Court ward and to any Indian tribe claiming the Indian child is resident/domiciled on the tribe's reservation.

06.15 Transfer of Jurisdiction from State Court to Tribal Court - All Federally Recognized Tribes (Including Washington Tribes)

- A. Following the commencement in state court of a child custody proceeding involving an Indian child, the child's tribe may petition or request transfer of the proceeding to Tribal Court. DSHS 09-547, Motion and Order to Transfer Jurisdiction to Tribal Court; DSHS 09-548, Tribal Court Motion and Order to Accept Jurisdiction.
 - 1. The Indian child's parent(s) or Indian custodian may also petition/request transfer of the case to Tribal Court.
 - 2. Upon petition/request, state court must transfer the proceeding to Tribal Court unless there is good cause to the contrary or unless a child's tribe, parent, or Indian custodian object to the transfer of jurisdiction.
- B. The service worker supports a petition/request for transfer of jurisdiction unless:
 - 1. A tribe does not have a Tribal Court or other administrative body vested with authority over child custody proceedings (see Chapter 14 for definition of "Tribal Court"), or
 - 2. Evidence necessary to decide a case cannot be presented in a Tribal Court without undue hardship to the parties or witnesses, and a Tribal Court is unable or unwilling to make arrangements for the presentation of evidence in a way that would substantially mitigate the hardship, or

3. A child's tribe unreasonably delayed in making the request for transfer, or
 4. The proceeding involves dependency, guardianship, or an involuntary termination and a child's tribe does not intend to go forward with the proceeding, or
 5. The tribe lacks jurisdiction in the matter.
- C. A service worker does not oppose a petition/request for transfer based upon an objection to the transfer by a child's parent or Indian custodian.

A service worker does not encourage the child's parent or Indian custodian to object to transfer of jurisdiction.

- D. When a service worker opposes a petition/request for transfer of jurisdiction, the service worker documents in writing the basis for his/her position and the facts that support the position.

A service worker files the documentation in the case record and the court record.

06.16 Tribal Court Proceedings - All Federally Recognized Tribes (Including Washington Tribes)

- A. If a child custody proceeding involving an Indian child is filed in a Tribal Court, the service worker assists the Tribal Court in adjudicating the case upon timely request by the tribe. Such assistance from the service worker may include:
1. Provision of available information and documentation that may be necessary to help the tribe pursue a child custody proceeding in tribal court. See Chapter 04 regarding confidentiality.
 2. Testifying as a witness in a tribal court proceeding.
 3. Preparation of service/placement case plans.
 4. Assistance in implementing Tribal Court orders regarding services and placements. If the service worker is unable to implement a Tribal Court order, the service worker notifies the Tribal Court in writing as soon as possible.
 5. Agency assumption of the care, custody, and supervision of an Indian child under a Tribal Court order. If the service worker is unable to implement an order for agency care, custody, and supervision of a child, the service worker notifies the Tribal Court in writing as soon as possible.

- B. Tribal requests for assistance in a Tribal Court proceeding must be made sufficiently in advance to allow the service worker the time and opportunity for adequate preparation.
1. If a tribe wishes to request assistance in implementing service/ placement case plans or Tribal Court orders, the service worker should be notified of any Tribal Court proceeding where approval of such case plans/court orders will be considered.
 2. The service worker should be given an opportunity to address the feasibility of the proposed case plan/court order in writing or through testimony.

06.17 Intervention By Tribes

- A. A federally recognized Indian tribe at all times has the right to intervene as a party in state court child custody proceedings involving children who are members/eligible for membership in a tribe.
1. A child's Indian custodian also has the right to intervene in such proceedings. See Chapter 14 for definition of "Indian custodian."
- B. A Canadian or unenrolled Indian child's tribe or band may seek intervention pursuant to Superior Court Civil Rule 24 (CR 24) See Chapter 11 regarding tribal intervention in child custody proceedings involving Canadian or unenrolled Indian children.
- C. A service worker does not oppose a request for intervention filed by a child's tribe or Indian custodian.

06.20 VOLUNTARY CONSENT TO FOSTER CARE PLACEMENT (RCW 13.34)

06.21 Introduction

- A. A service worker does not make a voluntary placement of an Indian child in foster care until the service worker has:
1. Followed the procedures in Chapter 06.10 through 06.16 regarding determination of tribal jurisdiction and special requirements applying to federally recognized Washington State Indian tribes, and
 2. Followed the consent to place procedures described in this section.
- B. **VOLUNTARY CONSENTS TO FOSTER CARE PLACEMENTS ARE NOT VALID UNLESS THE CONSENT IS SIGNED BY THE PARENT BEFORE A TRIBAL OR JUVENILE SUPERIOR COURT JUDGE MORE THAN TEN (10) DAYS AFTER THE CHILD'S BIRTH AND UNLESS THE CONSENT IS APPROVED BY THE JUDGE.**

06.22 Voluntary Consent To Foster Care Placement - Child A Ward Of Tribal Court Or Resident/Domiciled on An Exclusive Jurisdiction Indian Reservation

- A. If a parent or Indian custodian seeks to voluntarily place an Indian child in foster care, the service worker determines if the child is a ward of Tribal Court or is a resident or domiciled within the boundaries of an exclusive jurisdiction Indian reservation. See Chapter 06.10 through 06.16 for information about jurisdiction.
- B. If the child is a ward of Tribal Court or resident/domiciled on an exclusive jurisdiction Indian reservation, the service worker:
1. Informs the parent/Indian custodian that the tribe has exclusive jurisdiction to approve such placements.
 2. Assists the parent/Indian custodian, in cooperation with the tribe's social services program, to place the child in foster care or make such other arrangements as may be appropriate under the circumstances.

06.23 Voluntary Consent To Foster Care Placement - Child NOT A Ward Of Tribal Court And NOT Resident/Domiciled On An Exclusive Jurisdiction Indian Reservation

- A. When a parent or Indian custodian seeks to voluntarily place an Indian child in foster care, and the child is not a ward of tribal court and is not resident/domiciled on an exclusive jurisdiction Indian reservation, the service worker informs the parent or Indian custodian of:

1. Placement preference requirements,
 2. Requirements for notification of the child's tribe and extended family members, and
 3. The requirement of state or tribal court validation of the consent prior to placement.
- B. The service worker encourages the parent or Indian custodian to contact an Indian interpreter or a representative of the social services program of the child's tribe to assure that the consent is voluntary and that the parent/Indian custodian understands what he/she is doing. See Chapter 14 for definition of "Indian interpreter."
1. The service worker documents such encouragement in the service record.

If the service worker refers the parent/Indian custodian to an identified individual, the service worker includes in the service record documentation the date of the referral and the name of the individual to whom the referral was made.
 2. Upon request, service worker provides the documentation to the child's tribe.
- C. The service worker:
1. Encourages the parent/Indian custodian to execute any consent to foster care placement before a Tribal Court judge (if such a process is consistent with the practice and procedures of the Tribal Court for the child's tribe).
 2. Cooperates with the tribal social services program and assists with placement if the consent to place is processed in Tribal Court. See Chapter 6.16 regarding Tribal Court proceedings.

06.24 Involvement Of Tribal Social Services

Prior to accepting a voluntary consent to foster care placement, the service worker:

- A. Encourages the parent or Indian custodian to contact the child's tribe regarding available services to assist the parent/Indian custodian to retain custody of the child or to maintain the parent-child relationship during placement.
- B. Documents in the service record efforts to have the parent/Indian custodian contact the child's tribe regarding available services.

1. If the service worker refers the parent/Indian custodian to an identified individual within the child's tribe, the service worker includes in the service record documentation of the date of the referral and the name of the individual to whom the referral was made.
2. The service worker provides the documentation to the child's tribe, if requested.

06.25 Explanation of Consent Form

- A. The service worker fully explains the consent to place form, DSHS 09-763 Consent to Foster Care Placement and Court Certification, to the parent or Indian custodian of an Indian child prior to obtaining custodian's signature on the form.

The service worker uses an Indian interpreter, when possible, to explain the form to the parent/Indian custodian. See Chapter 14 for definition of "Indian interpreter."

- B. The service worker requires the parent/Indian custodian to read the consent form prior to obtaining custodian's signature on the form.
1. If the service worker has any doubt about the parent's/Indian custodian's ability to read and understand the consent form, the service worker will read the form to the custodian.
 2. If there is any doubt about the parent's/Indian custodian's ability to understand English, the service worker makes arrangements to have the form read and explained to the parent/Indian custodian in the custodian's primary language.
- C. The service worker obtains the parent's/Indian custodian's signature on the consent form acknowledging the custodian has read the consent form, understands the consent form, and wishes to consent to the child's placement in foster care.
1. The service worker gives the parent/Indian custodian a copy of the signed consent form.
 2. The service worker explains to the parent/Indian custodian that the consent is not valid until parent/Indian custodian also signs the form in court and a judge approves the consent.
- D. **THE SERVICE WORKER DOES NOT PLACE THE CHILD IN FOSTER CARE UNTIL THE PARENT/INDIAN CUSTODIAN HAS SIGNED THE CONSENT FORM IN COURT AND THE JUDGE HAS APPROVED (VALIDATED) THE CONSENT.**

06.26 Consent To Place In Foster Care - Validation Procedures

The service worker complies with the following consent to place procedures:

- A. When the service worker obtains the signature of an Indian child's parent/Indian custodian on a consent to place form, DSHS 09-763, the service worker immediately sends copies of the signed form to the child's tribe, the nonconsenting parent (including any alleged father), and the child's Indian custodian, if any.

The service worker sends copies of the signed consent form by registered mail, return receipt requested.

- B. In cases involving a Washington State Indian child, defined in Chapter 03.05(B), the service worker does not start the court process for validation of the voluntary consent until at least five (5) business days after copies of the signed consent form are sent to the child's tribe and the nonconsenting parent/Indian custodian.

If circumstances require a shorter time period the service worker provides the tribe and nonconsenting parent/Indian custodian with telephone notice of the consent. Telephone notice is given far enough in advance to allow the tribal representative time to communicate with the parents/Indian custodian and for the tribal representative and nonconsenting parent to appear for any court hearings.

- C. The service worker (or the agency's legal representative) completes and files a petition for court validation in Juvenile Court, DSHS 09-762, Petition for Court Validation.

- D. Upon filing the petition for court validation with the Juvenile Court, the service worker:

1. Notifies the child's parents (including any alleged father) and the child's Indian custodian, if any, as soon as possible of the time, date, and place of any scheduled validation hearing.
 - a. If the initial notification is not in writing, the service worker also sends written notice to the parents (including any alleged father) and the Indian custodian, if any. DSHS 09-543, Notice to Parent/Indian Custodian.
 - b. The service worker completes DSHS 09-767, Declaration of Notification and files the declaration with the court.
2. Provides the parents (including any alleged father) and the Indian custodian with a copy of the consenting parent's signed consent, a copy of the notice sent to the tribe, and a copy of the petition or other court documents filed in the proceeding.
3. Notifies the child's tribe as soon as possible by telephone of the date, time and place of any scheduled validation hearing.

- a. The service worker also sends written notice of the validation hearing to the child's tribe. DSHS 09-541, Notice to Indian Tribe, Band or Nation.
 - b. If the child is a member of or eligible for membership in more than one tribe, the service worker provides notice to all such tribes.
 - c. The service worker completes DSHS 09-767, Declaration of Notification and files the declaration with the court.
4. Provides the child's tribe with a copy of any petitions or other court documents filed in the proceeding.
- E. If the child's tribe or Indian custodian requests to intervene in the proceeding, the service worker does not oppose intervention. If the child's tribe or parent(s)/Indian custodian requests transfer of the proceeding to tribal court, the service worker does not oppose the transfer except as provided in Chapter 06.15.
- F. The court clerk schedules a validation hearing to be held within 48 hours after the petition is filed. **A HEARING CANNOT BE HELD UNTIL MORE THAN 10 DAYS AFTER THE BIRTH OF THE CHILD.**
- G. The consenting parent(s) must appear **PERSONALLY** at the validation hearing to enter on the record the parent's consent to foster care placement.
- H. At the validation hearing, the parent(s) signs the consent before the judge. The service worker or the service worker's legal representative presents the consent form to the court for approval and court certification. DSHS 09-763, Consent to Foster Care Placement and Court Certification.
- I. The service worker:
1. Follows the placement preferences found in Chapter 07 unless the child's tribe has changed or waived the preference.
 2. Follow the requirements of Chapter 07 regarding notice to the child's extended family.
- J. The service worker returns the child to the parent(s) upon withdrawal of the consent unless return of custody would likely cause an emergency resulting in imminent physical harm to the child.

The service worker returns custody to the parent(s) unless a law enforcement pick-up has been initiated or a shelter care/pick-up order has been entered. See Chapter 06.40 regarding shelter care placement.

- K. The service worker notifies the court of the child's return home and obtain an order of dismissal. DSHS 09-759, Motion, Declaration and Order of Dismissal.
- L. The service worker notifies the child's tribe, the nonconsenting parent (including any alleged father), the child's Indian custodian, and any other party to the validation proceeding when the consent to place is terminated and the child is returned home.

A copy of a signed DSHS 09-759, Motion, Declaration and Order of Dismissal, is considered adequate notice of the child's return home.

06.27 Post Placement Services

Following the placement of an Indian child in foster care under a valid voluntary consent, the service worker provides post-placement services in accordance with the requirements of Chapter 07.72.

06.28 Changing Voluntary Into Involuntary Placement

- A. Except in emergency circumstances, the service worker notifies the child's tribe, the parents (including any alleged father) and the Indian custodian, if any, of a decision to change a voluntary foster care placement into a involuntary foster care placement. Notice is given 15 days before a dependency petition is filed. DSHS 09-774, Notice of Change of Voluntary Placement to Involuntary Placement.

In emergency cases, the service worker follows the procedures in Chapter 06.40 of this manual.

- B. The service worker does not petition any court for an involuntary foster care placement when the petition is based solely on the prior voluntary child placement.

06.30 PRECONDITIONS FOR FILING A DEPENDENCY, GUARDIANSHIP OR INVOLUNTARY TERMINATION PETITION

- A. Except in emergency cases, the service worker follows the requirements set forth in 06.30 (B), below, before filing a dependency, guardianship, or involuntary termination petition in Juvenile Court.

In emergency cases the service worker follows the requirements of Chapter 06.40 of this manual regarding shelter care placement.

- B. Before filing a dependency, guardianship or involuntary termination petition in Juvenile Court, the service worker:
1. Makes active efforts to comply with the requirements of Chapter 05 of this manual to prevent the breakup of the Indian family.
 2. Complies with the requirements of Chapter 06.10 through 06.16 of this manual regarding determination of Tribal Court jurisdiction and special requirements applying to federally recognized Washington State Indian Tribes.
 3. Consults with the child's tribe and provides the tribe with any records and documents supporting the decision to file a petition in Juvenile Court. See Chapter 04 regarding confidentiality.
 4. Seeks to formulate with the tribe a mutually acceptable course of action in the best interests of the child.
 5. Makes reasonable efforts to agree to family service plans and legal arrangements designed to protect the child and eliminate the need for filing a petition in Juvenile Court.
- C. The service worker does NOT file a dependency, guardianship, or involuntary termination petition in Juvenile Court when the only grounds for such a petition are evidence of:
1. Community or family poverty.
 2. Crowded or inadequate housing.
 3. Alleged alcohol abuse or other nonconforming social behaviors on the part of the parent(s)/Indian custodian.
- D. When filing a petition, the service worker only considers the above factors when it can be demonstrated such factors are directly connected to evidence of serious emotional or physical harm to the child.

06.40 SHELTER CARE PLACEMENT (RCW 26.44/RCW 13.34)**06.41 Shelter Care Placement - Determination Of Jurisdiction/Wardship**

If it is necessary to place an Indian child in shelter care, the service worker determines if the child is a ward of Tribal Court or is a resident or domiciled within the boundaries of an exclusive jurisdiction Indian reservation. See 06.10 through 06.16 for information about jurisdiction.

- A. The service worker contacts the child's tribe for necessary information to make this determination.
- B. If possible, the service worker contacts the child's tribe and make the determination prior to placing the child.
- C. If, due to the circumstances of the case, it is not possible to contact the child's tribe or make the determination prior to placement, the service worker makes efforts to contact the tribe within one working day following placement.
- D. The service worker documents contacts with the child's tribe in the service record.

06.42 Shelter Care Placement - Child a Ward Of Tribal Court Or Domiciled/ Resident On An Exclusive Jurisdiction Indian Reservation

- A. In general, if an Indian child is a ward of the Tribal Court or resident/domiciled within the boundaries of an exclusive jurisdiction Indian reservation, neither the service worker nor Juvenile Court may exercise authority to place the child in foster care, unless authorized to do so under the tribal laws.
- B. If an Indian child, who is a ward of the Tribal Court or resident/domiciled on an exclusive jurisdiction Indian reservation, is located off the reservation, the service worker may:
 - 1. Arrange emergency pick up by law enforcement, or
 - 2. Obtain a court order authorizing emergency child placement in shelter care in order to prevent imminent physical damage or harm to a child, or sexual abuse of a child.
 - 3. Whenever a child is placed in DSHS custody under an emergency pickup by law enforcement, a hospital/medical hold, or a court order authorizing emergency shelter care placement, the service worker gives the child's parents/Indian custodian a copy of the Parent's Guide to CPS, DSHS 22-484(X) and a copy of the Temporary Custody Notification form, DSHS 09-731.
 - 4. When obtaining a court order for emergency placement, the service worker follows the legal procedures in Chapter 06.45.

5. The service worker seeks Tribal Court approval of a shelter care placement at the earliest possible time if the child is a ward of the Tribal Court or resident/domiciled on an exclusive jurisdiction Indian reservation.
 6. A shelter care placement does not extend for a period longer than 72 hours (excluding Saturdays, Sundays and holidays) without an order of the Tribal Court approving such placement.
 7. If the Tribal Court is unable to issue an order within the 72 hour period, the service worker arranges for a Juvenile Court shelter care hearing. The hearing must be held within 72 hours following a child's shelter care placement.
 6. The service worker immediately seeks dismissal of the Juvenile Court proceeding as soon as the Tribal Court exercises jurisdiction over the child.
- C. Following placement, the service worker:
1. Makes active efforts to return the child home.
 2. Takes necessary steps ensuring a child's shelter care placement ends immediately when the placement is no longer necessary to prevent imminent physical damage, harm or sexual abuse of the child.
 3. Immediately return the child to the child's parents/Indian custodian when the placement ends.

06.43 Shelter Care Placement - Child Not A Ward Of Tribal Court And Not Resident/Domiciled On An Exclusive Jurisdiction Indian Reservation

- A. If an Indian child is not a ward of Tribal Court, or is not resident/domiciled within an exclusive jurisdiction Indian reservation, the service worker may take steps to arrange for emergency pick-up of the child by law enforcement or to obtain a Juvenile Court order authorizing child in shelter care placement.
1. The service worker does not seek shelter care placement or a shelter care order unless the placement is necessary to prevent imminent physical damage, harm, or sexual abuse of the child.
 2. Whenever a child is placed in DSHS custody pursuant to an emergency pickup by law enforcement, a hospital/medical hold, or a court order authorizing emergency shelter care placement, the service worker gives the child's parents/Indian custodian a copy of the Parent's Guide to CPS, DSHS 22-484(X) and a copy of the Temporary Custody Notification Form, DSHS 09-731.
 3. The service worker follows the legal procedures of Chapter 06.45.

4. Unless a child is returned to the child's parent(s)/Indian custodian within 72 hours following shelter care placement of the child, the service worker arranges for a Juvenile Court shelter care hearing. The hearing must be held within 72 hours following the child's shelter care placement.
- B. Following placement, the service worker:
1. Makes active efforts to return a child home.
 2. Take necessary steps ensuring the shelter care placement ends immediately when the placement is no longer necessary to prevent imminent physical damage, harm, or sexual abuse of a child.
 3. Immediately return a child to the child's parent(s)/Indian custodian when the placement ends.
- C. The initial shelter care placement is not to extend for a period longer than 72 hours (excluding Saturdays, Sundays and holidays) unless:
1. The child is transferred to the jurisdiction of Tribal Court and the Tribal Court orders a longer placement period, or
 2. The service worker obtains a Juvenile Court order approving a longer period of placement.

06.44 Involvement Of Tribal Social Services

- A. As soon as possible following knowledge of the need for an emergency shelter care placement of an Indian child, the service worker actively involve the social services program of the child's tribe in all matters pertaining to the shelter care placement.

06.45 Legal Procedures

- A. The service worker:
1. Files a dependency petition in Juvenile Court according to Washington State law. DSHS 09-428(X), Dependency Petition.

The service worker also completes and files with the court an Addendum to Petition, DSHS 09-771.
 2. Notifies the child's parents/Indian custodian and the child's tribe of the time, date, and place of an initial hearing by the quickest means. The service worker documents the notification in the case file.

- a. When providing written notification, the service worker uses the Temporary Custody Notification, DSHS 09-731. The service worker also provides the parents/Indian custodian with a copy of the Parent's Guide to CPS, DSHS 22-484(X).
 - b. Whenever possible, the service worker shall provide notification to the child's tribe prior to placing the child in shelter care.
 - c. The service worker shall provide notification to the child's tribe prior to the initial shelter care hearing.
3. Provides written notification of subsequent shelter care proceedings and the dependency fact-finding hearing to the child's parents (including any alleged father) and Indian custodian and the child's tribe as required in Section 06.51(C) of this chapter.
- B. If the child's tribe or Indian custodian requests to intervene in the proceeding, the service worker does not oppose intervention. If the child's tribe or parent(s)/Indian custodian requests transfer of the proceeding to Tribal Court, the service worker does not oppose transfer except as provided in Chapter 06.15.

06.46 Shelter Care Beyond 72 Hours

- A. Federally Recognized Washington State Indian Tribes
1. Whenever the service worker concludes shelter care is necessary for longer than 72 hours (excluding Saturdays, Sundays and holidays) the service worker immediately seeks a Juvenile Court order transferring the child to the jurisdiction of the child's tribe. DSHS 09-547, Motion and Order to Transfer Jurisdiction to Tribal Court; DSHS 09-548, Tribal Court Motion and Order to Accept Jurisdiction.
 2. The service worker does not seek to transfer jurisdiction to the child's tribe if the service worker and representatives of the tribe's social service program agree that the case may be more appropriately heard in state court.
- B. All Federally Recognized Tribes (Including Washington Tribes)
1. A shelter care hearing will be held in Juvenile Court in accordance with RCW 13.34.060 if:
 - a. The shelter worker concludes shelter care is necessary for longer than 72 hours (excluding Saturdays, Sundays, and holidays), and
 - b. The case has not been previously transferred to Tribal Court.

2. Whenever possible, the service worker seeks to present at the initial (72 hour) shelter care hearing the testimony of a qualified expert regarding the need for continued foster care placement of the child. See Chapter 14 for definition of "qualified expert."

If expert testimony is not used in the initial (72 hour) shelter care hearing, the service worker takes immediate steps to involve a qualified expert in the case.

3. The service worker takes immediate steps to involve the child's tribe in the case if this has not been done already.
4. Unless the child has been previously returned to the parent(s)/ Indian custodian, the service worker requests a subsequent shelter care hearing be held within 30 days of the initial shelter care hearing.

If the service worker recommends continued foster care placement at the 30 day shelter care hearing, the service worker also presents the testimony of a qualified expert regarding the need for continued foster care placement of the child. See Chapter 14 for definition of "qualified expert."

5. If the court orders continued foster care placement following the 30 day shelter care hearing, the service worker requests a fact finding hearing be set as soon as possible (if the case has not already been set for fact-finding).
6. The service worker takes necessary steps before the fact finding to return a child to the custody of the child's parent(s) or Indian custodian if the service worker determines foster care placement is no longer necessary to prevent imminent physical damage, harm, or sexual abuse of the child.
 - a. If the court enters an order for shelter care placement of a child, the service worker takes necessary steps to obtain a modification of the order prior to returning the child to the custody of the child's parent(s) or Indian custodian.
 - b. When a child is returned to the custody of a parent/Indian custodian, the service worker notifies any other parent/Indian custodian, the child's tribe, and any other party to the proceeding. The notification is in writing and specifies the name and address of the person to whom the child has been returned.

06.47 LICWAC Procedures

The service worker staffs the case with LICWAC only if the child's Indian tribe is unavailable. See Chapter 10 for LICWAC procedures.

06.48 Shelter Care Placement Preferences

- A. The service worker follows the foster care placement preferences found in Chapter 07, unless the child's tribe has changed or waived the preferences.
- B. The service worker may make an emergency shelter care placement that is not within the placement preferences found in Chapter 07 if the service worker, in cooperation with the child's tribe, has made diligent and documented efforts to place the child within the placement preferences.
- C. When a child is not initially placed in accordance with the placement preferences, the service worker continues efforts to place the child in accordance with the preference requirements of Chapter 07.

06.49 Post Placement Services - Shelter Care

- A. Once an Indian child has been placed in shelter care, the service worker provides post placement services in accordance with the requirements of Chapter 07.71.

06.50 DEPENDENCY (RCW 13.34)06.51 Legal Procedures - Dependency Fact Finding

- A. Except in emergency cases, the service worker follows the requirements of Chapter 06.30 before filing a dependency petition in Juvenile Court.

In emergency cases, the service worker follows the requirements of Chapter 06.40 regarding shelter care placement.

- B. To commence a dependency proceeding, the service worker (or the agency's legal representative) completes and files a dependency petition, DSHS 09-428(X), with Juvenile Court.

The service worker also completes and files with the court an Addendum to Petition, DSHS 09-771.

- C. The service worker follows the notification procedures listed below.

1. After the dependency petition is filed, the service worker immediately arranges for the child's parents (including any alleged father) and Indian custodian, if any, to be personally served with formal Notice and Summons (must be issued by the Court Clerk) and with DSHS 09-543, Notice to Parent/Indian Custodian.
 - a. If personal service cannot be given, the service worker arranges for notification by registered mail, return receipt requested to the person's last known address.
 - b. The service worker arranges for notice by publication if notice by personal service or by mail cannot be given.
 - c. The child's parents/Indian custodian must receive written notification at least fifteen (15) days prior to the dependency fact-finding.
2. After the dependency petition is filed, the service worker immediately arranges for formal Notice and Summons (must be issued by Court Clerk) and DSHS 09-451, Notice to Indian Tribe to be sent to the child's tribe by registered mail, return receipt requested.
 - a. The service worker arranges for notification to the tribe's address as listed in Chapter 12 in this manual.
 - b. If the child is a member of or eligible to be a member of more than one tribe, the service worker arranges for notification to be sent to all such tribes.
 - c. The child tribe(s) must receive notification at least fifteen (15) days prior to the dependency fact-finding.

3. When the service worker sends written notice to the child's parent(s)/Indian custodian and the child's tribe, the service worker also sends:
 - a. Copies of the petition and scheduling orders.
 - b. DSHS 09-542, Tribal Intervention/Request for Continuance to the child's tribe.
 - c. DSHS 09-544, Parent/Indian Custodian Request for Continuance to the Child's Parent(s)/Indian Custodian.
4. If the location or identity of the child's tribe and/or parent(s)/Indian custodian are unknown, the service worker arranges for notification to be sent to BIA by registered mail, return receipt requested, at least 35 days prior to the fact finding. DSHS 09-545, Notice to BIA.
 1. The service worker sends notification to the BIA office closest to the child's tribe. If the identity or location of the child's tribe is unknown, the service worker sends the Notice to the Portland Area BIA Office. See Chapter 12 for BIA contact information.
 2. The service worker also sends to the BIA a copy of the notices to the parent(s)/Indian custodian and the child's tribe and all other background information that may assist the BIA in locating or identifying the child's parent(s)/Indian custodian and/or the child's tribe.
5. The child's tribe and/or parent(s)/Indian custodian may request the case be continued for at least 20 days from the date of the scheduled fact finding hearing. DSHS 09-542, Tribal Intervention/Request for Continuance. DSHS 09-544, Parent/Indian Custodian Request for Continuance.
6. If the child's tribe or Indian custodian requests to intervene in the proceeding, the service worker does not oppose intervention. If the child's tribe requests transfer of the proceeding to tribal court, the service worker supports the transfer except as provided in Chapter 06.15.
7. The service worker provides a copy of the dependency order to the child's parent(s)/Indian custodian, the child's tribe, and any other party to the proceeding.
8. When a dependency proceeding is dismissed, the service worker provides a copy of the dismissal order to the child's parent(s)/Indian custodian, the child's tribe, and any other party to the proceeding.

The service worker uses DSHS 09-776, Notice of Dependency Dismissal.

06.52 Dependency Disposition

- A. At the dependency disposition, the court may order out-of-home placement of an Indian child only upon proof that continued parental custody is likely to result in serious emotional or physical damage to the child.
1. The standard of proof is "clear, cogent, and convincing evidence" rather than a "preponderance of the evidence."
 2. The service worker utilizes a qualified expert witness to meet this standard. See Chapter 14 for definition of "qualified expert witness."
- B. If the child is placed in out-of-home care, the service worker:
1. Follows the placement preferences found in Chapter 07 unless the child's tribe has changed or waived the preferences.
 2. Follows the requirements of Chapter 07 regarding notice to the child's extended family.
- C. If the dispositional hearing is at a different time than the fact finding, the service worker notifies the child's parents (including any alleged father), the child's Indian custodian, if any, and the child's tribe of the time, date, and place of the dispositional hearing by the quickest means possible. The service worker documents the notification in the case file.

The service worker also provides written notice of the dispositional hearing to the child's parent(s)/Indian custodian and the child's tribe. DSHS 09-543, Notice To Parent/Indian Custodian. DSHS 09-541, Notice To Indian Tribe.

- D. The service worker provides a copy of the disposition order to the child's parent(s)/Indian Custodian, the child's tribe, and any other party to the proceeding.

06.53 Social Study/Report To Court And/Or ISP

- A. Prior to preparing a social study/report to court and/or ISP for the dependency dispositional hearing, the service worker staffs the case with the designee of the child's tribe. See Chapter 04 regarding confidentiality. If the tribal designee is unavailable, the service worker staffs the case with LICWAC. See Chapter 10 for LICWAC procedures.

The service worker includes recommendations of the child's tribe and/or LICWAC in the report to court or ISP.

- B. Whenever the service worker prepares a social study/report to court and/or ISP for a dependency dispositional hearing or dependency review hearing, the service worker invites the child's tribe and a qualified expert to play an active role in the preparation of such study. See Chapter 14 for definition of "qualified expert."

The study describes in detail the role of the child's tribe and fully states the tribe's recommendations and such other information provided by the tribe.

- C. If the tribe declines or fails to participate in the social study, the service worker involves a qualified expert to help prepare the study. See Chapter 14 for definition of "qualified expert."

The service worker may also involve an Indian interpreter in the preparation of the study. See Chapter 14 for definition of "Indian interpreter."

- D. Upon filing the social study/report with the court, the service worker provides a copy of the social study/report to the child's parents/Indian custodian, the child's tribe, and any other party to the proceeding. If necessary, the service worker requests the court's permission to provide the tribe with a copy. See Chapter 04 regarding confidentiality.
- E. The service worker cooperates with and follows the recommendations of the tribe, qualified expert or Indian interpreter, as the case may be, in the report to court unless there are compelling reasons not to do so.

Such reasons must be related to:

1. The child's health and safety.
 2. The unavailability of funds to carry out the recommendations.
 3. Lack of legal authority to carry out the tribe's recommendations.
- F. Whenever the service worker does not follow the recommendations of the tribe, qualified expert or Indian interpreter, the service worker incorporates the recommendations in the court report and the reasons why the recommendations were not followed.

06.54 Dependency Review Hearing

- A. The service worker notifies the child's parent(s) (including any alleged father), the child's Indian custodian, if any, and the child's tribe of dependency review hearings in Juvenile Court. DSHS 09-543, Notice to Parent/Indian Custodian and DSHS 09-541, Notice to Indian Tribe, Band or Nation.

1. The service worker sends notice by registered mail, return receipt requested.
 2. The service worker sends the notice at least 20 days prior to the scheduled review date.
- B. The service worker follows the requirements of Chapter 06.53 in preparing the report to court and/or ISP for the dependency review hearing.
- C. The service worker provides a copy of the dependency review order to the child's parent(s)/Indian Custodian, the child's tribe, and any other party to the proceeding.

06.55 Post Placement Services - Dependency

If an Indian child is placed in foster care under to a dependency finding, the service worker provides post-placement services in accordance with Chapter 07.72.

06.56 Notice Of Dependency Dismissal And Child's Return Home

- A. When a dependency proceeding is dismissed, the service worker provides a copy of the dismissal order to the child's parent(s)/Indian custodian, the child's tribe, and any other party to the proceeding.
- B. When an Indian child is returned to the custody of a parent/Indian custodian, the service worker notifies any other parent/Indian custodian, the child's tribe, and any other party to the proceeding.

The notification is in writing and specifies the name and address of the person to whom the child has been returned. DSHS 09-776, Notice of Dependency Dismissal.

06.60 ALTERNATIVE RESIDENTIAL PLACEMENT (ARP - RCW 13.32A)

- A. Prior to filing a petition for Alternative Residential Placement (ARP) regarding an Indian child, the service worker complies with the requirements of Chapter 06.10 through 06.16 regarding determination of Tribal Court jurisdiction.
- B. If the child is a ward of Tribal Court or is a resident or domiciled on an exclusive jurisdiction Indian reservation, the service worker immediately refers the case to the child's tribe.
- C. If the child is not a ward of Tribal Court and is not a resident of or domiciled on an exclusive jurisdiction Indian reservation, the service worker contacts a qualified expert approved by the child's tribe or an Indian interpreter for assistance in communicating with the family regarding provision of reunification services and transfer of the case to Tribal Court. See Chapter 14 for definition of "qualified expert" and "Indian interpreter."
- D. The service worker does not file an ARP petition in Juvenile Court unless the requirements of Chapter 26.31 (B) of the DCFS Manual have been satisfied.

If the child is a resident of or domiciled on a concurrent jurisdiction Indian reservation the service worker files an ARP petition only after having made active efforts to assist the child and the parents/Indian custodian to file a Tribal Court proceeding and such efforts have been unsuccessful. The service worker documents efforts in the service record.

- E. To commence an ARP proceeding, the service worker completes and files an ARP petition with the Juvenile Court.
- F. The service worker follows the notification procedures listed below:
 - 1. After the service worker files the ARP petition, the service worker immediately sends notice of the proceeding to the child's tribe. DSHS 09-758, Notice to Tribe of ARP Proceeding.
 - 2. If the Indian child or the child's parent(s)/Indian custodian files the ARP petition and the child's tribe has not been previously notified of the ARP proceeding, the service worker sends notice to the tribe at such time as the service worker becomes involved in the proceeding; i.e., responsible for case plan development/placement recommendation.
- G. In arranging foster care placement for the child, the service worker follows the foster care placement preferences found in Chapter 07, unless the child's tribe has changed or waived the preferences.

06.70 GUARDIANSHIP (RCW 13.34)

- A. The service worker follows the requirements of Chapter 06.30 before filing a guardianship petition in Juvenile Court.

In developing the plan for guardianship, the service worker follows the placement preferences found in Chapter 07 unless the child's tribe has waived or changed the preferences.

- B. Prior to filing a guardianship petition the service worker staffs the case with a designee from the child's tribe and obtain tribal recommendations. See Chapter 04 regarding confidentiality.

If a tribal designee is unavailable, the service worker consults with the LICWAC. See Chapter 10 regarding LICWAC procedures.

- C. To commence a guardianship proceeding, the service worker (or the agency's legal representative) completes and files a guardianship petition, DSHS 09-453, with the Juvenile Court.

The service worker also completes and files with the court an Addendum to Petition, DSHS 09-771.

- D. The service worker follows the notice procedures listed below.

1. After the guardianship petition is filed, the service worker immediately takes necessary steps to arrange for the child's parents (including any alleged father) and Indian custodian, if any, to be personally served with formal Notice and Summons (must be issued by the Court Clerk) and with DSHS 09-543, Notice to Parent/Indian Custodian.
 - a. If personal service cannot be given, the service worker arranges for notification to be sent by registered mail, return receipt requested to the person's last known address.
 - b. The service worker arranges for notice by publication if notice by personal service or by mail cannot be given.
 - c. The child's parents/Indian custodian must receive written notification at least fifteen (15) days prior to the guardianship fact-finding.
2. After the guardianship petition is filed, the service worker immediately arranges for Notice and Summons (must be issued by Court Clerk) and DSHS 09-541, Notice to Indian Tribe to be sent to the child's tribe by registered mail, return receipt requested.
 - a. The service worker arranges for notification to be sent to the tribe address as listed in Chapter 12 in this manual.

- b. If the child is a member of or eligible to be a member of more than one tribe, the service worker will arrange for notification to be sent to all such tribes.
 - c. The child's tribe(s) must receive notification at least fifteen (15) days prior to the guardianship fact-finding.
 3. When the service worker sends written notice to the child's parents/Indian custodian and the child's tribe, the service worker also sends:
 - a. Copies of the petition and scheduling orders.
 - b. DSHS 09-542, Tribal Intervention/Request for Continuance to the child's tribe.
 - c. DSHS 09-544, Parent/Indian Custodian Request for Continuance to the child's parent(s)/Indian custodian.
 4. If the location or identity of the child's tribe and/or parent(s)/Indian custodian are unknown, the service worker arranges for notification to be sent to the BIA by registered mail, return receipt requested, at least 35 days prior to a fact finding. DSHS 09-945, Notice to BIA.
 - a. The service worker sends notification to the BIA office closest to the child's tribe. If the identity or location of the child's tribe is unknown, the service worker sends the notice to the Portland Area BIA Office. See Chapter 12 for BIA contact information.
 - b. The service worker also sends to the BIA a copy of the notices to the parent(s)/Indian custodian and/or tribe and all other background information that may assist the BIA in locating or identifying the child's parent(s)/Indian custodian and/or the child's tribe.
 5. The child's tribe and/or parent(s)/Indian custodian may request the case be continued for at least 20 days from the date of the scheduled fact finding hearing. DSHS 09-542, Tribal Intervention/Request for Continuance. DSHS 09-544, Parent/Indian Custodian Request for Continuance.
 6. If the child's tribe or Indian custodian requests to intervene in the proceeding, the service worker does not oppose intervention. If the child's tribe or parent(s)/Indian custodian requests transfer of the proceeding to tribal court, the service worker does not oppose the transfer except as provided in Chapter 06.15.
- E. At the guardianship fact finding, the court may grant the guardianship only upon proof that continued parental custody is likely to result in serious emotional or physical damage to the child.

1. The standard of proof is "clear, cogent and convincing" rather than a preponderance of the evidence.
 2. The service worker uses a qualified expert witness to meet this standard. See Chapter 14 for definition of "qualified expert witness."
- F. The service worker provides a copy of the guardianship order to the child's parent(s)/Indian custodian, the child's tribe, the guardian, and any other party to the proceeding.
- G. When a guardianship proceeding is dismissed, the service worker provides a copy of the dismissal order to the child's parent(s)/Indian custodian, the child's tribe, the guardian, and any other party to the proceeding.
- H. Whenever an Indian child is returned to the custody of a parent/Indian custodian, the service worker notifies any other parent/Indian custodian, the child's tribe, and any other party to the proceeding.

The notification is in writing and specifies the name and address of the person to whom the child has been returned.

06.71 Post-Placement Services - Guardianship

When a guardianship is established, the service worker provides post-placement services as required in Chapter 07.73.

06.80 INVOLUNTARY TERMINATION OF PARENTAL RIGHTS (RCW 13.34)

- A. The service worker follows the requirements of Chapter 06.30 before filing a petition for involuntary termination of parental rights in Juvenile Court.
- B. Prior to filing a termination petition the service worker staffs the case with a designee from the child's tribe and obtain tribal recommendations. See Chapter 04 regarding confidentiality.

If a tribal designee is unavailable, the service worker consults with LICWAC. See Chapter 10 regarding LICWAC.

- C. To commence a termination proceeding, the service worker (or the agency's legal representative) completes and files a termination petition, DSHS 09-766, with the Juvenile Court.

The service worker also completes and files with the court an Addendum to Petition, DSHS 09-771.

- D. The service worker follows the procedures listed below:
 - 1. After the termination petition is filed, the service worker immediately arranges for the child's parents (including any alleged father) and Indian custodian, if any, to be personally served with formal Notice and Summons (must be issued by the Court Clerk) and with DSHS 09-543, Notice to Parent/Indian Custodian.
 - a. If personal service cannot be given, the service worker arranges for notification to be sent by registered mail, return receipt requested to the person's last known address.
 - b. The service worker arranges for notice by publication if notice by personal service or by mail cannot be given.
 - c. The child's parents/Indian custodian must receive written notification at least fifteen (15) days prior to the termination fact-finding.
 - 2. After the termination petition is filed, the service worker immediately arranges for formal Notice and Summons (must be issued by the Court Clerk) and DSHS 09-541, Notice to Indian Tribe to be sent to the child's tribe by registered mail, return receipt requested.
 - a. The service worker arranges for notification to be sent to the tribe's address as listed in Chapter 12 in this manual.
 - b. If the child is a member of or eligible to be a member of more than one tribe, the service worker arranges for notification to be sent to all such tribes.

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- c. The child's tribe(s) must receive notification at least fifteen (15) days prior to the termination fact-finding.
 3. When the service worker sends written notice to the child's parents/Indian custodian and the child's tribe, the service worker also sends:
 - a. Copies of the petition and any scheduling orders.
 - b. DSHS 09-542, Tribal Intervention/Request for Continuance to the child's tribe.
 - c. DSHS 09-544, Parent/Indian Custodian Request for Continuance to the child's parent(s)/Indian custodian.
 4. If the location or identity of the child's tribe and/or parent(s)/Indian custodian are unknown, the service worker arranges for notification to be sent to the BIA by registered mail, return receipt requested, at least 35 days prior to a fact finding. DSHS 09-945, Notice to BIA.
 - a. The service worker sends notification to the BIA office closest to the child's tribe. If the identity or location of the child's tribe is unknown, the service worker sends notice to the Portland Area BIA Office. See Chapter 12 for BIA contact information.
 - b. The service worker also sends to the BIA a copy of the notice to the parent(s)/Indian custodian and/or tribe and all other background information that may assist the BIA in locating or identifying the child's parent(s)/Indian custodian and/or the child's tribe.
 5. The child's tribe and/or parent(s)/Indian custodian may request the case be continued for at least 20 days from the date of the scheduled fact finding hearing. DSHS 09-542, Tribal Intervention/Request for Continuance. DSHS 09-544, Parent/Indian Custodian Request for Continuance.
 6. If the child's tribe or Indian custodian requests to intervene in the proceeding, the service worker does not oppose intervention. If the child's tribe or parent(s)/Indian custodian requests transfer of the proceeding to tribal court, the service worker does not oppose the transfer except as provided in Chapter 06.15.
 - E. The parent-child relationship of an Indian child and the child's parent(s) may only be terminated upon proof that continued parental custody is likely to result in serious emotional or physical damage to the child.
 1. The standard of proof is "beyond a reasonable doubt" rather than "clear, cogent and convincing."

2. The service worker uses a qualified expert witness to meet this standard. See Chapter 14 for definition of "qualified expert witness."
- F. The service worker provides a copy of the termination order to the child's parent(s)/Indian custodian, the child's tribe, and any other party to the proceeding.
- G. The service worker:
1. Follows the placement preferences found in Chapter 07 unless the child's tribe has changed or wavered the preferences.
 2. Follows the requirements of Chapter 07 regarding notice to the child's extended family.
- H. Whenever a termination proceeding is dismissed, the service worker provides a copy of the dismissal order to the child's parent(s)/Indian custodian, the child's tribe, and any other party to the proceeding.
- I. When an Indian child is returned to the custody of a parent/Indian custodian, the service worker notifies any other parent/Indian custodian, the child's tribe, and any other party to the proceeding.

06.81 Post-Placement Services - Involuntary Termination of Parental Rights

When the rights of a child's parent(s) are involuntarily terminated, the service worker provides post-placement services as required in Chapter 07.74.

06.90 VOLUNTARY RELINQUISHMENT/TERMINATION OF PARENTAL RIGHTS AND CONSENT TO ADOPTION (RCW 26.33)

06.91 Introduction

- A. The service worker does not accept a voluntary consent to relinquishment/termination of parental rights or adoption of an Indian child until the service worker has:
1. Followed the procedures in Chapter 06.10 through 06.16 regarding determination of tribal jurisdiction and special requirements that apply to Washington State Indian tribes, and
 2. Followed the consent to relinquishment/termination or adoption procedures described in this section.
- B. **VOLUNTARY CONSENTS TO RELINQUISHMENT/TERMINATION OR ADOPTION ARE NOT VALID UNLESS THE CONSENT IS SIGNED BY THE PARENT BEFORE A TRIBAL OR JUVENILE COURT/SUPERIOR COURT JUDGE MORE THAN TEN (10) DAYS AFTER THE CHILD'S BIRTH AND UNLESS THE CONSENT IS APPROVED BY THE JUDGE.**

06.92 Voluntary Relinquishment/Termination or Adoption - Child a Ward of Tribal Court or Resident/Domiciled on an Exclusive Jurisdiction Indian Reservation

- A. If a parent seeks to voluntarily consent to relinquishment/termination of parental rights or adoption of an Indian child, the service worker determines if the child is a ward of Tribal Court or is a resident or domiciled within the boundaries of an exclusive jurisdiction Indian reservation. See Chapter 06.10 through 06.16 for information about jurisdiction.
- B. If the child is a ward of Tribal Court or resident/domiciled on an exclusive jurisdiction Indian reservation, the service worker:
1. Informs the parent that the tribe has exclusive jurisdiction to approve the relinquishment/termination or adoption.
 2. Assist the parent, in cooperation with the tribe's social service program, to obtain Tribal Court approval of the consent to relinquishment/termination as may be appropriate under the circumstances.

06.93 Voluntary Relinquishment/Termination or Adoption - Child NOT a Ward of Tribal Court or NOT Resident/Domiciled on an Exclusive Jurisdiction Indian Reservation

- A. When a parent seeks to voluntarily consent to relinquishment/termination of parental rights or adoption of an Indian child who is not a ward of Tribal Court and is not resident/domiciled on an exclusive jurisdiction Indian reservation, the service worker informs the parent of:
1. Requirements regarding placement preference, notification of the child's tribe and extended family and court validation of the consent.
 2. The possibility of relinquishing/terminating parental rights or pursuing the adoption through a tribal court proceeding.
 3. The name, address, and phone number of a contact person from the child's tribe.
 4. The rights of adopted Indian children to obtain adoption record information.
- B. The service worker uses DSHS 09-769, Relinquishment and Adoption Information to Parent of Indian Child, to provide the information required in A., above.
- The service worker gives the original to the parent and puts a form copy in the service file.
- C. When the identity of the prospective adoptive parents is known, the service worker informs the prospective adoptive parents of:
1. Requirements regarding placement preference, notification of the child's tribe and extended family and court validation of the parent's consent.
 2. The possibility of pursuing the adoption through a tribal court proceeding.
 3. The possibility of receiving assistance through the Adoption Support Program.
 4. The name, address, and phone number of a contact person from the child's tribe.
 5. The right of adopted Indian children to obtain adoption record information.
- D. The service worker uses DSHS 09-778, Information To Prospective Adoptive Parent of Indian Child, to provide the information required in C., above.

The service worker gives the original to the prospective adoptive parents and puts a form copy in the service file.

- E. The service worker encourages the child's parent to contact an Indian interpreter or a representative of the tribe's social services program ensuring the consent is voluntary and that the parent understands what the parent is doing. See Chapter 14 for definition of "Indian interpreter."
1. The service worker documents the encouragement in the service record.

If the service worker refers the parent to an identified individual, the service worker includes in the service record documentation of the referral date and the name of the individual to whom the referral was made.
 2. Upon request, the service worker provides the documentation to the child's tribe.

06.94 Pre-Validation Services

- A. Prior to assisting a parent of an Indian child to obtain state court validation of a voluntary consent to relinquishment/termination or adoption, the service worker provides the parent with services designed to prevent the breakup of the Indian family and keep the child with the parent.

In providing such services, the service worker consults with the social services program of the child's tribe when possible.
- B. The service worker seeks to identify, locate, and notify the nonconsenting parent before helping a parent obtain court validation of a voluntary consent to relinquishment/termination or adoption.

06.95 Involvement of Tribal Social Services

Before seeking validation of a voluntary consent to relinquishment/termination or adoption in Juvenile/Superior Court, the service worker:

- A. Encourages the parent to contact the child's tribe regarding available services that may help the parent retain custody of the child or further the child's family and tribal relationship.

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- B. Document in the service record efforts to have the parent contact the child's tribe regarding available services.
1. If the service worker refers the parent to an identified individual within the child's tribe, the service worker includes in the service record documentation the date of the referral and the name of the person to whom the referral was made.
 2. The service worker provides the documentation to the child's tribe, if requested.

06.96 Explanation Of Consent To Relinquishment/Termination or Adoption

- A. The service worker explains the consent form, DSHS 09-764, Relinquishment, Consent to Termination/Adoption, and Court Certification, to the parent of an Indian child prior to obtaining the parent's signature on the form.
- The service worker uses an Indian interpreter, when possible, to explain the form to the parent. See Chapter 14 for definition of "Indian interpreter."
- B. The service worker requires the parent to read the consent form prior to obtaining the parent's signature on the form.
1. If the service worker has any doubt about the parent's ability to read and understand the consent form, the service worker will read and explain the form to the parent.
 2. If there is any doubt about the parent's ability to understand English, the service worker makes arrangements to have the form explained to the parent in the parent's primary language.
- C. The service worker obtains the parent's signature on the consent form acknowledging that the parent has read the consent form, understands the consent form, and wishes to consent to relinquishment/termination of parental rights or adoption of the child.
1. The service worker gives the parent a copy of the signed consent form.
 2. The service worker explains to the parent that:
 - a. The consent is not valid until the parent also signs the form in court and a judge approves the consent.
 - b. The parent's in-court signature of the consent must be witnessed by an impartial, competent person who is selected by the parent and who is at least eighteen (18) years of age.

- D. **PENDING COURT APPROVAL (VALIDATION) OF THE PARENT'S CONSENT TO RELINQUISHMENT/TERMINATION OR ADOPTION, THE SERVICE WORKER DOES NOT PLACE AN INDIAN CHILD IN THE TEMPORARY CUSTODY OF THE PROSPECTIVE ADOPTIVE PARENTS/PLACEMENT AGENCY UNLESS THE CHILD IS PLACED IN ACCORDANCE WITH:**
1. Chapter 06.20, Voluntary Consent to Place in Foster Care; or
 2. Chapter 06.40, Shelter Care; or
 3. Chapter 06.50, Dependency.

06.97 Consent To Relinquishment/Termination Or Adoption - Validation Procedure

- A. To obtain court validation of a parent's consent, the service worker files a petition for relinquishment in Superior Court or Juvenile Court. DSHS 09-474, Petition for Relinquishment and Termination of Parent Civil Relationship (RCW 26.33). The consent form signed by the parent is attached to the petition.

The service worker also completes and files with the court a Declaration of Adoption Facilitator, DSHS 09-765.

- B. Upon filing the relinquishment petition, the service worker:
1. Provides the parents (including any alleged father) with at least twenty (20) working days written notice of the date, time and place of any court proceeding to validate the consent to relinquishment. DSHS 09-770, Notice and Summons (Relinquishment/Termination/Adoption).
 - a. The service worker arranges for the notice to be personally served on the parents (including any alleged father).
 - b. If personal service cannot be given, the service worker arranges for notice to be sent by registered mail, return receipt requested, to the person's last known address.
 - c. The service worker arranges for notice by publication if notice by personal service or notice by mail cannot be given.
 2. Provides the consenting parent(s) (including any alleged father) with a copy of the consenting parent's signed consent, a copy of the notice sent to the child's tribe, and a copy of any petitions or other court documents filed in the proceeding.
 3. Provides the child's tribe with at least twenty (20) working days written notice of the date, time and place of any court proceeding. DSHS 09-541, Notice to Indian Tribe, Band or Nation.

- a. The service worker sends notice by registered mail, return receipt requested.
 - b. If the child is a member of or eligible to be a member of more than one tribe, the service worker sends notice to all such tribes.
4. Provides the child's tribe with a copy of the consenting parent's signed consent, and a copy of any petitions or other court documents filed in the proceeding.
- D. If the child's tribe requests to intervene in the proceeding, the service worker does not oppose intervention. If the child's tribe or parent(s) request transfer of the proceeding to tribal court, the service worker does not oppose the transfer except as provided in Chapter 06.15.
- E. The consenting parent(s) must appear **PERSONALLY** at the relinquishment hearing to enter on the record the parent's consent to relinquishment/termination or adoption.
- F. At the relinquishment hearing the parent(s) signs the consent before the judge.
1. The parent's in-court signature must be witnessed by an impartial, competent person who is selected by the parent and who is at least eighteen (18) years of age. The consent form must contain a statement identifying the witness by name, address, and relationship to the parent.
 2. The service worker or the service worker's legal representative presents the consent form to the court for approval and court certification. DSHS 09-764, Relinquishment, Consent to Termination/Adoption, and Court Certification.
- G. Upon entry of an order approving the relinquishment and terminating parental rights, the service worker provides a copy of the termination order to the consenting parent(s), any parent whose rights have not been terminated, and any other party to the proceeding.
- H. The service worker:
1. Follows the placement preference requirements found in Chapter 07 unless the child's tribe has changed or waived the preferences.
 2. Follows the requirements of Chapter 07 regarding notice to the child's extended family.

06.98 Withdrawal Of Consent To Relinquishment/Termination Or Adoption

The parent(s) of an Indian child may withdraw consent to relinquishment/termination or adoption at **ANY TIME BEFORE ENTRY OF THE ADOPTION DECREE**. See Chapter 08.120 and 08.125 for procedures governing the setting aside or termination of an adoption.

- A. If a parent of the Indian child withdraws consent to relinquishment/termination or adoption prior to entry of the adoption decree, the child is promptly returned to the parent's custody unless:
1. The parent voluntarily consents to foster care placement of the child. See Chapter 06.20 regarding voluntary consent to foster care placement.
 2. A court order for foster care placement was previously entered and the order remains in full force and effect.
 3. Return of custody would likely cause an emergency resulting in imminent physical harm to the child.

The service worker returns custody to the parent(s) unless a law enforcement pick-up has been initiated or a shelter care/pick-up order has been entered. See Chapter 06.40 regarding shelter care placement.

- B. If the child is returned to the parent(s) custody following withdrawal of the consent, the service worker in cooperation with the child's tribe social services program, assists the child to make as successful as possible a return to the custody of the parent(s). Assistance includes:
1. Helping the child adjust emotionally and psychologically to the change in placement.
 2. Helping the parent(s) to understand and effectively meet the child's needs.
 3. Helping the foster/preadoptive family to adjust to the loss of the child.
 4. Assisting the child to make a successful transition back to parental custody.
 5. Using a qualified expert to help the parent(s), child and foster/preadoptive family or placement facility, if necessary. See Chapter 14 for definition of "qualified expert."

06.99 Legal Procedures - Termination (RCW 26.33)

The service worker complies with the following procedures regarding termination of parental rights under RCW 26.33, the adoption statute. The termination procedures apply when one parent has relinquished parental rights and the other parent (including any alleged father) has not relinquished his/her parental rights.

- A. "Parent" and "alleged father" as used in this section means a parent or alleged father whose parental rights have not been previously terminated.
- B. **PENDING COURT APPROVAL (VALIDATION) OF THE RELINQUISHING PARENT'S CONSENT TO RELINQUISHMENT/TERMINATION OR ADOPTION THE SERVICE WORKER DOES NOT PLACE AN INDIAN CHILD IN THE TEMPORARY CUSTODY OF THE PROSPECTIVE ADOPTIVE PARENTS/PLACEMENT AGENCY UNLESS THE CHILD IS PLACED IN ACCORDANCE WITH:**
 1. Chapter 06.20, Voluntary Consent to Place in Foster Care; or
 2. Chapter 06.40, Shelter Care; or
 3. Chapter 06.50, Dependency.
- C. The service worker (or the agency's legal representative) completes and files a termination of parental rights petition in Superior Court or Juvenile Court. DSHS 09-474, Petition for Termination of Parent Child Relationship (RCW 26.33).

The service worker also completes and files with the court a Declaration of Adoption Facilitator, DSHS 09-765.
- D. Upon filing the termination petition, the service worker:
 1. Provides the nonconsenting parent (including any alleged father) with at least twenty (20) working days written notice of the date, time and place of any court proceeding to terminate parental rights. DSHS 09-770, Notice and Summons (Relinquishment/Termination/Adoption).
 - a. The service worker arranges for the notice to be personally served on the parents (including any alleged father).
 - b. If personal service cannot be given, the service worker arranges for notice to be sent by registered mail, return receipt requested, to the person's last known address.
 - c. The service worker arranges for notice by publication if notice by personal service or notice by mail cannot be given.

2. Provide the nonconsenting parent (including any alleged father) with a copy of the consenting parent's signed consent to relinquishment/termination or adoption, and sends a copy of the notice to the child's tribe, along with a copy of any petitions or other court documents filed in the proceeding.
 3. Provides the child's tribe with at least twenty (20) working days written notice of the date, time and place of any court proceeding to terminate parental rights. DSHS 09-541, Notice to Indian Tribe, Band or Nation.
 - a. The service worker sends notice by registered mail, return receipt requested.
 - b. If the child is a member of or eligible to be a member of more than one tribe, the service worker sends notice to all such tribes.
 4. Provides the child's tribe with a copy of the consenting parent's signed consent, and a copy of any petitions or other court documents filed in the proceeding.
- E. If the child's tribe requests to intervene in the proceeding, the service worker does not oppose intervention. If the child's tribe or parent(s) request transfer of the proceeding to tribal court, the service worker will not oppose the transfer except as provided in Chapter 06.15.
- F. The parent-child relationship of an Indian child and the child's non-consenting parent or non-consenting alleged father, where paternity has been claimed or established, may only be terminated upon proof that continued parental custody is likely to result in serious emotional or physical damage to the child.
 1. The standard of proof is "beyond a reasonable doubt" rather than "clear, cogent, and convincing."
 2. The service worker uses a qualified expert witness to meet this standard. See Chapter 14 for definition of qualified expert witness.
- G. The service worker provides a copy of the termination order to the parent whose rights are terminated pursuant to the order, any parent whose rights have not been terminated, and any other party to the proceeding.

06.910 Post-Placement Services - Voluntary Termination of Parental Rights

When the rights of a child's parent(s) are terminated under a voluntary relinquishment, the service worker provides post-placement services as required in Chapter 07.74.

06.100 OPEN ADOPTION AGREEMENTS

- A. Washington state law (RCW 26.33.295) provides that the parties to an adoption proceeding may enter into agreements regarding future communication with or contact between child adoptees, adoptive parents, and birth parents. These agreements are not legally enforceable unless the terms are set forth in a written court order entered in accordance with the statutory provisions.
1. An agreement need not discuss the identity of the parties to be legally enforceable.
 2. The court cannot enter a proposed order unless the terms of the order are approved in writing by the prospective adoption parents, any birth parent whose parented rights have not been terminated, and the service worker (if the child is in the custody of DSHS or a child placing agency). If the child is represented in proceeding by an attorney or a guardian-ad-litem, the proposed order must also be approved in writing by the child's representative.
 3. The court may not enter a proposed order unless the court finds that the terms of the order are in the child's best interests.
 4. Failure to comply with the terms of an agreed order regarding communication or contact is not a basis for setting aside an adoption decree. Agreed orders may be enforced through a civil action.
- B. If all parties to an adoption have reached a clear agreement regarding continuing contact between the child and the child's birth parents, the service worker will assist the parties to set forth terms of their agreement in a proposed court order that is separate and apart from the termination order and the adoption decree.
1. Although RCW 26.33.295 does not specifically address contact or communication between the child and the extended birth family members, the parties to the adoption enter into such an arrangement under provisions of Chapter 26.10 RCW regarding non-parental visitation.
 2. If all parties to an adoption have reached a clear agreement regarding continuing contact between the child and members of the child's extended birth family, the service worker will assist the parties to set forth their agreements in an agreed order that is separate and apart from the termination order and the adoption decree.

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07.01 INTRODUCTION

- A. When a case involves the foster care placement or pre-adoptive placement of an Indian child, the service worker follows the requirements of this Chapter.
1. "Pre-adoptive" placement means the temporary placement of an Indian child following termination of parental rights, but prior to or in lieu of adoptive placement.
 2. The service worker follows the requirements of Chapter 8 in making an adoptive placement (permanent placement for adoption) of an Indian child.
- B. In addition to the requirements of this Chapter the service worker also follows the requirements of Chapter 6 of this manual and Chapter 32 of the DCFS Manual. If there is a conflict between the provisions of Chapter 32 and the provisions of this Chapter, the service worker follows the procedures in this Chapter.
- C. Prior to placing an Indian child in the home of a person other than the child's parent(s) or Indian custodian, the service worker makes active efforts to prevent or eliminate the need for removal of the child from the family home. When making case planning or placement decisions for the child, the service worker considers the child's parent(s)/Indian custodian as the primary resource for the child. If out-of-home placement is necessary, the service worker places the child in accordance with the order of preference listed in this chapter (see Chapter 07.05) unless the child's tribe has established a different order or preference.

07.05 PLACEMENT PREFERENCES - FOSTER CARE/PRE-ADOPTIVE PLACEMENTS

- A. In any foster care or pre-adoptive placement of an Indian child, the service worker places the child in accordance with the order of preference established by the child's tribe.

The service worker contacts the social services program of the child's tribe for information about the tribe's order of preference.

- B. If the child's tribe has not established an order of preference, the service worker places the child in the following order of preference:
1. A member of the child's extended family (see Chapter 14 for definition of "extended family").
 2. A foster home licensed, approved, or specified by the child's tribe.
 3. An Indian foster home licensed or approved by DSHS or a private agency licensed by DSHS to make such placements. For purposes of applying these preferences, an "Indian foster home" means that at least one of the foster parents is a member of a federally recognized Indian tribe, including Eskimo, Aleut, or other Alaska Native. See Chapter 12 for a list of federally recognized tribes in the United States.
 4. An institution for children approved by an Indian Tribe or operated by an Indian organization having a program suitable to meet the needs of the Indian child. See Chapter 14 for definition of "Indian organization."
- C. In seeking to place an Indian child in accordance with the requirements of Chapter 07.05(A) or (B), the service worker informs all families eligible for foster care payments of such eligibility.

07.10 DUTIES WHEN APPLYING PLACEMENT PREFERENCES

- A. When applying the placement preferences of Chapter 07.05, the service worker uses the social and cultural standards prevailing in the child's tribal or Indian community.
- B. When applying the preferences, the service worker, when possible:
 - 1. Places a child in the least restrictive setting which most approximates a family and in which the child's special needs may be met.
 - 2. Places a child within reasonable proximity to the child's home taking into account any special needs of the child.
 - 3. Whenever more than one sibling is to be placed, places siblings together or in close proximity unless the placement would cause serious physical or emotional harm to one or more of the children.
 - 4. Locates the child where the parent has the opportunity to have regular access to the child without undue economic, physical or cultural hardship.
 - 5. Enables siblings to have regular contact with one another and allows other family members regular access to the child.
- C. The service worker does not place the child outside the preference categories except as provided in Chapter 07.35.
- D. Except in emergency circumstances, the service worker does not make a placement prior to review and, whenever possible, approval of the placement by the social services program of the child's tribe.

07.15 DILIGENT SEARCH FOR PLACEMENT

- A. The service worker makes a diligent search for a suitable placement within the order of preference before considering a non-preferred placement.
1. As part of a diligent search for placement, the service worker provides written notification to the child's extended family members as required in Chapter 07.20.
 2. The service worker documents telephone and/or written contacts in the child's service record.
- B. At a minimum, a diligent search involves contacting the following resources in this specified order:
1. The social services program of the child's tribe and, if the child resides on the reservation of another tribe, the social services program of the tribe where the child resides.
 2. The Local Indian Child Welfare Advisory Committee (LICWAC). See Chapter 10 regarding LICWAC procedures.
 3. Off-reservation Indian organizations. See Chapter 14 for definition of "Indian organization."
 4. Bureau of Indian Affairs. See Chapter 12 for BIA contact information.
 5. Washington State and county listings of available Indian homes.
 6. Nationally known Indian placement programs.
 7. Other national placement programs.

07.20 NOTICE TO CHILD'S EXTENDED FAMILY

- A. The service worker follows the procedures in this section if an Indian child:
1. Is placed in nonrelative foster care under a parental consent, dependency disposition, or termination of parental rights, or
 2. Is moved from a relative placement to a nonrelative foster care placement.
- B. The service worker is not required to follow the procedures in this section if the child is placed in the home of an extended family member. See Chapter 14 for definition of extended family member.
- C. The service worker notifies the Indian child's extended family members of the out-of-home placement and or the steps they must take if they wish to be preferentially considered as a placement resource for the child. DSHS 09-772, Notice to Extended Family.
- D. The service worker notifies those family members whose names and addresses are known or can reasonably be found with assistance from the family, the child's tribe, the BIA or other appropriate resources.
- E. The service worker sends notice by registered mail, return receipt requested, immediately following placement of the child in foster care under a dependency dispositional order, an order terminating parental rights, or a validated parental consent to foster care/relinquishment.

If the extended family member's identity becomes known subsequent to the foster care placement, the service worker sends notice at that time.

07.25 PARENTAL OBJECTION TO EXTENDED FAMILY NOTICE

If a child's parent(s) or Indian custodian objects to notification of an extended family member, the service worker consults with the child's tribe in deciding whether notice should be provided over the objection of the parent(s)/Indian custodian.

- A. If a child's parent(s)/Indian custodian is concerned the child could be harmed by contact with an extended family member, the service worker does not notify the family member if, after consultation with the child's tribe, the service worker determines the concerns of the parent(s)/Indian custodian are reasonable.
- B. If the objection of the parent(s)/Indian custodian is based on a desire for anonymity or other reasons, the service worker determines, in consultation with the child's tribe, whether notice to such family member is in the child's best interests.

If the service worker determines family notification is in the child's best interests, the service worker notifies the child's extended family as required in Section 7.20.

- C. When notification is not provided to an extended family member, the service worker documents in the child's service record the reason(s) notification was not given, including the tribe's position regarding notification.

07.30 TRIBAL REVIEW AND APPROVAL OF PLACEMENT

- A. Except in emergency circumstances, the service worker does not make an out-of-home placement of an Indian child prior to review and, when possible, approval of the placement by the social services program of the child's tribe.
- B. If the placement recommendations of the child's tribe are not followed or the service worker decides to place the child in a home or institution unacceptable to the tribe, the service worker provides a written statement to the tribe explaining the efforts made to reach an agreement with the tribe regarding the placement and describing the basis for the service worker's decision.
 - 1. The service worker provides the statement to the tribe within (10) days following the placement decision.
 - 2. The service worker places a copy of the statement in the child's service record.
- C. If the child's tribe is not available to provide review and approval of the placement decision, the service worker staffs the case with LICWAC. See Chapter 10 for LICWAC procedures.

07.35 PLACEMENT OUTSIDE OF PREFERENCE CATEGORIES

- A. The service worker may place an Indian child outside the preference categories specified in this Chapter only when one or a combination of the following circumstances exists:
1. The child's tribe or the LICWAC, if the tribe is unavailable, concurs that the best interests of the child require placement with a non-Indian family or other placement not within the preference categories. See Chapter 10 for LICWAC procedures.
 2. The child has extraordinary physical or emotional needs, diagnosed by a qualified expert, that cannot be met by a placement within the preference categories. See Chapter 14 for definition of "qualified expert."
 - a. The service worker provides the child's tribe with a written statement explaining why the child's needs cannot be met a placement within the preference categories.
 - b. The service worker places a copy of the statement in the child's service record.
 3. A diligent search for a placement within the preference categories has been completed and no suitable placement within the category is available.
 - a. In determining the suitability of a family, the service worker evaluates the family in accordance with the social, economic, and cultural standards prevailing in the Indian community in which the child's parent(s) or extended family members reside or with which the parent(s) or extended family members maintain social or cultural ties.
 - b. A determination that suitable families within the preference categories do not exist is not based on any difference between tribal and state standards for licensing and approval of foster homes or institutions.
 4. The service worker is unable to place the child in accordance with the placement preferences due to emergency circumstances.
- B. When a service worker places an Indian child in a placement outside the preference categories due to circumstances set forth in 07.35(A)(3) or (4), the service worker, in cooperation with the social services program of the child's tribe, or the LICWAC, if the tribe is unavailable, continues to diligently seek a suitable placement within the preference categories.
1. The service worker places the child within the preference categories at the earliest possible time.

2. In determining whether a change in placement would harm the child, the service worker seeks evaluation by a qualified expert. See Chapter 14 for definition of "qualified expert."

07.40 PARENTAL AND CHILD PLACEMENT PREFERENCES

- A. If appropriate under the circumstances of the case, the service worker takes the child's preference into consideration in determining placement within the placement categories if the child is of sufficient age and maturity as to be able to express a knowledgeable and reasoned opinion about his/her placement.
- B. If appropriate, the service worker considers the placement preference of the child's parent(s) in making a placement within the preference categories.
- C. If the child's parent(s) has voluntarily consented to foster care or preadoptive placement, the service worker in making a placement within the preferences categories, gives weight to a parent's request that the parent's identity not be disclosed.
- D. The service worker does not consider the placement preference of the parent or child, or give weight to a parent's request for anonymity, if to do so is contrary to the best interests of the child, the child's tribal relationship, medical history, or contrary to the policies and procedures of this manual.

07.55 THIRTY-DAY INDIVIDUAL SERVICE PLAN (DSHS 15-209)

- A. On or before the 30th day following the out-of-home placement of an Indian child, the service worker staffs the case plan with a tribal designee from the child's tribe, if available, in developing the ISP. Thereafter, the service worker staffs the case with the tribal designee in developing any ISP updates. See Chapter 04 regarding confidentiality.
1. The service worker provides the child's tribe with a copy of the ISP and ISP updates.
 2. If the service worker prepares an ISP, social study, or report to Court for a dependency dispositional hearing or a dependency review hearing, the service worker also follows the requirements of Chapter 06.53 and Chapter 06.54.

07.60 ADMINISTRATIVE REVIEW

- A. Cases involving Indian children are administratively reviewed as provided in DCFS Manual, Chapter 23.42.
- B. Whenever there is an administrative review of an Indian child's placement in out-of-home care, the service worker:
1. Provides notice of the administrative review to the child's parent(s)/Indian custodian, unless the legal rights of the parent(s)/Indian custodian have been previously terminated.
 2. Assist the child's parent(s)/Indian custodian to participate in the review process.
 3. Provide notice of an administrative review to the child's tribe.
- C. The child's parent(s)/Indian custodian, the child's tribe, and the child (if age 12 or older) shall be entitled to participate in the review.
- If parental participation in the review is precluded by the indigency of the parent(s), the service worker arranges for agency payment of reasonable expenses necessary to assure meaningful parental participation in the review if agency funds are available and designate' by the agency for such purpose.
- D. On request, the child's parent(s)/Indian custodian and the child's tribe shall be allowed access to all files, documents, and records pertaining to the child's placement. See Chapter 04 regarding confidentiality.
- E. Whenever possible, the service worker involves a qualified expert to participate in the review.

When the foster care/pre-adoptive placement is interracial, the service worker, whenever possible, involves a qualified expert in the interracial placement of Indian children. See Chapter 14 for definition of "qualified expert in interracial placement."

07.65 POST-PLACEMENT RECORDS

The service worker periodically or, on request, provides the child's tribe with reports and records that are prepared after a foster care or preadoptive placement. These reports/records contains descriptions and evaluations of:

- A. The child's adjustment to the placement.
- B. The relationship of the child with the child's parents, siblings, extended family members, and tribe following placement.
- C. Other matters which may be considered in any administrative or judicial review of the placement. See Chapter 04 regarding confidentiality.

07.70 POST-PLACEMENT SERVICES**07.71 Post-Placement Services - Shelter Care**

- A. Following the placement of an Indian child in shelter care, the service worker, in cooperation with the social services program of the child's tribe, actively provides reasonably available remedial and rehabilitative programs designed to return the child to the custody of the child's parent(s)/Indian custodian.
- B. Such remedial and rehabilitative programs shall focus on eliminating risk to the child of sexual abuse or imminent physical harm if returned to the custody of the parent(s)/Indian custodian.

07.72 Post-Placement Services - Foster Care

- A. When an Indian child is placed in foster care and parental rights have not been terminated, the service worker, in cooperation with the social services program of the child's tribe, actively provides reasonably available remedial and rehabilitative programs designed to return the child to the custody of the parent(s)/Indian custodian.
- B. The remedial and rehabilitative services are based on a plan designed to address and eliminate problems that are destructive to the family. The plan is designed to take into account the prevailing social and cultural conditions in the child's Indian community.
 - 1. At a minimum, the plan includes services for the family that were ordered by the Juvenile Court or by the Tribal Court (if such services would be provided if ordered by a Juvenile Court) as well as any other appropriate services the agency is able and willing to provide.
 - 2. The service worker develops the plan with the direct collaboration of:
 - a. The parent(s)/Indian custodians.
 - b. The child (if of sufficient age).
 - c. Grandparents (when appropriate).
 - d. The child's tribe or the LICWAC, if the child's tribe is unavailable. See Chapter 10 regarding LICWAC.
 - 3. When foster care placement is likely to exceed thirty (30) days, the service worker involves a qualified expert in the development and implementation of the plan if possible. See Chapter 14 for definition of "qualified expert."

4. The plan encourages maintenance of an ongoing family relationship and maximum visitation between the parent(s)/Indian custodian and the child, as well as between the child, the child's siblings, and other members of the child's extended family.
 - a. Whenever possible, visitation will take place in the home of the parent(s)/Indian custodian, the home of other family members or some other noninstitutional setting permitting the child and the visitors to have a natural and unsupervised interaction.
 - b. If parental indigency precludes frequent visitation, the service worker arranges for financial or other assistance, if available, to help the parent maintain frequent visitation.
5. The plan stresses the use and involvement, where available, of community services and resources specifically for Indian families. These include:
 - a. Extended family members.
 - b. Tribal social services and other programs.
 - c. Tribal organization programs aimed at preventing family breakup.
 - d. Traditional Indian therapy administered by traditional practitioners.
 - e. Where available and appropriate, individual Indian caregivers who have skills to help the family.
 - f. Resources of the Bureau of Indian Affairs and Indian Health Service.
- C. The service worker, in cooperation with the social services program of the child's tribe, assists the child in adjusting emotionally and psychologically to the foster care placement. As may be appropriate or necessary, this assistance will include:
 1. Involvement of a qualified expert and such other expertise as may be appropriate. See Chapter 14 for definition of "qualified expert."
 2. When the placement is interracial, involvement of a qualified expert in the interracial placement of Indian children to assist the child to deal with or overcome adjustment problems unique to interracial placements. See Chapter 14 for definition of "qualified expert in interracial placement."

- D. The service worker, in cooperation with the social services program of the child's tribe, provides the child and/or the foster care provider with help in resolving socio-psychological problems related to placement, if so requested by the child or the care provider or as necessary.

The service worker informs the foster care provider and the child, if of sufficient age, of this service.

- E. The service worker, in cooperation with the social services program of the child's tribe, provides the foster care home or facility with information on the background and special needs, if any, of the child.

When necessary, the service worker instructs or arranges for instruction of the foster care home or facility in:

1. Foster care parenting skills.
2. How to best meet the child's special needs.
3. How to best assist the child's adjustment to foster care.

- F. When the foster care placement is interracial, the service worker arranges for a qualified expert in the interracial placement of Indian children to instruct the care provider regarding the special developmental and social problems common in such placements and how best to handle such problems. See Chapter 14 for definitions of "qualified expert in interracial placement."

- G. The service worker, in cooperation with social services of the child's tribe, will regularly monitor the foster care home or facility for overall suitability and to assure that:

1. The child is not abused or neglected.
2. The child's special needs are addressed.
3. The child's relationship with his/her parent(s)/Indian custodian, siblings, extended family members and tribe is encouraged.

- H. Whenever an Indian child who is eligible for membership in an Indian Tribe is in foster care, the service worker seeks to secure tribal membership for the child at the earliest possible time following placement.

07.45 RECORD OF PLACEMENT DETERMINATION

- A. For each foster care or preadoptive care placement determination, the service worker documents in the child's service record:
1. Efforts to provide the parent with remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
 2. The factual basis and other circumstances, if any, for the placement determination;
 3. If siblings are not placed together, the reasons justifying separation of siblings and the steps taken to maintain the sibling relationship following placement; and
 4. Efforts made to comply with the placement preference requirements of this chapter.

The service worker documents in the service record the homes contacted in the course of compliance efforts, including the names and addresses of extended family members and of tribally approved homes who were contacted. See Chapter 14 for definition of "extended family member."

- B. The service worker:
1. Provides the child's tribe a copy of the service record documentation for any preadoptive placement at least seven (7) business days prior to making the placement. See Chapter 04 regarding confidentiality.
 2. Provides the child's tribe a copy of the record documentation for any foster care placement prior to making the placement, whenever possible, or within seven (7) business days following the placement. See Chapter 04 regarding confidentiality.

07.50 CHANGE OF FOSTER CARE PLACEMENT

- A. The service worker notifies the child's tribe and, where rights have not been terminated, the parent(s) or Indian custodian when a decision is made to change an Indian child's foster care placement. DSHS 09-760, Notice of Placement Change.
1. The service worker provides notification at least seven (7) business days prior to the change in placement, unless exceptional circumstances necessitate a shorter notice period.
 2. The notification shall be in writing and shall explain the available procedures for participation in the decision making process and for contesting any decision not to return the child to the custody of the parent(s) or Indian custodian.
- B. Whenever the service worker changes the foster care placement of an Indian child, the new placement is in accordance with the placement preference requirements of this chapter.
1. The service worker, in cooperation with the social services program of the child's tribe, assists the child to emotionally and psychologically adjust to the change in foster care placement.
 2. In assisting the child, the service worker uses the services of a qualified expert, see Chapter 14 for definitions of "qualified expert."
 3. If the child is moved from a relative placement to nonrelative foster care, the service worker follows the requirements of Chapter 07.20 regarding notice to the child's extended family.

07.73 Post-Placement Services - Guardianship

- A. Whenever the service worker determines a guardianship is the most appropriate placement for an Indian child, and a guardian is appointed for the child through Juvenile Court or Tribal Court, the service worker, in cooperation with the social services program of the child tribe:
1. Assists the child and the guardian in adjusting emotionally and psychologically to the guardianship placement.
 2. Offers other foster care support and services as may be appropriate.
- B. If the guardianship is established in a Tribal Court proceeding, the service worker provides services as required in Chapter 06.16.
- C. If the guardianship is established pursuant to a guardianship petition filed in Juvenile Court, the service worker provides post-placement services as required in Chapter 07.72 (if parental rights have not been terminated) or Chapter 07.74 (if parental rights have been terminated).
- D. There is no requirement that the service worker regularly monitor the guardian's home, as required in Chapter 07.72 and Chapter 07.74, unless supervision is necessary or appropriate under the circumstances of a particular case.

07.74 Post-Placement Services - Parental Rights Terminated

- A. Whenever an Indian child is in foster care or preadoptive placement following a voluntary or involuntary termination of parental rights, the service worker, in cooperation with the social services program of the child's tribe, develops a plan for the child's care, custody and control.
1. The plan is consistent with:
 - a. The best interests of the child.
 - b. The child's special needs.
 - c. The culture and customs of the child's Indian community.
 2. The principal focus of the plan is to identify the most suitable permanent living arrangement for the child. The service worker determines whether long-term foster care, guardianship, or adoption is the most suitable plan for the child.
 3. The plan is developed with direct collaboration of:
 - a. The child (if of sufficient age).

- b. Other members of the child's extended family (whenever possible).
 - c. A qualified expert. See Chapter 14 for definition of "qualified expert."
 - d. The child's tribe or the LICWAC, if the child's tribe is unavailable. See Chapter 10 regarding LICWAC.
4. The plan encourages maintenance of an ongoing familial relationship between the child, his/her siblings and other members of the child's extended family.
5. If the parental rights were terminated due to a voluntary relinquishment by the child's parent(s), the plan explores whether (despite the termination) return of the child to the custody of the parent(s) is a suitable living arrangement for the child.
- a. If return of the child to parental custody is appropriate, the plan explores whether it is feasible to provide the child's parent(s) with remedial and rehabilitative services designed to return custody of the child to the parent(s).
 - b. If provision of services is feasible, the service worker, in cooperation with the social services program of the child's tribe, provides the services to the parents with the goal of returning the child to parental custody.
 - c. Whenever appropriate or necessary, the service worker obtains a court order vacating the termination of parental rights.
 - d. When the plan for the child does not include the possibility of return to parental custody, the service worker provides services to the child and foster care or preadoptive home as required in this section.
- B. The service worker, in cooperation with the social services program of the child's tribe, assists the child and the natural parent in adjusting emotionally and psychologically to the termination of parental rights and to the foster care or preadoptive placement. As may be appropriate or necessary, this assistance will include:
- 1. Involvement of a qualified expert. See Chapter 14 for definition of "qualified expert."
 - 2. When the placement is interracial, involvement of a qualified expert in the interracial placement of Indian children to help the child deal with or overcome adjustment problems unique to interracial placements. See Chapter 14 for definition of "qualified expert in interracial placement."

- C. The service worker, in cooperation with the social services program of the child's tribe, provides the child and foster care provider or preadoptive home with help in resolving socio-psychological problems related to placement, if so requested by the child, foster care provider or preadoptive parent or as necessary.

The service worker informs the foster care provider or preadoptive parent and the child, if of sufficient age, of this service.

- D. The service worker, in cooperation with the social services program of the child's tribe, also provides the foster care provider or preadoptive parent with information on the background and special needs, if any, of the child.

When necessary, the service worker instructs the foster care provider or preadoptive home in:

1. Foster care parenting skills.
2. How to best meet the child's special needs.
3. How to best assist the child's adjustment to foster care or preadoptive placement.

- E. When the foster care or preadoptive placement is interracial, the service worker arranges for a qualified expert in the interracial placement of Indian children to instruct the care provider or preadoptive parent on the special developmental and social problems common in such placements and how best to handle such problems. See Chapter 14 for definition of "qualified expert in interracial placement."

- F. The service worker, in cooperation with social services programs of the child's tribe, regularly monitor the foster care or preadoptive placement for overall suitability and to assure that:

1. The child is not being abused or neglected.
2. The child's special needs are addressed.
3. The child's relationship with his/her siblings, biological family and tribe is encouraged.

- G. Whenever an Indian child who is eligible for membership in an Indian tribe is in foster care or preadoptive placement following termination of parental rights, the service worker seeks to secure tribal membership for the child at the earliest possible time after the termination.

07.80 INDIAN TRUST INCOME

- A. When an Indian child is entitled to receive Indian trust income and is placed outside of the parental home, the service worker notifies the Superintendent of the BIA office servicing the child's tribe. See Chapter 12 regarding BIA contact information.
1. The notice contains a request to withhold a child's Indian trust funds and place the funds in a trust account until the child returns home or is adopted. DSHS 09-545, Notice to BIA - Disposition of Indian Trust Funds.
 2. The service worker files a copy of this notice in the document section of the child's record.
 4. If the BIA office servicing the child's tribe cannot be determined, the service worker consults with LICWAC. See Chapter 10 regarding LICWAC procedures.
- B. When the child returns from out-of-home placement to the custody of the parent(s)/Indian custodian, the service worker notifies the Superintendent of the Bureau of Indian Affairs office which serves the child's tribe.
- C. Federal boarding schools operated by the BIA are available for the education of Indian children when other resources are not available or do not meet the needs of the particular child involved. The service worker does not place an Indian child in a boarding school except in accordance with the procedures in Chapter 6 and Chapter 7 of this Manual.
1. DCFS may provide personal incidentals and the monthly replacement clothing allowance (SSPS Service Code 3223 FC CPI) while the child is in school if the following criteria are met:
 - a. Planning for placement of the child in an out-of-state federal boarding school involved the child, the child's parent(s) or legal guardian(s), a representative of the BIA, and the service worker.
 - b. The child was either in foster care or was a member of a family receiving Aid to Families with Dependent Children (AFDC).
 - c. All financial resources available to the child, such as OASDI or Indian benefits, were taken into consideration.
 - d. An Indian federal boarding school was considered a better educational resource for the child than that available in the child's home community.

2. The service worker develops an Individual Service Plan (ISP) for children placed into boarding schools.

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08.01 INTRODUCTION

- A. Adoption is possible once a child is legally free, i.e., parental rights of both parents have been voluntarily or involuntarily terminated under the laws of the state of Washington or any other competent jurisdiction, such as another country or state or a federally recognized Indian tribe.
- B. Whenever a case involves the adoptive placement (permanent placement for adoption) of an Indian child, the service worker follows the requirements of this manual.
- C. In addition to the requirements of this chapter, the service worker also follows the requirements of Chapter 36 of the DCFS Manual. If there is a conflict between Chapter provisions, the service worker follows the provisions of this Chapter.

08.05 PARENTAL CONSENT TO ADOPTION

- A. The service worker does not accept a voluntary consent to relinquishment/termination or adoption of an Indian child until the service worker has followed the procedures in Chapter 06.91 through 06.99 of this manual.

- B. **VOLUNTARY CONSENTS TO RELINQUISHMENT/TERMINATION OR ADOPTION ARE NOT VALID UNLESS SIGNED BY THE PARENT BEFORE A TRIBAL OR JUVENILE COURT/SUPERIOR COURT JUDGE MORE THAN TEN (10) DAYS AFTER A CHILD'S BIRTH AND UNLESS APPROVED BY THE JUDGE.**

08.10 CHILD'S INDIAN STATUS

- A. The service worker follows the requirements of Chapter 3 of this manual regarding identification of a child's Indian status.
- B. The service worker documents a child's Indian status in the service record, on DSHS 04-220(X), Family Ancestry Chart.

08.15 INDIAN STATUS OF ADOPTIVE FAMILIES

- A. The service worker requests all adoptive applicants complete a copy of DSHS 15-128, Verification of Indian Status.

If an applicant indicates he/she is Indian, the service worker requests the applicant provide documentation that the applicant is Indian, as defined in B., below.

- B. The service worker considers an applicant Indian if the applicant establishes he/she is a member of a federally recognized Indian tribe, including Eskimo, Aleut, or other Alaska Native. See Chapter 12 for a list of federally recognized Indian tribes in the United States.
- C. The service worker considers an adoptive family Indian if at least one of the parents meet the criteria in B., above.
- D. If an applicant claiming Indian status is unable to provide documentation that he/she meets the criteria in B., above, the service worker consults with:
1. A representative of the Indian child's tribe, if the applicant is being considered an adoptive placement for a specifically identified Indian child, or
 2. The LICWAC, if a child's tribe is unavailable. See Chapter 10 regarding LICWAC procedures.

08.20 FOSTER PARENT ADOPTIONS

- A. The child's service worker ensures the procedures in Chapter 7 have been followed in the selection of a foster care placement for a child.**
- B. As a part of the total evaluation in approving the foster parent adoption of an Indian child, the service worker:**
 - 1. Documents in the case record the foster family's past performance and future commitment in exposing the child to the child's Indian tribal and cultural heritage.**
 - 2. Documents the child's wishes regarding involvement in the child's Indian culture.**
 - 3. Documents the tribal affiliation, if any, of the foster parents and the extent to which the foster parents are active in tribal and Indian cultural activities.**
 - 4. Documents whether the foster family is within the placement preference categories set forth in Chapter 7.05.**
 - 5. Documents the procedures regarding tribal review and approval of placement, as set forth in Chapter 08.45, have been followed.**

08.25 PLACEMENT PREFERENCES FOR INDIAN CHILDREN

- A. In any adoptive placement (permanent placement for adoption) of an Indian child, the service worker places the child in accordance with the order of preference established by the child's tribe.

The service worker contacts the social services program of the child's tribe for information about the tribe's order of preference.

- B. If the child's tribe has not established an order of preference, the service worker places the child in the following order of preference:
1. A member of the child's extended family. See Chapter 14 for definition of "extended family."
 2. Other members of the child's tribe.
 3. Other Indian families of similar Indian heritage.
 4. Other Indian families. See Chapter 08.15, above, regarding Indian status of adoptive families.

- C. In exploring the suitability of families within the preference categories, the service informs families about the adoption assistance program and eligibility requirements for the program.

The service worker assists families who may be eligible for the program to apply for adoption support.

08.30 DUTIES WHEN APPLYING PLACEMENT PREFERENCES

- A. When applying the placement preferences in Chapter 08.25, above, the service worker:
1. Uses the social and cultural standards prevailing in a child's tribal or Indian community, and
 2. Gives priority to suitable adoptive families within a tribal or Indian community, with families within a child's tribal or Indian community having the first preference.
- B. When applying the preferences, the service worker, when possible:
1. Places the child with a suitable adoptive family living in the child's tribal or Indian community;
 2. Places the child in a manner that assuring maximum opportunity for the child to maintain and nourish a relationship with the child's tribe;
 3. Whenever more than one sibling is to be placed, place siblings together or in close proximity, unless the placement would cause serious physical or emotional harm to one or more of the children; and
 4. Places the child in a manner assuring maximum opportunity for maintenance of a sibling relationship.
- C. The service worker does not place a child outside the preference categories except as provided in Chapter 08.50.

08.35 PLACEMENT BY THE SOCIAL SERVICES PROGRAM OF THE CHILD'S TRIBE

- A. The service worker uses the social services program of a child's tribe as the primary resource to help identify possible preference order placements and evaluate their suitability.
- B. The service worker makes a written adoption placement referral to the social services program of a child's tribe. See Chapter 04 regarding confidentiality. The referral includes the following information:
1. Comprehensive background information on the child's social and psychological history and development.
 2. Information on all prior placements.
 3. Information about the extent of the child's relationship with parents, siblings, and extended family members.
 4. Information concerning the interest, if any, of the child's foster parents in adopting the child.
 5. Information on the current or planned custody and placement of siblings.
 6. Information about any minority status of the child in addition to the child's Indian heritage.
 7. Other factors that might affect the placement decision.
- C. If the social services program of a child's tribe does not want to be involved in the adoptive placement planning process or does not respond within ten (10) days following receipt of an adoption placement referral, the service worker documents the placement referral and tribal response in the service record and proceed with the adoptive placement in accordance with Chapter 08.40 and 08.45.
- The service worker consults with the LICWAC if the tribe's social services program does not become involved in adoptive placement planning. See Chapter 10 regarding LICWAC procedures.
- D. If the child's tribe undertakes the task of identifying a placement and does not find a suitable placement for a child within 60 days, the service worker, in consultation with the tribe, finds a suitable placement.
- E. Upon request, the service worker assists a child's tribe to identify a suitable adoptive placement for the child.

08.40 DIRECT PLACEMENT BY DCFS OR LICENSED CHILD PLACEMENT AGENCY - DILIGENT SEARCH FOR PLACEMENT

- A. When a child's tribe notifies the service worker that it will not undertake identification of an adoptive placement or has been unable to identify a suitable placement for the child or has not responded within ten (10) days following receipt of an adoption placement referral (see Chapter 08.30.), the service worker diligently searches for a suitable placement within the order of preference before considering a nonpreferred placement. See 08.25 regarding placement preferences.

The service worker documents telephone and/or written contacts in the child's service record.

- B. At a minimum, a diligent search involves contacting the following resources (in the order specified):
1. The child's tribe.
 2. The Local Indian Child Welfare Advisory Committee (LICWAC). See Chapter 10 regarding LICWAC procedures.
 3. Off-reservation Indian organizations.
 4. Bureau of Indian Affairs. See Chapter 12 for BIA contact information.
 5. Washington State and county listings of available Indian homes.
 6. Nationally known Indian placement programs.
 7. Other national placement programs.
 8. Adoption resource exchanges.
- C. As part of a diligent search for placement, the service worker also provides written notification to the child's extended family members as required in Chapter 7.20.
- D. The service worker keeps the child's tribe informed of progress in seeking adoption placement for the child and will pursue placement recommendations offered by the tribe.

08.45 TRIBAL REVIEW AND APPROVAL OF PLACEMENT

- A. The service worker does not make an adoption placement of an Indian child prior to review and, whenever possible, approval of the placement by the child's tribal social services program.
- B. The service worker provides the tribe, on a confidential basis, with all adoptive home studies of homes under consideration for placement of the child. Home studies should identify whether the adoptive home applicant is affiliated with a tribe and if so, which tribe.

The service worker obtains a release of information from the adoptive applicants prior to providing identifying information about the applicants to the tribe.

- C. Whenever the service worker decides not to place a child in accordance with the tribe's recommendation or if the service worker decides to place the child in a adoptive home that is unacceptable to the tribe, the service worker provides the tribe a written statement detailing efforts made to reach an agreement with the tribe regarding the placement and describing the basis for the service worker's decision.
 - 1. The service worker provides the statement to the tribe within five (5) working days following the placement decision and prior to placement.
 - 2. The service worker places a copy of the statement in the child's service record.
- D. If the child's tribe is not available to provide review and approval of the placement decision, the service worker staffs the case with the LICWAC. See Chapter 10 regarding LICWAC procedures.

08.50 PLACEMENT OUTSIDE OF PREFERENCE CATEGORIES

- A. The service worker may place an Indian child outside of the preference categories specified in this Chapter only when one or a combination of the following circumstances exist:
1. The child's tribe or the LICWAC, if the tribe is unavailable, concurs that the best interests of the child require placement with a non-Indian family or in another setting not within the preference categories. See Chapter 10 for LICWAC procedures.
 2. The child has extraordinary physical or emotional needs, diagnosed by a qualified expert that cannot be met by a placement within the preference categories. See Chapter 14 for definition of "qualified expert."
 - a. The service worker provides the tribe with a written statement that explains why the child's needs cannot be met by a placement within the preference categories.
 - b. The service worker places a copy of the statement in the child's service record.
 3. A diligent search for placement within the preference categories has been undertaken for a period of 180 days after the date that the child became available for adoptive placement and no suitable placement within the preference categories was found.
 - a. In determining the suitability of a family, the service worker evaluates the family in accordance with the social, economic, and cultural standards prevailing in the Indian community in which the child's parent(s) or extended family members reside or with which the parent(s) or extended family members maintain social or cultural ties.
 - b. A determination that suitable families within the preference categories do not exist is not based on any difference between tribal and state standards for the approval of adoptive homes.

08.55 PARENTAL AND CHILD ADOPTION PLACEMENT PREFERENCES

- A. If appropriate under the circumstances of the case, the service worker takes a child's preference into consideration in determining placement within the placement categories if the child is of sufficient age and maturity and is able to express a knowledgeable and reasoned opinion about the child's adoptive placement.
- B. If appropriate, the service worker considers the placement preference of the child's parent(s) in making a placement within the preference categories.
- C. If a child's parent(s) has voluntarily consented to adoptive placement, the service worker, in making a placement within the preference categories, gives weight to the parent's request that the child's identity not be disclosed.
- D. The service worker does consider the placement preference of the parent or child, or give weight to a parent's request for anonymity, if to do so is contrary to the best interests of the child, the child's tribal relationship, medical history, or contrary to the policies and procedures of this manual.

08.60 RECORD OF PLACEMENT DETERMINATION

- A. For each adoptive placement determination, the service worker documents in the child's service record:
1. The factual and other basis for each adoptive placement decision.
 2. If siblings are not placed together, the reasons justifying sibling separation and the steps taken to maintain the sibling relationship following placement.
 3. Efforts made to comply with the placement preferences.

The service worker documents in the service record the homes contacted in the course of compliance efforts, including the names and addresses of extended family members and of tribally approved homes who were contacted. See Chapter 14 for definition of "extended family member."

- B. The service worker provides the child's tribe a copy of the service record documentation for any adoptive placement prior to making the placement.

08.65 REVIEW OF ADOPTIVE PLACEMENT

- A. The service worker conducts a review of the placement within 30 days after placing an Indian child in the home of prospective adoptive parents.

After the initial review, the service worker conducts a review at least every 90 days until termination of the placement or entry of the final decree of adoption.

- B. The service worker notifies the child's tribe of the review.
- C. The child (if over the age of 12) and the child's tribe shall be entitled to participate in the review.
1. Upon request, the tribe shall be allowed access to all files and documents pertaining to the child's placement. See Chapter 04 regarding confidentiality.
 2. If the child's tribe is unavailable, the service worker reviews the case with the LICWAC. See Chapter 10 regarding LICWAC procedures.
- D. At a minimum, the review includes:
1. Evaluation of the suitability of the adoptive home placement.
 2. Evaluation as to whether the best interests of the child are met by adoption or by restoration of the parent-child relationship.
- E. Whenever possible, the service worker involves a qualified expert in the review. See Chapter 14 for definition of "qualified expert."

08.70 POST-PLACEMENT RECORDS

The service worker periodically provides the child's tribe with reports and records prepared after an adoptive placement and before a final decree of adoption. See Chapter 04 regarding confidentiality. These reports/records contain descriptions and evaluations of:

- A. The child's adjustment to the adoptive home.
- B. The adoptive family's adjustment to the child.
- C. The suitability of the placement.
- D. The extent to which the adoptive family has carried out the conditions, if any, of the placement, e.g., assisting the child to maintain relationships with siblings, the natural family, and the child's tribe.

08.75 INFORMATION TO PROSPECTIVE ADOPTIVE PARENTS

- A. Prior to placing an Indian child in an adoptive home, the service worker informs the prospective adoptive parents of:
1. The special legal requirements applicable to adoption of an Indian child.
 2. The possibility of pursuing the adoption through a tribal court proceeding.
 3. The possibility of receiving assistance through the Adoption Support Program.
- B. The service worker uses DSHS 09-778, Information To Prospective Adoptive Parent of Indian Child, to provide the information required in A., above.

The service worker gives the original to the prospective adoptive parents and puts a copy of the form in the service file.

08.80 POST-PLACEMENT SERVICES - ADOPTIVE PLACEMENT

When placing an Indian child for adoption the service worker complies with the following requirements in cooperation with the social services program of the child's tribe.

- A. When an Indian child eligible for membership in an Indian tribe is placed for adoption, the service worker seeks to secure tribal membership for the child prior to entry of a final decree of adoption.
- B. When an Indian child is placed for adoption, until entry of a final decree of adoption, the service worker, in cooperation with the social services program of the child's tribe, evaluates the overall suitability of the placement and monitors the placement assuring:
 1. The child is not abused or neglected.
 2. The child's special needs are addressed.
 3. The child's relationship with his/her siblings and, if appropriate, other members of the child's birth extended family is encouraged.
 4. The child's relationship with his/her tribe is promoted.
 5. All other conditions and commitments of the placement are met.
- C. The service worker, in cooperation with the social services program of the child's tribe, assists the child, the prospective adoptive parents and the child's natural parents, to emotionally and psychologically adjust to the adoptive placement. As may be appropriate or necessary, this assistance includes:
 1. Involving a qualified expert and other expertise as may be appropriate. See Chapter 14 for definition of a "qualified expert."
 2. When the adoptive placement is interracial, involvement of a qualified expert in the interracial placement of Indian children to assist the child to deal with or overcome adjustment problems unique to interracial placements. See Chapter 14 for definition of "qualified expert in interracial placement."
- D. The service worker, in cooperation with the social services program of the child's tribe, provides the prospective adoptive parents with information on the background and special needs, if any, of the child.

Where necessary, the service worker instructs or arranges for instruction of the prospective adoptive parents in:

1. How to best meet the child's special needs.

-
2. How to best assist the child's adjustment to the adoptive placement.
- E. When the adoptive placement is interracial, the service worker, when necessary, arranges for a qualified expert in the interracial placement of Indian children to instruct the prospective adoptive parents regarding the special developmental and social problems common in such placements and how best to handle those problems. See Chapter 14 for definition of "qualified expert in interracial placement."
 - F. When an Indian child is the first child of the prospective adoptive parents or whenever the prospective adoptive parents are assessed noninterracially oriented or unable to meet any special needs of the child, the service worker, in cooperation with the social services program of the child's tribe, provides training to the prospective adoptive parents in interracial or special needs parenting skills.

08.85 PRE-PLACEMENT AND POST-PLACEMENT REPORTS

- A. When a service worker prepares a preplacement or postplacement report regarding the adoptive placement of an Indian child, the service worker invites the tribal designee of the child's tribe and, when possible, a qualified expert to participate in the preparation of the report. See Chapter 14 for definition of "qualified expert."

If the report was prepared before the tribe was known, the tribe will be involved in any reviews of the report and preparation of further reports and decision making.

- B. The preplacement or postplacement report contains information required in DCFS Manual, Chapter 36 and shall:
1. State the role of the child's tribe in preparing the report.
 2. State the tribe's recommendations or conclusions and the basis for the recommendations or conclusions.
 3. Include an evaluation of the suitability of the adoptive placement.
 4. Inform court if there is reason to believe the adoption petitioners have improperly removed custody of the child from the child's parents or have improperly retained custody of the child following a visit or other temporary relinquishment of parental custody.
- C. The service worker provides a copy of the report to the child's tribe.

If the child's tribe has not intervened as a party in the adoption proceeding, the service worker obtains a release of information from the adoptive parents or a court order authorizing the release of information prior to providing the report to the child's tribe.

08.90 AGENCY CONSENT TO ADOPTION

- A. When DCFS or a child care agency, including a child placing agency or other DCFS contractor, has permanent custody of an Indian child following termination of parental rights, the service worker actively involves the child's tribe in any deliberations and decisions about whether the agency should consent to the child's adoption.
- B. If the tribe objects to the case plan, the service worker, with the involvement of the social services program of the child's tribe, conducts a detailed review of the case plan.
1. Following the case plan review, if the service worker determines the agency should consent to the adoption despite the tribe's objection, the service worker documents in the service record the basis for such determination.
 2. The service worker advises the court in writing regarding the tribe's objection to the adoption and attaches written statements from the tribe expressing the basis of the objection.

08.95 CONTENT OF FINAL ADOPTION DECREE - TRANSMITTAL OF ADOPTION INFORMATION
TO SECRETARY OF THE INTERIOR (BIA)

- A. In a Superior Court proceeding involving the adoption of an Indian child who is in the permanent custody of DCFS or a child care agency, including a child placing agency or other DCFS contractor, the service worker completes DSHS 09-768, Superior Court Adoption Information Form Indian Child.
- B. The service worker files the completed information form with the court and requests the court include information from the form in the adoption decree wherever possible.

The service worker puts a copy of the completed information form in the service file.

- C. The service worker requests the court send a copy of the final adoption decree and a copy of the information form to the Secretary of the Interior at the following address:

Department of the Interior
Bureau of Indian Affairs
Interior South Building
1951 Constitution Avenue N.W.
Washington, D.C. 20245

08.100 RELEASE OF BIRTH RECORD INFORMATION TO THE CHILD'S TRIBE

- A. Prior to the entry of a final decree of adoption, the service worker provides the child's tribe with a copy of the Indian child's original birth certificate.
- B. If the child's tribe has intervened as a party in the adoption proceeding, the service worker provides the tribe a copy of the final decree of adoption, a copy of the child's amended birth certificate, and other records of the proceeding as the tribe may request.

If the child's tribe has not intervened as a party in the adoption proceeding, the service worker obtains a court order authorizing the release of copies of such documents and records prior to providing the copies to the child's tribe.

08.105 RELEASE OF ADOPTION RECORDS TO ADOPTED INDIAN CHILDREN

- A. An adopted Indian person of eighteen years of age or older may petition the court that entered the final decree of adoption for information regarding the adoptee's tribal affiliation. The adoptee may also obtain other information, such as the names and addresses of the adoptee's biological parents, as may be necessary to protect rights flowing from the child's tribal relationship. The court may order DSHS and child placing agencies to release to the adoptee information contained in the adoption records maintained by DSHS and child placing agencies.
- B. On written request to DSHS or a child placing agency by a adopted person age eighteen or older having reason to believe he/she is Indian, an agency representative conducts a search of agency adoption records. If the records verify the person is adopted and the agency representative:
1. Tells the person which court entered the final decree of adoption.
 2. Advises the person of the potential right to obtain adoption record information.
- C. If necessary, the agency representative requests the DCFS Adoption Program manager provide assistance in locating adoption record information and responding to the request for information.

08.110 DCFS ADOPTION ASSISTANCE TO FAMILIES WHO ADOPT THROUGH TRIBAL COURT

- A. DCFS, in coordination with the social services program of the child's tribe, provides state funded adoption support and/or federal adoption assistance to families adopting an Indian child through tribal court. The child and the adoptive family must meet all of the program eligibility requirements of the Adoption Support Program, including the requirements of 42 U.S.C. 673, RCW 74.13.100-145 and RCW 26.33, as well as applicable federal and state regulations.

Applications for adoption assistance and agreements to provide adoption assistance **MUST** be fully completed **PRIOR** to entry of the adoption decree.

- B. The service worker advises prospective adoptive parents regarding the availability of adoption assistance for families adopting through tribal court. See Chapter 08.75 regarding the provision of information to prospective adoptive parents.

08.115 DCFS PAYMENT OF TRIBAL ADOPTION PLACEMENT COSTS

The service worker contacts the DCFS Adoption Program Manager for information about DCFS payment of expenses related to tribal court adoption proceedings.

08.120 ISSUANCE OF AMENDED BIRTH CERTIFICATE FOLLOWING TRIBAL COURT ADOPTION

When the child's tribe transmits the information required by RCW 26.33.280 to the state Registrar of Vital Statistics, the Registrar issues an amended birth certificate reflecting the adoption that was decreed by the tribal court. The service worker sends a copy of the amended birth certificate to the adoptive parents and to the child's tribe.

08.125 PARENTAL WITHDRAWAL OF CONSENT TO RELINQUISHMENT, TERMINATION, OR ADOPTION

The parent(s) of an Indian child may withdraw consent to relinquishment/termination or adoption **AT ANY TIME BEFORE ENTRY OF THE ADOPTION DECREE.**

- A. If a parent of an Indian child withdraws a voluntary consent prior to entry of the adoption decree, the service worker follows the requirements of Chapter 06.98.

08.130 PETITION TO VACATE ADOPTION DECREE

- A. If a parent petitions under the Indian Child Welfare Act 25 U.S.C. 1901, et. seq., to vacate an adoption decree due to alleged fraud or duress in obtaining the consent to relinquishment/termination or adoption, the service worker:
1. In cooperation with the social services program of the child's tribe, examines the circumstances surrounding the consent.
 - a. Where the child's tribe was involved in obtaining the consent, the service worker consults with the tribe and seeks to obtain the tribe's concurrence with representations about the consent the service worker intends to make in court.
 - b. When the tribe provides the service worker with a written statement regarding the consent, the service worker submits the tribe's statement to the court.
 2. Notifies the child's tribe of all scheduled hearings on the petition and sends a copy of the petition to tribe.
 3. Notifies the child's tribe and the nonpetitioning parent of the child, or the child's prior Indian custodian, if the petition is granted.
- B. If the child is to be returned to the custody of the natural parent(s), the service worker in cooperation with the social services program of the child's tribe, assists the child to make as successful as possible return to the parent(s) custody. Assistance include:
1. Helping the child adjust emotionally and psychologically to the change in placement.
 2. Helping the parent(s) understand and effectively meet the child's needs.
 3. Helping the adoptive family adjust to the loss of the child and in assisting the child to make a successful transition to the natural parent(s) custody.
 4. Using a qualified expert to help the parent(s), child, and adoptive family, if necessary. See Chapter 14 for definition of "qualified expert."

08.135 TERMINATION OF ADOPTION

- A. When DCFS or a child care agency, including child placing agency, or other DCFS contractor is involved in a failed adoption, the service worker notifies the child's tribe and the child's natural parents or prior Indian custodian of what has happened. Use DSHS 09-773, Notice of Termination or Adoption Decree Vacate.
1. The service worker sends the notice within five (5) days from the date of entry of any court order terminating parental rights of the adoptive parents or vacating or setting aside an adoption.
 2. The notice contains information about the right of the child's parent/Indian custodian to petition the court for return of custody of the child.
- B. The service worker does not oppose the return of the child to the custody of the parent(s) or prior Indian custodian in the absence of a thorough investigation into and evaluation of the suitability of the parent(s)/Indian custodian to reassume custody.
1. The service worker completes the investigation within ninety (90) days after the termination of the adoptive parents' parental rights or the setting aside of the final decree of adoption.
 2. The service worker invites the child's tribe and a qualified expert to participate in the investigation. See Chapter 14 for definition of "qualified expert."
- C. The service worker develops an appropriate service plan in cooperation with the social services program of the child's tribe if it is determined by the service worker and the tribe that remedial and rehabilitative programs designed to return custody of the child to the parent(s)/Indian custodian are in the child's best interests and are likely to result in successful reunification.
- The service worker develops the service plan with direct collaboration from the parent(s), the child (if of sufficient age) and, when possible, a qualified expert. See Chapter 14 for definition of "qualified expert."
- D. The service worker does not oppose the return of the child to the parent(s) or prior Indian custodian unless the plan proves unsuccessful or unless the return is likely to cause emotional or physical harm to the child.
- E. The service worker, in cooperation with the social services programs of the child's tribe, assists the child to emotionally and psychologically adjust to the termination of the adoption and to any new placement.

The service worker uses the service of a qualified expert or such other expert(s), if necessary and appropriate, to provide such assistance. See Chapter 14 for definition of "qualified expert."

- F. When the service worker determines it is not appropriate to follow the recommendations of the child's tribe or the qualified expert to develop a plan to return the child to the parent(s)/Indian custodian, the service worker documents in the service record and in a written report to court the reasons for the recommendations and the reasons for the determination not to follow the recommendations.

If the tribe or qualified expert has provided the service worker with a written statement including the recommendations, the service worker provides the court with a copy of the statement.

- G. When an adoptive placement ends, until such time, if any, as the child is returned to the custody of the parent(s)/Indian custodian, the service worker follows in requirements of Chapters 6, 7, and 8 in making foster care or adoptive placement of the child.

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09.05 INTERSTATE COMPACT/PLACEMENT OF INDIAN CHILDREN

Introduction

When the service worker is considering whether to place an Indian child in another state, the service worker follows the provisions found in this manual regarding placement of Indian children, including Canadian or unenrolled Indian children.

- A. The service worker, on request of a tribe that is not a member of the compact, assists the tribe to utilize the interstate compact for the placement of Indian children in another state in a placement designated by the tribe (the requirements of RCW 26.34 and applicable state regulations must have been satisfied).
- B. In order for DCFS to make foster care payment for an Indian child placed in another state through the interstate compact, the placement must have been arranged through a certified or licensed child placement agency, or custody of the child must have been granted to DCFS prior to out-of-state placement.
- C. When a child's tribe informs the service worker it objects to compact placement of the child in another state, the service worker does not arrange for compact placement, unless there is no suitable placement in Washington.
- D. On request of a noncompact member tribe, the service worker assists in arranging the placement of Indian children through the compact who are not in parental custody and who are the subject of child custody proceedings in another state.
 1. The child's tribe and the sending state/agency designates the placement.
 2. Prior to receiving the child for placement, the service worker determines and documents in writing in the service file that the proposed placement does not appear to be contrary to the child's best interests.
 3. The child will not be sent to the state of Washington for placement nor will the service worker receive the child for placement if the documentation is not complete or if the service worker determines the placement is contrary to the child's best interests.
- E. The service worker:
 1. Evaluates proposed in-state or out-of-state placement in cooperation with the social services program of the child's tribe.
 2. Follows the procedures of this manual in making in-state or out-of-state placement of this child.

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10.01 INTRODUCTION

The requirements of this chapter apply to all categories of Indian children, including Canadian and unenrolled Indian children. See Chapter 03.05 for definition of "Indian child."

10.02 CRITERIA FOR LICWAC INVOLVEMENT

- A. LICWACs carry out a broad array of important activities ranging from case specific consultation and service plan development to administration consultation and program development.
- B. In providing services to Indian children and their families and following the requirements of this manual, the service worker considers a child's tribe as the primary resource for consultation and case plan development. For that reason, the service worker does not involve LICWAC in activities related to a specific case unless:
 - 1. The child's tribe is unavailable, or
 - 2. The tribe has requested LICWAC involvement, or
 - 3. The case requires a Child Protective Team (CPT) staffing and the procedures in Chapter 05.40 have been followed, or
 - 4. The case involves a Canadian or unenrolled Indian child and requires an administrative review (see Chapter 03.05(C) and (D) for definition of "Canadian or unenrolled Indian child").
- C. Consider a child's tribe unavailable if:
 - 1. The child's tribe has failed to respond within ten (10) days to a written request for involvement, or
 - 2. The child's tribe has indicated the tribe does not wish to actively participate in the case, or
 - 3. The child is an unenrolled Indian but is not a member of or eligible for membership in any federally or nonfederally recognized Indian tribe, or
 - 4. There is reason to believe a child may be Indian but the child's membership status has not yet been verified.
- D. If the child's tribe is unavailable and the identity of the child's tribe is known, the service worker documents the request for involvement and the tribal response in the service record.
- E. The service worker continues to seek tribal involvement even if the tribe does not respond or does not wish to actively participate in the case.
- F. If the child's tribe, after being unavailable, subsequently indicates the tribe wishes to actively participate in the case, the service worker does not further involve LICWAC in the case unless the criteria in Chapter 10.02(B), becomes applicable.

- G. If the child's tribe, after requesting LICWAC involvement, subsequently asks that LICWAC not be involved, the service worker does not further involve LICWAC unless the criteria in Chapter 10.02(B), above, becomes applicable.
- H. In the event of a conflict between the recommendations of a child's tribe and those of the LICWAC, the service worker is not required to follow the LICWAC recommendations. The service worker shall follow the requirements of this manual in giving due weight and consideration to tribal recommendations.

10.05 LICWAC - POLICY AND PROCEDURESA. Policy/Procedure for LICWAC

This policy is an extension of WAC 388-70-091, 092, 093, 095, 450, 600, 615, 620, 640; 388-73-044; RCW 13.34.25; HB 480; PL 95-608, PL 96-272; current Child Protective Team Mandates; and the DCFS Manual, 1.04 and 23.38.

B. LICWAC - Purpose

The intent of WAC 388-70-095, 388-70-450, and 388-70-600 to 640 is to ensure protection of the Indian identity of Indian children, their rights as Indian children, and the maximum utilization of available Indian resources for Indian children. To ensure this intent, information about each current and future case involving Indian children, for whom the Division of Children and Family Services or a private child placing agency have responsibility, shall be referred to a LICWAC on an ongoing basis according to the criteria of Chapter 10.02, above, and the procedures in this Chapter.

C. Amendments, Addendums, and Alternate Agreements

Amendments, addendums and/or alternate agreements may be developed at the regional level as long as the change is not contrary to a specific WAC, state law, or federal requirement. All regional addendums, amendments, and/or alternate agreements must be approved by the Director of the Division of Children and Family Services, and the Director of Indian Policy and Support Services prior to implementation.

D. Waiver

A waiver to any of the Special Indian Child Welfare WAC requirements may be granted by the Secretary of DSHS or the Secretary's designee on a case by case basis. To request a waiver the worker must submit a formal "Exception to Policy" request as outlined in the DCFS Manual, Chapter 01.13. The request should include recommendations of the local ICWAC.

10.10 DEFINITION OF INDIAN CHILD

- A. See Chapter 03.05 regarding definitions of Indian child and Chapter 03.20 regarding inquiry into a child's Indian status.

10.15 PURPOSE OF LICWAC

The purpose of a LICWAC is to:

- A. Encourage the preservation of Indian families and tribes by ensuring DCFS and private agency compliance with the Indian Child Welfare Act of 1978, provisions of H.B. 480, Indian Child Welfare WAC (ICWAC) requirements, the Tribal-State agreement, and DCFS ICWAC policy.
- B. Encourage involvement by Tribal governments and Indian Organizations in case planning for Indian children.
- C. Ensure culturally relevant resources are offered to Indian children and their families to expedite reunification efforts, including in-home family support services whenever possible; and to assist the department in developing these resources.
- D. Ensure increased participation of families, foster parents, and children in the review process.
- E. Support the efforts of tribes to exercise self-determination in Indian Child Welfare matters.
- F. Advocate for the needs of Indian children in the development and monitoring of all DCFS/private agency case plans involving Indian children.

10.20 FUNCTIONS OF LICWAC

Subject to the criteria in Chapter 10.02, above, a LICWAC performs the following functions:

- A. Review the case of each Indian child receiving services from a DCFS program or private child placing agency.

If a Washington State tribe chooses to refer a case to the local ICWAC, efforts shall be made to obtain representation from the tribe at the staffing.
- B. Act as a multi-disciplinary team for DCFS and private agency workers in the development of culturally relevant case plans.
- C. Review the DCFS and private agency workers assessment of potential risk factors and make appropriate recommendations to ensure the safety of each Indian child.
- D. Approve all potential non-Indian placements of Indian children when approval cannot be obtained directly from the tribe (see 10.35 (A) (3), regarding non-Indian placements).
- E. Participate concurrently with DCFS and private agencies in the selection of staff specifically designated to carry Indian cases.
- F. Act as the Administrative Review Team for Indian cases requiring an Administrative Review.
- G. Acts as the Child Protective Team for all Indian cases meeting the criteria of a CPT case.
- H. Requests the Regional Administrator to initiate reviews of case plans that the LICWAC believe are detrimental to the best interests of Indian children.
- I. Acts in an advisory capacity to the Regional DCFS Administrator regarding the Division's development, implementation, and monitoring of rules related to FRS, CWS, CPS, and adoption services to Indian children and their families.
- J. In cases involving Indian children who's tribes are unavailable (see Chapter 10.02, C. for definition of "unavailability"), or in other cases where the child's tribe is available but cannot provide a representative to act as an expert witness, LICWAC members may act as an expert witness, but only with the tribe's knowledge and approval.
- K. Assist DCFS, and private agency staff to research and identify the potential tribal affiliation of children whose Indian status is in question utilizing the following criteria:

1. Any party to the case, Indian tribe, Indian organization, or public or private agency informs DSHS, or the private agency that the child is an Indian child.
2. DSHS, or the private agency makes diligent inquiry and discovers information which suggests that the child is Indian.
3. Any child involved in a child custody proceeding gives reason to believe that he or she is an Indian.
4. The residence or domicile of the child, his/her biological parents, grandparents, great grandparents, or Indian custodian is known to have been within a predominantly Indian community.
5. DSHS, or the private agency, upon inquiry, is informed that the child is or has been a ward of the tribal court.

Upon obtaining actual or constructive knowledge that a child may be an Indian child, the provisions of this policy shall apply unless it is later established with reasonable certainty that the child is not an Indian child. See Chapter 03 regarding determination of a child's Indian status. Also see Chapter 03.35 and Chapter 11.14 regarding when children may be considered non-Indian.

10.25 LICWAC MEMBERSHIP

- A. LICWAC members shall be Native American/Native Alaskan people who are familiar with the special needs of Indian children residing within the particular catchment area.**
- 1. Police checks may be conducted on potential LICWAC members who would like to participate in other volunteer roles which would give them unsupervised access to children or developmentally delayed adults.**
 - 2. The LICWAC may appoint non-Indian resource persons as ex-officio, non-voting members.**
 - 3. Members are to be responsible community members who:**
 - a. Have a genuine interest in the welfare of children;**
 - b. Don't abuse alcohol/drugs;**
 - c. Don't have any convictions or felonies relating to offenses against children.**
- B. The committee shall consist of representatives designated by tribal government and urban Indian organizations. The regional administrator shall appoint committee members from among those individuals designated by Indian authorities.**
- 1. Persons designated to serve on LICWAC by tribes or urban Indian organizations shall require only a letter of designation from the respective tribe or organizations. The letter should be written directly to the respective Regional Administrator for appointment.**
 - 2. In appointing members to non-tribally based LICWACs from among those individuals designated by Indian authorities, the Regional Administrator will attempt to achieve a balanced membership that includes tribal designees and the designees of a variety of urban Indian organizations.**
- C. Community persons interested in serving on the LICWAC, but are not specifically designated by letter of appointment from a tribe or urban Indian organization shall:**
- 1. Obtain an "Application for Advisory Body Appointment" from the ICWAC chairperson or the Regional DCFS LICWAC Liaison. Upon completion of the application, applicants shall attach a current resume and two reference letters and return to the LICWAC Liaison.**

2. The Liaison reviews the application with the committee for discussion and approval. The committee shall review all applications, and may request to interview the applicants. If the applicant is approved for membership, the selections shall be sent to the regional administrator for appointment.
- D. Once an individual is selected to participate on a LICWAC, termination occurs only if the member resigns, consistently misses meetings unexcused, or a determination is made with input from the LICWAC, tribes, and urban Indian organizations that an individual is not suitable to continue to serve on the committee. If a member is found to act in a manner that is in contradiction to the intent and/or purpose of a LICWAC, their seat is immediately be vacated. The Regional Administrator shall be responsible for the termination of LICWAC members.

10.30 REGIONAL DCFS LICWAC LIAISON

- A. The regional LICWAC Liaison is to be selected and designated as a result of collaborative efforts between the LICWAC and Regional Administrator. The Liaison is responsible for providing staff support to the LICWAC, coordinating functions of the LICWAC, and assisting the LICWAC in obtaining policy clarification from the Regional Administrator and/or the Office of Policy and Support Services.
- B. Upon concurrent appointment by the Regional Administrator and the LICWAC, the LICWAC Liaison shall:
1. In cooperation with the LICWAC and DCFS Indian staff, provide mandatory training and orientation to new LICWAC members in the following areas:
 - a. Registration process. Includes completion of the standard volunteer registration card.
 - b. Confidentiality. Each member receives a verbal review of confidentiality issues as well as a written review of the confidentiality policy on the registration card. Each members signature on the card indicates a commitment to the maintenance of confidentiality.
 - c. Mileage reimbursement process.
 - d. Regional ICWAC policy and procedures.
 - e. Volunteer liability issues, including coverage through Labor and Industry and attorney general representation.
 - f. DCFS programs and process.
 - g. Indian Child Welfare Act, PL 95-608.
 - h. Requirements of Title IV-B, PL 96-272.
 - i. Washington State Indian Child Welfare Act. HB 480
 - j. Risk Assessment.
 - k. Child Abuse Reporting Law.
 2. Schedule and coordinate LICWAC staffings, Indian CPT reviews, and Indian Administrative Reviews.
 3. Along with administrative clerical support, ensures minutes on all cases reviewed by LICWAC are recorded and distributed in a timely manner. Distribution shall include one copy for the service record and one copy in a central file readily available for LICWAC review.

4. Develop, update, and approve working agreements with private child placing agencies within the region regarding the provision of Indian child welfare services on an annual basis. The LICWAC Liaison also monitors agreements for compliance with state and federal Indian child welfare mandates and notifies the appropriate DCFS Regional Licensor of agencies that are out of compliance and in need of a corrective action plan.
5. Identify training opportunities and ensure LICWAC members, tribal representatives, and private agency staff are included in DCFS and other ICW trainings related to the delivery of Indian Child Welfare services, i.e., DCFS Training Academy, Risk Assessment, and trainings sponsored by Indian programs.
6. Ensure appropriate material is mailed by DCFS clerical staff to all LICWAC members and designated private agency staff.
7. Authorize mileage for LICWAC members.
8. Identify, advocate and assist in the development of resources to meet the special unmet needs of Indian children and their families.

10.35 CASES MANDATED FOR LICWAC REVIEW

- A. All DCFS and private agency Indian cases meeting the criteria in Chapter 10.02, above, are to be reviewed by the LICWAC. If a Washington State Indian tribe requests the local ICWAC review the case, the LICWAC Liaison shall make documental efforts to obtain representation from the child's tribe at the case review.

Staffing Priorities:

1. Child Protective Team staffings.
 - a. Subject to the criteria in Chapter 10.02, above, all Indian cases in which a child has been sexually or physically abused, and the case plan is to not remove the child from the home or to return the child to the home contrary to professional advice.
 - (1) Once a case is identified as a CPT case, the supervisor contacts the LICWAC Liaison for a review to be scheduled within 48 hours.
 - (2) The Liaison gives immediate verbal notice to LICWAC members followed by immediate written notice.
 - (3) Once the initial review has been conducted, LICWAC recommendations are implemented unless the Regional Administrator decides not to implement the recommendations. If this occurs, procedures related to an impasse are initiated. See Chapter 10.60.
 - (4) Unless subsequent CPT staffings are necessary, the LICWAC conducts further reviews only if the child's tribe is unavailable or requests further LICWAC involvement. See Chapter 10.02, above. In such cases, future reviews will be scheduled at the initial staffing, and the case must be reviewed on an on-going basis at a minimum of every six months until the case is closed or the criteria for LICWAC involvement ceases to exist.
 - (5) A quorum for a CPT case consists of no less than five LICWAC members representing medical, legal/law enforcement, drug/alcohol, and social service disciplines.
 - (6) If the LICWAC lacks the capacity to serve as the CPT, the case is staffed with the Local CPT. At least two LICWAC members are included in the local CPT staffing.

NOTE: All other case reviews require a Quorum of at least three ICWAC members.

2. Administrative Reviews.

- a. Subject to the criteria in Chapter 10.02, above, any Indian case where a full in-court review has not occurred for six months since the child's placement out of the home.
 - (1) The caseworker shall provide notification to all interested parties: parent(s)/Indian custodian, child (if age 12 or older), GAL, foster parents, attorneys, therapists, tribes, and LICWAC Liaison. The Liaison shall notify LICWAC members. Notice shall be in writing 14 days in advance; or in an emergency, notice can be made through personal contact by the caseworker.
 - (2) These cases shall be reviewed a minimum of every six months.
 - (3) A quorum consists of three LICWAC members.

3. Non-Indian Placement Cases.

- a. Subject to the criteria in Chapter 10.02, above, all Indian cases where an Indian child is placed in a non-Indian placement resource.
 - (1) Prior to placing an Indian child in a non-Indian foster home the service worker must follow the requirements of Chapter 07.30 and 07.35 of this manual.
 - (2) If the service worker determines a child's tribe is not available to provide decision, review and approval of the placement, the worker notifies the LICWAC Liaison. The Liaison schedules a staffing to be held within seven working days following the notification by the service worker. See Chapter 10.01.
 - (3) The initial staffing shall be conducted as a regular LICWAC review. The worker's presentation should include a summary of efforts to obtain permission from the tribe for the non-Indian placement.
 - (4) If LICWAC approves a non-Indian placement, the approval is good for a four month period. During this time, efforts to seek Indian placement resources shall continue.
 - (5) Non-Indian placements continuing beyond the initial 4 month approval period shall be reviewed by LICWAC on a monthly basis and may be extended month to month with LICWAC approval.

- (6) If at any time a child's tribe approves a placement, it is not necessary to obtain LICWAC approval of the placement.
- (7) A quorum for a non-Indian placement review consists of three LICWAC members.

4. Permanency Planning cases.

- a. Subject to the criteria in Chapter 10.02, above, all Indian cases in which the plan is to terminate parental rights, pursue guardianship, maintain a child in a long term foster care placement, or pursue an adoptive placement.
 - (1) These cases shall be reviewed and monitored for compliance with state and federal Indian child welfare mandates at least every six months.
 - (2) Prior to placing an Indian child with a family, the service worker shall follow the requirements of Chapter 08.45 and 08.50 of this manual.
 - (3) If the service worker determines a child's tribe is not available to provide review and approval of the placement decision, the service worker must obtain LICWAC approval of the placement.
 - (4) The adoption placement is reviewed as provided in Chapter 08.65. The purpose of the review shall be to assess the suitability of the placement. The non-Indian adoptive parents shall be encouraged to seek out resources from the child's tribe or ICWAC to assist them in meeting their adoptive Indian child's needs at any age.
 - (4) A quorum consists of three LICWAC members for permanency planning cases.

5. Private agency cases.

- a. Subject to the criteria in Chapter 10.02, above, all Indian cases in which a private agency has custody or is providing services.
 - (1) All private agency cases meeting the criteria of Chapter 10.02, above, are required to be reviewed by the LICWAC.
 - (2) The private agency worker notifies the DCFS LICWAC Liaison immediately upon identifying a child who is or may be an Indian child and who meets the criteria of Chapter 10.02, above.

- (3) The liaison schedules the case for LICWAC review at the next regular LICWAC meeting.
- (4) Each private agency case is reviewed at least every six months or more often if determined necessary by the LICWAC.
- (5) Private agency cases are subject to all provisions in this policy. If it is a CPT case, the CPT provisions shall apply. If the case involves a non-Indian placement, the staffing requirements for non-Indian cases shall apply, etc.
- (6) A quorum for a private agency staffing is dependent on the type of case, i.e., CPT cases require the presence of five LICWAC members, all other cases require three members.

6. Voluntary placements.

- a. Subject to the criteria in Chapter 10.02, all Indian cases in which the parent(s) have voluntarily placed their child in the custody of the DCFS or a private child placing agency.
 - (1) Indian voluntary placement cases are scheduled for LICWAC review at the next regularly scheduled meeting from the point of intake.
 - (2) If the placement is a non-Indian placement, the staffing provisions for non-Indian cases shall apply. See Chapter 10.35(A)(3) and (4), above.
 - (3) If the placement is an Indian placement and meets the criteria of Chapter 10.02, above, the case is scheduled for review at least every six months, or more often if determined necessary by the LICWAC or if required by the provisions of this manual.
 - (4) A quorum for a voluntary placement review consists of three LICWAC members.

7. Any other Indian cases.

If a case meets the criteria of Chapter 10.02, above and a significant change occurs in the plan or with the case in any of the identified staffings categories, it must be re-staffed at the next LICWAC review prior to any court hearings.

10.40 WHO CAN REQUEST A STAFFING

The service worker may initiate a case staffing at the request of members of tribal councils and/or urban Indian organizations, or members of the LICWAC committee.

10.45 WHO CAN ATTEND A STAFFING

- A. The service worker shall always be the primary presenter and shall be in attendance.
- B. All appointed and registered LICWAC members.
- C. Parents.
- D. Child(ren) - usually over 13 years of age.
- E. Foster parents, upon agreement by the caseworker and the LICWAC chairperson.
- F. Tribal Representatives.
- G. Guardian Ad Litem, upon agreement by the caseworker and LICWAC chairperson.
- H. Attorneys, upon agreement by the caseworker and LICWAC chairperson.
- I. Other resource persons necessary for additional information.

10.50 RELATIONSHIPS OR CONFLICTS OF INTEREST

LICWAC members who are expressly familiar, related, or involved in another capacity with the parties being reviewed shall state their role/relationship prior to the review. They shall give in-put on the situation but refrain from being involved in making any recommendations if:

- A. They are related (up to the specified degree of 2nd cousin).
- B. They work for a private agency providing placement or services to the family.
- C. Upon discussion, it is determined that they are in an advocacy role with one or more individuals in the family.

10.55 STAFFING PROTOCOL

- A. For DCFS cases the DCFS Supervisor screens all Indian cases meeting the criteria in Chapter 10.02, above, and requests the appropriate type of staffing for each case.
- B. The service worker completes a current ISP (DSHS 15-209) to be used in the staffing which is given to the liaison five days in advance of the staffing.
- For CPT cases the police report may be used in lieu of the ISP for the initial staffing.
- C. For DCFS cases, the clerical support staff of DCFS make at least three (3) copies of the ISP and distribute them for review at the staffing.
- D. The child's service record shall be available at the staffing, including: all psychological reports, all medical reports, counseling reports, professional correspondence, police reports, pictures, verification of Indian status, ethnic identity form (for private agency cases) and all court reports.
- E. The ISP, including attachment A, must have the supervisor's signature indicating the supervisor concurs with the presented plan.
- F. The Chairperson opens each meeting with an announcement that members are to declare relationships or involvements as cases are presented.
- G. The ISP/Police Report is reviewed along with any other pertinent material and discussion takes place along with questions regarding the history of the case, services being offered and approved, progress being made, barriers to reunification, and time-frames as to when the permanent plan is most likely to be accomplished.
- H. The LICWAC Liaison documents all recommendations clearly on the Administrative Review Form (DSHS 05-203) or a LICWAC Staffing Form that includes all the documented recommendations.
- I. The LICWAC Chairperson or secretary reads the recommendations, and all LICWAC members vote or otherwise concur with the recommendations made. The recommendations are incorporated in the case plan and the form is signed.
- J. The service worker reviews the written LICWAC recommendations at that point. If the service worker is in agreement with the LICWAC recommendations and plans to implement those recommendations as part of the case plan, the service worker signs the form. If the service worker is not in agreement with the LICWAC recommendations, the service worker does not sign the form. The service worker shall advise the LICWAC at that time of the service worker's points of disagreement. Further discussion and mediation can take place regarding the disputed recommendations.

- K. If after mediation and discussion the disagreement is not resolved; and the majority of LICWAC members vote to pursue the impasse, the impasse procedures are initiated.

10.60 IMPASSE PROCEDURES

- A. If the service worker does not agree with the LICWAC recommendations; and the majority of LICWAC members have voted to proceed, the following impasse procedures are initiated:
1. Within 24 hours the LICWAC Liaison notifies the Regional Administrator, Area Manager, Supervisor, Service Worker and LICWAC Representatives that it is necessary to conduct an impasse staffing. Review all CPT cases within 48 hours.
 - a. An impasse with a private agency shall include: the DCFS Regional Administrator, the private agency director, the private agency caseworker, the private agency casework supervisor, the DCFS area manager responsible for regional licensing, the regional licensor, and LICWAC representatives.
 - b. If the private agency impasse is not resolved at the regional level, it is appealed in the same manner as a DCFS impasse.
 2. If the LICWAC considers the child involved in the case to be in imminent danger or at serious risk, the CPT guidelines are enforced; the child is placed out of danger until a staffing with the Regional Administrator has been held, within 24 hours.
 3. If a court hearing is imminent in a DCFS case, the service worker requests the Assistant Attorney General (AAG) seek a continuance to provide additional time to reconcile differences unless a party other than DCFS disagrees.
 4. If the court hearing is not rescheduled, an impasse staffing will shall be held within the 24 hour time-frame.
 5. If the impasse is not resolved at the regional level after notification by the LICWAC Chairperson or Liaison the Division director reviews the case within 24 hours.
 6. If the impasse is not resolved at the Division level, the Assistant Secretary for DCFS and the Director of the Office of Indian Policy and Support Services are notified within 24 hours to schedule another meeting.
 7. If the impasse is not resolved at the Assistant Secretary's level, the Secretary for DSHS is notified within 24 hours to schedule another meeting and shall make the final determination.

10.65 DISCIPLINARY AND CORRECTIVE ACTION

A caseworker found to WILLFULLY REFUSE to abide by the policies established for LICWAC shall be handled in a manner consistent with personnel policy 545 and 546 and the provisions of the Merit System Rules for employee disciplinary action.

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11.01 INTRODUCTION

- A. The service worker follows the procedures in this Chapter when providing casework or placement services to Canadian or unenrolled Indian children.
- B. In addition to following the requirements of this Chapter, the service worker also follows the requirements of the DCFS Manual as indicated below:
 - 1. Chapter 23 - Juvenile Court Process
 - 2. Chapter 24 - Family Reconciliation Services
 - 3. Chapter 26 - Child Protective Services
 - 4. Chapter 32 - Child Foster Family Care
 - 5. Chapter 36 - Adoption Services
- C. If there is a conflict between the provisions of this Chapter and the provisions of the DCFS Manual, the service worker follows the procedures in this Chapter.

11.05 DEFINITIONS

For purposes of this chapter, the following definitions apply:

- A. Canadian Indian Child - A Canadian Indian child is an unmarried person under the age of 18 who is a member of a treaty tribe, Metis community, or a nonstatus Indian community from Canada. See Chapter 12 for Canadian tribal contact information.
- B. Unenrolled Indian Child - An unenrolled Indian child is an unmarried person under the age of 18 who does not meet the definitions of an Indian child (defined in Chapter 03.05(A)), a Washington State Indian child (defined in Chapter 03.05(B)), or a Canadian Indian child (defined in A., above). Regardless of enrollment or membership status, an unenrolled Indian child is a child that is considered to be Indian by a federally or nonfederally recognized Indian tribe or an off-reservation Indian/Alaska native community organization.
- C. Child's Tribe (Canadian Indian child) - A tribe, Metis community, or nonstatus Indian community from Canada in which the child is a member.
- D. Child's Tribe (Unenrolled Indian child) - A nonfederally recognized tribe in which the child is a member or eligible for membership.

The requirements of this Chapter pertaining to a "child's tribe" do not apply to cases involving unenrolled Indian children who are not members or eligible for membership in a nonfederally recognized tribe.

11.10 DETERMINATION OF CHILD'S INDIAN STATUS11.11 Inquiry Into Child's Indian Status

Upon acceptance of a case for service, the service worker follows the requirements of Chapter 03.20 in seeking to discover whether the involved child is of Indian ancestry. **THIS WILL BE DONE IN EVERY CASE.**

11.12 Verification of Child's Canadian Or Unenrolled Indian Status

The service worker follows the requirements of Chapter 03.25 regarding verification of a child's Indian status.

11.13 Determination of Canadian Indian Or Unenrolled Indian

- A. Determination of a child's membership status in a Canadian tribe/band, Metis community, or nonstatus Indian community from Canada is to be made by the tribe/band or community. A determination by the tribe/band or community regarding membership is final. **THE SERVICE WORKER DOES NOT DETERMINE A CANADIAN INDIAN CHILD'S MEMBERSHIP STATUS.**
- B. A Indian child is considered unenrolled if any of the following circumstances exist:
1. The child is listed as a status Indian on the Canadian Federal Indian Register.
 2. The child is a member or eligible for membership in a nonfederally recognized Indian tribe. Determination of a child's tribal membership status is to be made by the tribe. A tribal determination of membership or eligibility for membership is final. **THE SERVICE WORKER DOES NOT DETERMINE AN UNENROLLED INDIAN CHILD'S MEMBERSHIP STATUS.**
 3. A Canadian tribe/band or a federally or nonfederally recognized Indian tribe verifies the child is considered Indian by the tribe/band.
 4. An off-reservation Indian/Alaska native community organization verifies the child is considered Indian by the organization.
- C. If a child is a member of more than one Canadian tribe/band or community or if a child is a member or eligible for membership in more than one nonfederally recognized tribe, the service worker provides notification to each of the tribes and, with respect to each tribe, follows all other applicable procedures in this Chapter. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

11.14 When The Child May Be Considered Non-Indian (Canadian or Unenrolled)

- A. The provision of this Chapter shall be followed until it is established with reasonable certainty that the child does not meet the definition of a Canadian unenrolled Indian child found in Chapter 11.05 (A) and (B). If the child does not meet either of the above definitions, the child is not considered a Canadian or unenrolled Indian child, and the provisions of this Chapter do not apply.

The service worker documents in the service record the actions taken to identify the child's status in accordance with the requirements of this chapter and the basis for concluding that none of the above definitions apply.

- B. In cases where the service worker has requested verification of a child's Indian status as required by this Chapter and has not received a response to such request(s), the service worker may consider a child Non-Indian and need not follow the provisions of this Chapter if ALL of the following requirements are satisfied:
1. The service worker has followed the procedures in Chapter 11.12 regarding verification of the child's Canadian or unenrolled Indian status.
 2. If verification was not provided within 15 days following the date the written request for verification was sent, the service worker has sent a second request and has contacted the tribe/band and/or Indian/Alaska native community organization by telephone.
 3. Verification has not been provided within 15 days following the date of the second request and neither a tribe/band nor an Indian/Alaska native community organization has requested additional time for verification.
 4. If additional time for verification was requested, verification has not been provided within 45 calendar days after the first written request for verification was sent. See B (2) above.
 5. The service worker has provided all available information regarding the child's family history to the tribe/band or Indian/Alaska native community organization and has taken reasonable steps to obtain and provide any additional information requested by the tribal/band organization.
 6. The child is not an Indian child, as defined in Chapter 03.05(A). See Chapter 3 regarding determination of a child's Indian status.

7. The service worker has documented in the service record all information necessary to demonstrate compliance with the preceding requirements, including the name, address, and telephone number of the person(s) contacted for purposes of verifying the child's Indian status.
- C. If it has been identified as non-Indian in accordance with the provisions in B., above, and it is subsequently verified that the child does meet either of the definitions in Chapter 11.05 (A) or (B), the service worker follows the requirements of this Chapter in performing casework or placement activities AFTER the date the child's status is verified.

A tribe/band and/or Indian/Alaska native community organization may verify a child's status as a Canadian or unenrolled Indian orally or in writing. If the verification is oral, the service worker documents in the service record the date verification was provided and the name, address, and phone number of the person who provided the verification.

11.20 GUIDELINES REGARDING DISCLOSURE OF CONFIDENTIAL RECORDS/INFORMATION

The guidelines set forth in Chapter 4 shall apply to the disclosure of confidential records/information pertaining to Canadian or unenrolled Indian children.

11.30 CASEWORK SERVICES PRIOR TO SUPERIOR COURT INVOLVEMENT11.31 Provision of CPS Case Record Material To Indian Tribes

In cases involving Canadian Indian children or children who are members or eligible for membership in a nonfederally recognized tribe, the service worker furnishes to the child's tribe such information as is specified in Chapter 05.20 (B). See Chapter 11.05 (C) and (D) for definition of "child's tribe."

11.32 Indian Interpreter - CPS Cases

The service worker follows the requirements of Chapter 05.15 regarding involvement of an Indian interpreter following receipt of a screened-in child abuse/neglect complaint or referral.

11.33 Services For Indian Families Prior To Court Action

- A. Before filing a dependency, guardianship, or involuntary termination petition, the service worker provides social services to the family for the protection of a Canadian or unenrolled Indian child when:
1. The circumstances of the family, viewed in light of the prevailing social and cultural conditions and the way of life of the Indian community, require the provision of social services for the child and to support the relationship between the child and the parent(s), and
 2. The services actively provided by the service worker are of a remedial nature designed to rehabilitate and prevent the breakup of the family.

If a child is a Canadian Indian child or is a member or eligible for membership in a nonfederally recognized tribe, the above services are jointly developed and, whenever possible, provided in consultation with the social services program of the child's tribe. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

11.34 Remedial and Rehabilitative Services Plan

The remedial and rehabilitative service plan the service worker provides are based on a plan designed to effectively address and eliminate problems that are destructive to the family. The service worker designs a plan:

- A. Ensuring reasonable efforts are made to prevent or eliminate the need for removal of the child from the family home.

- B. Is formulated with the direct collaboration of the child's parent(s) and the child (if of sufficient age), grandparents (when appropriate) and the child's tribe. See Chapter 11.05 (C) and (D) for definition of "child's tribe."
- C. Takes into account the prevailing social and cultural conditions in the child's Indian community.
- D. Encourages maintenance of an ongoing familial relationship between the parent(s) and the child, as well as between the child, his/her siblings, and other members of the child's extended family throughout the time that the child is engaged in efforts to prevent family breakup.
- E. Encourages maintenance of the child in his/her own family residence.

11.35 Child Protective Team (CPT) Staffings

Whenever a CPT staffing is necessary for a case involving a Canadian or unenrolled Indian child, the service worker arranges for a CPT staffing with the LICWAC. See Chapter 10 regarding LICWAC procedures.

11.36 Implementation of the Service Plan

The service worker's implementation of the plan stresses using and involving, where available, community services and resources specifically for Indian families. These include:

- A. Extended family.
- B. Tribal social services and other programs.
- C. Indian organization programs aimed at preventing family breakup. See Chapter 14 for definition of "Indian organization."
- D. Traditional Indian therapy administered by traditional practitioners, where appropriate.
- E. Individual Indian care givers having skills to help the family.

11.40 JURISDICTION/TRIBAL INTERVENTION

11.41 Jurisdiction

- A. Indian tribes, whether located in the United States or Canada, generally do not have jurisdiction over child custody proceedings involving Canadian or unenrolled Indian children. If the circumstances of a particular case require court involvement, the service worker files the proceeding in the Juvenile/Superior Court for the county in which the child resides or in which the child is located.

A child's residence is generally deemed to be that of the parent(s) or legal custodian.

11.42 Tribal Intervention In State Court Proceedings

- A. Indian tribes do not have a right under the federal Indian Child Welfare Act to intervene as a party in state court proceedings involving Canadian or unenrolled Indian children. In such cases, the tribe may file a motion for intervention under Civil Rule 24 of the Rules for Superior Court. (CR 24). If the court determines the tribe has a sufficient legal interest in the proceeding, the tribe may be allowed to intervene as a party.
- B. The service worker does not oppose a request for intervention filed by:
1. A Canadian tribe/band which has verified the child is a member of the tribe/band, or
 2. A nonfederally recognized tribe which has verified the child is a member of or eligible for membership in the tribe.

11.50 VOLUNTARY CONSENTS11.51 Voluntary Consent to Foster Care Placement/Relinquishment/Termination or Adoption

- A. Voluntary consents to foster care placement/relinquishment/termination of parental rights or adoption of Canadian or unenrolled Indian children are NOT subject to the requirements of the federal Indian Child Welfare Act or state statutory requirements pertaining to Indian child welfare.
- B. Except as otherwise specifically provided in this Chapter, the service worker follows the laws, regulations, and DCFS Manual provisions applicable to non-Indian cases whenever the service worker assists the parent of a Canadian or unenrolled Indian child to execute a voluntary consent.
- C. When a parent seeks to execute a voluntary consent to foster care placement/relinquishment/termination of parental rights or adoption, the service worker:
1. Informs the parent of:
 - a. Placement preference requirements, and
 - b. Requirements for notification of the child's tribe and extended family members.
 2. Encourages the parent to contact an Indian interpreter or a representative of the social services program of the child's tribe assuring that consent is voluntary and that the parent understands what he/she is doing. See Chapter 11.05 (C) and (D) for definition of "child's tribe" and Chapter 14 for definition of "Indian interpreter."
- The service worker documents the encouragement in the case record. If the service worker refers the parent to an identified individual, the service worker documents the date of the referral and the name of the individual to whom the referral was made.
- D. Prior to accepting a voluntary consent, the service worker:
1. Encourages the parent to contact the child's tribe regarding available services to:
 - a. Assist the parent to retain custody of the child;
 - b. Maintain the parent-child relationship during any foster care placement, and
 - c. Further the child's family and tribal relationship. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

2. Documents in the service record efforts to have the parent contact the child's tribe regarding available services.

If the service worker refers the parent to an identified individual within the child's tribe, the service worker includes documents in the service record the referral date and the name of the individual to whom the referral was made.

11.52 Explanation of Consent Form

- A. The service worker fully explains the consent form to the child's parent prior to obtaining the parent's signature on the form. The service worker uses DSHS 09-763, for cases involving foster care placement and uses DSHS 09-663, Relinquishment, Consent to Termination/Adoption, for cases involving voluntary relinquishment/termination of parental rights.

The service worker uses an Indian interpreter, whenever possible, to explain the form to the parent. See Chapter 14 for definition of "Indian interpreter."

- B. The service worker requires the parent to read the consent form prior to obtaining the parent's signature on the form.
 1. If the service worker has a doubt about the parent's ability to read and understand the consent form, the service worker reads the form to the parents.
 2. If there is any doubt about the parent's ability to understand English, the service worker arranges to have the form read and explained to the parent in his/her primary language.
- C. After obtaining the parent's signature on the form, the service worker gives the parent a copy of the signed consent form.

11.53 Court Proceedings - Voluntary Relinquishment/Termination

- A. If the service worker files a petition for court approval of a parent's consent to relinquishment or for termination of parental rights under RCW 26.33 (Adoption), the service worker indicates on the petition that the child is of Canadian Indian or Native American descent but does not meet the federal Indian Child Welfare Act definition of "Indian child." See Chapter 11.63 (A)(1) for further explanation.

The service worker also completes and files with the court a Declaration of Adoption Facilitator, DSHS 09-765.

- B. On filing a relinquishment/termination petition, the service worker notifies the child's tribe by telephone of the date, time, and place of any court proceeding to obtain court approval of the relinquishment or terminate parental rights. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

The service worker also sends written notice to child's tribe. DSHS 09-537, Notice To Non-Federally Recognized or Canadian Tribe/Band.

- C. If the child's tribe requests to intervene in the proceeding, the service worker does not oppose intervention.

11.54 Placement/Post-Placement Activities

- A. The service worker follows the requirements of Chapter 11.73 regarding notice to the child's extended family.
- B. The service worker follows the placement preference requirements in Chapter 11.72.
- C. Following the placement of a Canadian or unenrolled Indian child pursuant to a voluntary consent, the service worker provides post-placement services under requirements of Chapter 11.79.

11.55 Withdrawal of Consent to Foster Care Placement/Relinquishment/Termination or Adoption

- A. If a parent of a Canadian or unenrolled Indian child withdraws a consent to foster care placement at any time or if a parent withdraws a consent to relinquishment/termination or adoption prior to entry of an order terminating parental rights, the child is returned to the custody of the parent unless:
1. A court order for foster care placement was previously entered and the order remains in full force and effect, or
 2. Return of custody would likely cause an emergency resulting in imminent physical harm to the child.

The service worker returns custody to the parent(s) unless a law enforcement pickup has been initiated or a shelter care/pickup order has been entered. See Chapter 11.62 regarding shelter care placement.

- B. If the child is returned to the custody of the parent(s) following withdrawal of a consent to relinquishment/termination or adoption, the service worker, assists the child to make a successful as possible return to the custody of the parent(s). Assistance includes:

1. Helping the child adjust emotionally and psychologically to the change in placement.
2. Helping the parent(s) understand and effectively meet the child's needs.
3. Helping the foster/preadoptive family or placement facility assist the child to make a successful transition back to parental custody.

11.56 Changing Voluntary Into Involuntary Placement

- A. Except in emergency circumstances, service worker notifies the child's parents (including an alleged father) and the child's tribe of a decision to change a voluntary foster care placement into an involuntary foster care placement. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

In emergency cases, the service worker follows the procedures in Chapter 11.62 of this manual.

- B. The service worker does not petition any court for an involuntary foster care placement when the petition is based solely on the prior voluntary child placement.

11.60 INVOLUNTARY PROCEEDINGS11.61 Preconditions For Filing a Dependency, Guardianship Or Involuntary Termination Petition

- A. Except in emergency cases, the service worker follows the requirements set forth in 11.61 (B), before filing a dependency, guardianship, or involuntary termination petition in Juvenile Court.
- B. Before filing a dependency, guardianship, or involuntary termination petition, the service worker:
1. Makes active efforts to comply with the requirements of Chapter 11.30, Casework Services Prior to Superior Court Involvement, to prevent the breakup of the Indian family.
 2. Consults with the social services program of the child's tribe for purposes of service/placement resource identification and case plan development. See Chapter 11.05 (C) and (D) for definition of "child's tribe." See Chapter 04 regarding confidentiality.
 3. Makes reasonable efforts to agree to family service plans and legal arrangements designed to protect the child and eliminate the need for filing a petition in Juvenile Court.
- C. The service worker does NOT file a dependency, guardianship, or involuntary termination petition in Juvenile Court when the only grounds for such a petition are evidence of:
1. Community or family poverty.
 2. Crowded or inadequate housing.
 3. Alleged alcohol abuse or other nonconforming social behaviors on the part of the parent(s).
- D. When filing a petition, the service worker only considers the above factors when it can be demonstrated such factors are directly connected to evidence of serious emotional or physical harm to the child.

11.62 Shelter Care Placement

- A. The service worker may take steps to arrange for emergency pickup of a Canadian or unenrolled Indian child by law enforcement or to obtain a Juvenile Court order authorizing placement of the child in shelter care.
1. The service worker does not seek shelter care placement or a shelter care order unless the placement is necessary to prevent imminent physical damage or harm to the child or sexual abuse of the child.

2. Whenever a child is placed in DSHS custody pursuant to an emergency pickup by law enforcement, a hospital/medical hold, or a court order authorizing emergency shelter care placement, the service worker gives the child's parents/caretaker a copy of the Parent's Guide to CPS, DSHS 22-484(X) and a copy of the Temporary Custody Notification form, DSHS 09-731.
 3. Unless a child is returned to the child's parent(s) within 72 hours following shelter care placement of the child, the service worker arranges for a juvenile court shelter care hearing. The hearing must be held within 72 hours following the child's shelter care placement.
- B. Following placement, the service worker:
1. Makes reasonable efforts to return the child home.
 2. Takes necessary steps ensuring the shelter care placement ends immediately when the placement is no longer necessary to prevent imminent physical damage or harm to the child or sexual abuse of the child.
 3. Immediately return the child to his/her parent(s) when the placement ends.
- C. The initial shelter care placement is not to extend for a period longer than 72 hours (excluding Saturdays, Sundays, and holidays), unless the service worker obtains a Juvenile Court order approving a longer period of placement.
- D. Following knowledge of the need for an emergency shelter care placement of a Canadian or unenrolled indian child, the service worker consults with the social services program of the child's tribe for purposes of service/placement resources identification and case plan development. See Chapter 11.05 (C) and (D) for definition of "child's tribe."
- The service worker staffs the case with LICWAC if the child's tribe is unavailable. See Chapter 10 for LICWAC procedures.
- E. The service worker follows the foster care placement preferences found in Chapter 11.72.
1. The service worker may make an emergency shelter care placement that is not within the placement preferences found in Chapter 11.72 if the service worker has made diligent and documented efforts to place the child within the placement preferences.
 2. When a child is not initially placed in accordance with the placement preferences, the service worker continues efforts to place the child in accordance with the preference requirements of Chapter 11.72.

- F. Once a Canadian or unenrolled Indian child has been placed in shelter care, the service worker provides post-placement services in accordance with the requirements of Chapter 11.79.

11.63 Dependency (RCW 13.34)

- A. To commence a dependency proceeding, the service worker (or the agency's legal representative) completes and files a dependency petition, DSHS 09-428(X), with Juvenile Court.
1. A Canadian or unenrolled Indian child does NOT fall within the federal ICWA definition of "Indian Child"; i.e., a child who is (a) a member of a federally recognized Indian tribe, or (b) eligible for such membership and is the biological child of a tribal member. For that reason, the federal ICWA does not apply to child custody proceedings involving Canadian or unenrolled Indian children.
 2. When the service worker files a dependency petition on a Canadian or unenrolled Indian child, the service worker indicates on the petition that the child is of Canadian Indian or Native American descent but does not meet the federal Indian Child Welfare Act definition of "Indian child."
- B. The service worker sends notice of the proceeding to the child's tribe. DSHS 09-537, Notice To Non-Federally Recognized or Canadian Tribe/Band. See Chapter 11.05 (C) and (D) for definition of "child's tribe."
- C. If the child's tribe requests to intervene in the proceeding, the service worker does not oppose intervention.
- D. The service worker provides a copy of the dependency order and a copy of any order dismissing dependency to the child's parents.
- If the court allows the child's tribe to intervene in the proceeding, the service worker also provides to the tribe a copy of the dependency order and a copy of any order dismissing dependency.
- E. If a Canadian or unenrolled Indian child is placed in out-of-home care as part of a dependency disposition, the service worker:
1. Follows the placement preference requirements found in Chapter 11.72.
 2. Follows the requirements of Chapter 11.73 regarding notice to the child's extended family.

- F. Prior to preparing a social study/report to court and/or ISP for the dispositional hearing or for dependency review hearings, the service worker consults with the social services program of the child's tribe for purposes of service/placement resource identification and case plan development. See Chapter 11.05 (C) and (D) for definition of "child's tribe."
1. If the child's tribe is unavailable, the service worker staffs the case with LICWAC. See Chapter 10 regarding LICWAC.
 2. The service worker includes the recommendations of the child's tribe and/or LICWAC in the report to court or ISP.
- G. The service worker notifies the child's tribe of dependency review hearings in Juvenile Court involving Canadian or unenrolled Indian children. DSHS 09-537, Notice to Non-Federally Recognized or Canadian Tribe/Band.
- H. The service worker follows the requirements of Chapter 11.63 (F), above, in preparing the report to court and/or ISP for the dependency review hearing.
- I. If a Canadian or unenrolled Indian child is placed in foster care under a dependency proceeding, the service worker provides post-placement services in accordance with Chapter 11.79.

11.64 Alternative Residential Placement (ARP - RCW 13.32A)

- A. The service worker does not file an ARP petition in Juvenile Court unless the requirements of Chapter 26.31 (B) of the DCFS Manual are satisfied.
- B. To commence an ARP proceeding, the service worker completes and files an ARP petition with the Juvenile Court.
- C. The service worker follows the notification procedures listed below:
1. After the service worker files the ARP petition, the service worker immediately sends notice of the proceeding to the child's tribe. See Chapter 11.05 (C) and (D) for definition of "child's tribe." DSHS 09-537, Notice to Non-Federally Recognized or Canadian Tribe/Band.
 2. If the Indian child or the child's parent(s)/Indian custodian files the ARP petition and the child's tribe has not been previously notified of the ARP proceeding, the service worker sends notice to the tribe at such time as the service worker becomes involved in the proceeding; i.e., responsible for case plan development/placement recommendations.

- F. In arranging foster care placement for the child, the service worker follows the foster care placement preferences found in Chapter 11.72.

11.65 Guardianship (RCW 13.34)

- A. In developing the plan for guardianship, the service worker follows the placement preferences found in Chapter 11.72.
- B. Prior to filing the guardianship petition, the service worker consults with the social services program of the child's tribe. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

If the child's tribe is unavailable, the service worker consults with LICWAC. See Chapter 10 regarding LICWAC procedures.

- C. To commence a guardianship proceeding, the service worker (or the service worker's legal representative) completes and files a guardianship petition, DSHS 09-453, with the Juvenile Court.

The service worker indicates on the petition that the child is of Canadian or Native American descent but does not meet the federal Indian Child Welfare Act definition of "Indian child." See Chapter 11.63 (A)(1) for further explanation.

- D. The service worker sends notice of the proceeding to the child's tribe. See Chapter 11.05 (C) and (D) for definition of "child's tribe." DSHS 09-537, Notice To Non-Federally Recognized Or Canadian Tribe/Band.
- E. If the child's tribe requests to intervene in the proceeding, the service worker does not oppose intervention.
- F. The service worker provides a copy of the guardianship order and a copy of any order dismissing guardianship to the child's parents and the guardian.

If the court allows the child's tribe to intervene in the proceeding, the service worker also provides to the tribe a copy of the guardianship order and a copy of any order dismissing guardianship.

- G. When a guardianship is established, the service worker provides post-placement services as required in Chapter 11.79.

11.66 Involuntary Termination of Parental Rights (RCW 13.34)

- A. Prior to filing a termination petition, the service worker consults with the social services program of the child's tribe. See Chapter 11.05 (C) and (D) for definition of child's tribe.

If the child's tribe is unavailable, the service worker consults with LICWAC. See Chapter 10 regarding LICWAC procedures.

- B. To commence a termination proceeding, the service worker (or the agency's legal representative) completes and files a termination petition, DSHS 09-766, with the Juvenile Court.

The service worker indicates on the petition that the child is of Canadian or Native American descent but does not meet the federal Indian Child Welfare Act definition of "Indian child." See Chapter 11.63 (A)(1) for further explanation.

- C. The service worker sends notice of the proceeding to the child's tribe. See Chapter 11.05 (C) and (D) for definition of "child's tribe." DSHS 09-537, Notice To Nonfederally Recognized Or Canadian Tribe/Band.
- D. If the child's tribe requests to intervene in the proceeding, the service worker does not oppose intervention.
- E. The service worker provides a copy of the termination order and a copy of any order dismissing the termination proceeding to the child's parents.

If the court allows the child's tribe to intervene in the proceeding, the service worker also provides to the tribe a copy of the termination order and a copy of any order dismissing the termination proceeding.

- F. Whenever parental rights are involuntarily terminated, the service worker provides post-placement services as required in Chapter 11.79.

11.70 PLACEMENT ACTIVITIES11.71 Introduction

- A. When a case involves the foster care placement or pre-adoptive placement of a Canadian or unenrolled Indian child, the service worker follows the requirements of this Chapter.
1. "Pre-adoptive" placement means temporary placement of a Canadian or unenrolled Indian child following termination of parental rights, but prior to or in lieu of adoption placement.
 2. The service worker follows the requirements of Chapter 11.80 in making an adoptive placement (permanent placement for adoption) of a Canadian or unenrolled Indian child.
- B. Prior to placing a Canadian or unenrolled Indian child in the home of a person other than the child's parent(s), the service worker makes reasonable efforts to prevent or eliminate the need for removal of the child from the family home. When making case planning or placement decisions for the child, the service worker considers the child's parent(s) as the primary resource for the child. If out-of-home placement is necessary, the service worker places the child in accordance with the order of preference listed in this Chapter.

11.72 Placement Preferences - Foster Care/Pre-Adoption Placement

- A. In any foster care or preadoptive placement of a Canadian or unenrolled Indian child, the service worker places the child in the following order of preference:
1. A member of the child's extended family (see Chapter 14 for definition of "extended family").
 2. An Indian foster family of the same tribe as the child.
 3. An Indian foster family.
 4. A non-Indian foster home specifically recruited and trained to meet the special needs of Indian foster children.
- B. For purposes of applying the above preferences, an "Indian foster family" means that at least one of the foster parents is:
1. A member of a federally recognized Indian tribe, including Eskimo, Aleut, or other Alaska Native (see Chapter 12 for a list of federally recognized tribes in the United States);
 2. A member of a treaty tribe, metis community or a non-status Indian community from Canada; or

3. Considered Indian by a federally or non-federally recognized tribe or off-reservation Indian/
- C. In seeking to place a Canadian or unenrolled Indian child in accordance with the requirements of 11.72(A), above, inform all families eligible for foster care payments of such eligibility.
- D. When applying the above placement preferences, the service worker uses the social and cultural standards prevailing in the child's tribal or Indian community.
- E. When applying the preferences, the service worker, whenever possible:
 1. Places the child in the least restrictive setting which most approximates a family and in which the child's special needs may be met.
 2. Places the child within reasonable proximity to the child's home taking into account any special needs of the child.
 3. Whenever more than one sibling is to be placed, place siblings together or in close proximity unless the placement would cause serious physical or emotional harm to one or more of the children.
 4. Locate the child where the parent has the opportunity to have regular access to the child without undue economic, physical, or cultural hardship.
 5. Enable siblings to have regular contact with one another and allow other family members to have regular access to the child.
- F. In making a foster care or pre-adoptive placement, the service worker consults with the social services program of the child's tribe for purposes of service/placement resource identification and case plan development. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

If the child's tribe is unavailable, the service worker consults with the LICWAC. See Chapter 10 regarding LICWAC procedures.

- G. The service worker makes a diligent search for a suitable placement within the order of preference before considering a non-preferred placement.

The service worker follows the requirements of Chapter 07.15 in making a diligent search.

- H. The service worker does not place the child outside of the above preference categories except as provided in Chapter 11.74.

11.73 Notice To Child's Extended Family

- A. The service worker follows the requirements of Chapter 07.20, regarding notification of the child's extended family member, whenever a Canadian or unenrolled Indian child:
1. Is placed in a nonrelative foster care placement pursuant to parental consent, dependency disposition, or termination of parental rights, or
 2. Is moved from a relative placement to a nonrelative foster care placement.
- B. If the child's parent(s) objects to notification of a particular extended family member, the service worker discusses the basis for the objection with the parent(s).
1. If the child's parent(s) is concerned that the child could be harmed by contact with the extended family member, the service worker does not notify the family member if, after consultation with the child's tribe, the service worker determines the parent(s) concerns are reasonable. See Chapter 11.05(C) and (D) for definition of "child's tribe."
 2. If the parent(s) objection is based upon a desire for anonymity or other reasons, the service worker determines, in consultation with the child's tribe whether notice to the family member is in the child's best interests. If the service worker determines family notification is in the child's best interests, the service worker notifies the child's extended family member as required in Chapter 07.20.
- C. Whenever notification is not provided to an extended family member, the service worker documents, in the child's service record the reason(s) notification was not given, including the tribe's position regarding notification. See Chapter 11.05(C) and (D) for definition of "child's tribe."

11.74 Placement Outside Preference Categories

- A. The service worker may place a Canadian or unenrolled Indian child outside of the preference categories found in this Chapter only when one or a combination of the following exist:
1. The child's tribe or the LICWAC, if the tribe is unavailable, concurs that the child's best interests require placement with a non-Indian family or other placement not within the categories. See Chapter 11.05 (C) and (D) for definition of "child's tribe" and Chapter 10 for LICWAC procedures.

2. The child has extraordinary physical or emotional needs that cannot be met by placement within the categories.
3. A diligent search for a placement within the preference categories has been completed and no suitable placement within the categories is available.

In determining the suitability of a family, the service worker evaluates the family in accordance with the social, economic, and cultural standards prevailing in the Indian community in which the child's parent(s) or extended family members reside or with which the parent(s) or extended family members maintain social or cultural ties.

4. The service worker is unable to place the child in accordance with the placement preferences due to emergency circumstances.
- B. When a service worker places an Indian child in a placement outside the preference categories due to circumstances in 11.74(A) (3) or (4) of this chapter, the service worker, in consultation with the social services program of the child's tribe or LICWAC, if the tribe is unavailable, continues to diligently seek a suitable placement within the preference categories. See Chapter 11.05 (C) and (D) for definition of "child's tribe" and Chapter 10 for LICWAC procedures.

The service worker places the child within the preference categories at the earliest possible time.

11.75 Parental and Child Placement Preferences

The service worker follows the requirements of Chapter 07.40 in considering parental or child preferences regarding placement of a Canadian or unenrolled Indian child.

11.76 Record of Placement Determination

For each foster care or preadoptive care placement determination, the service worker documents in the child's service record:

- A. Efforts to provide the parent with remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
- B. The factual basis and other circumstances, if any, for the placement determination;
- C. If siblings are not placed together, the reasons justifying separation of siblings and the steps taken to maintain the sibling relationship following placement; and

- D. Efforts made to comply with the placement preferences requirements of this Chapter.

The service worker documents in the service record the homes contacted in the course of compliance efforts, including the names and addresses of extended family members and of tribally approved homes who were contacted. See Chapter 14 for definition of "extended family member."

11.77 Change of Foster Care Placement

- A. The service worker notifies the child's tribe and, where rights have not been terminated, the parent(s) whenever a decision is made to change the foster care placement of a Canadian or unenrolled Indian child.
- B. When the service worker changes the child's foster placement, the new placement is in accordance with the placement preference requirements of this chapter.
- C. If the child is moved from a relative placement to a nonrelative placement, the service worker follows the requirements of Chapter 11.73 regarding notice to the child's extended family.

11.78 Thirty-Day Individual Service Plan (DSHS 15-209)/Administrative Reviews

- A. On or before the 30th day following the out-of-home placement of an Indian child, the service worker consults with the social services program of the child's tribe, if available, in developing the ISP. See Chapter 11.05 (C) and (D) for definition of "child's tribe." Thereafter, the service worker consults with tribal social services in developing any ISP updates.
- B. If the service worker prepares an ISP, social study or report to court for a dependency dispositional hearing or a dependency review hearing, the service worker also follows the requirements of Chapter 11.63(F).
- C. When an administrative review is necessary for a case involving a Canadian or unenrolled Indian child, the service worker arranges for a review by the LICWAC. See Chapter 10 regarding LICWAC procedures.

11.79 Post-Placement Services

- A. The service worker provides post-placement services, as required below, whenever a Canadian or unenrolled Indian child is placed in shelter care, foster care, or preadoptive care. In providing post-placement services, the service worker consults with the social services program of the child's tribe for purposes of service/placement resource identification and case plan development. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

If the child's tribe is unavailable, the service worker consults with LICWAC. See Chapter 10 regarding LICWAC procedures.

- B. Shelter Care. Following the placement of a Canadian or unenrolled Indian child in shelter care, the service worker actively provides reasonably available remedial and rehabilitative programs designed to return the child to the custody of the child's parent(s).

Such remedial and rehabilitative programs shall focus on eliminating risk to the child of sexual abuse or imminent physical harm if returned to the custody of the parent(s).

- C. Foster Care. When a Canadian or unenrolled Indian child has been placed in foster care and parental rights have not been terminated, the service worker actively provides reasonably available remedial and rehabilitative programs designed to return the child to the custody of the parent(s).

1. The remedial and rehabilitative services are based on a plan designed to address and eliminate problems that are destructive to the family. The plan is designed to take into account the prevailing social and cultural conditions in the child's Indian community.
 - a. At a minimum, the plan includes services for the family that were ordered by the Juvenile Court, as well as the other appropriate services the agency is able and willing to provide.
 - b. The service worker develops the plan with the direct collaboration of:
 - (1) The parent/Indian custodian.
 - (2) The child (if of sufficient age).
 - (3) Grandparents (when appropriate).
 - (4) The child's tribe or the LICWAC, if the child's tribe is unavailable. See Chapter 11.05 (C) and (D) for definition of "child's tribe" and Chapter 10 for LICWAC procedures.
 - c. The plan encourages maintenance of an ongoing familial relationship and maximum visitation between the parent(s) and the child, as well as between the child, his/her siblings, and other members of the child's extended family.

When possible, visitation takes place in the home of the parent(s), home of other family members or some other noninstitutional setting permitting the child and the visitors to have a natural and unsupervised interaction.

- d. The plan stresses the use and involvement, where available, of community services and resources specifically for Indian families. These include:
 - (1) Extended family members.
 - (2) Tribal social services and other programs.
 - (3) Tribal organization programs aimed at preventing family breakup.
 - (4) Traditional Indian therapy administered by traditional practitioners.
 - (5) Where available and appropriate, individual Indian care givers having skills to help the family.
2. The service worker assists the child in adjusting emotionally and psychologically to the foster care placement.
3. The service worker provides the child and/or the foster care provider with help in resolving socio-psychological problems related to placement, if so requested by the child or the care provider.

The service worker informs the foster care provider and the child (if of sufficient age) of this service.
4. The service worker provides the foster care home or facility with information on the background and special needs, if any, of the child.
5. Where necessary, the service worker instructs or arranges for instruction of the foster care home or facility in:
 - a. Foster care parenting skills.
 - b. How to best meet the child's special needs.
 - c. How to best assist the child's adjustment to foster care.
6. The service worker regularly monitors the foster care home or facility for overall suitability assuring that:
 - a. The child is not abused or neglected.
 - b. The child's special needs are addressed.
 - c. The child's relationship with the child's parent(s), siblings, extended family members and tribe is encouraged.

7. Whenever a child who is eligible for memberships in an Indian tribe or band is in foster care, the service worker seeks to secure tribal memberships for the child at the earliest possible time following placement.
- D. Guardianship. When the service worker determines a guardianship is the most appropriate placement for a Canadian or unenrolled Indian child, and a guardian is appointed for the child through Juvenile Court, the service worker:
1. Assists the child and the guardian in adjusting emotionally and psychologically to the guardianship placement.
 2. Offers other foster care support and services as may be appropriate.
 3. Provides post-placement services as required in Chapter 11.79 (c), (if parental rights have not been terminated) or Chapter 11.79 (E) (if parental rights have terminated).
 4. There is no requirement that the service worker regularly monitor the guardian's home, as required in the above listed post-placement services, unless supervision is necessary or appropriate under the circumstances of a particular case.
- E. Parental Rights Terminated. When a Canadian or unenrolled Indian child is in foster care or preadoptive placement following involuntary termination of parental rights, the service worker develops a plan for the child's care, custody and control consistent with the best interests of the child, any special needs of the child, and the culture and customs of the child's Indian community.
1. The plan is developed with direct collaboration of:
 - a. The child (if of sufficient age),
 - b. Other members of the child's extended family (when possible),
 - c. The child's tribe or LICWAC, if the child's tribe is unavailable. See Chapter 10 regarding LICWAC.
 2. The principal focus of the plan is to identify the most suitable permanent living arrangement for the child. The service worker determines whether long-term foster care, guardianship, or adoption is the most suitable plan for the child.
 3. The plan encourages maintenance of an ongoing familial relationship between the child, his/her siblings and other members of the child's extended family.

4. If the parental rights were terminated due to a voluntary relinquishment by the child's parent(s), the plan explores whether (despite the termination) return of the child to the parent(s) custody is a suitable living arrangement for the child.
 - a. If the child's return to parental custody is appropriate, the plan explores whether it is feasible to provide the child's parent(s) with remedial and rehabilitative services designed to return custody of the child to the parent(s).
 - b. If provision of services is feasible, the service worker provides the services to the parents with the goal of returning the child to parental custody.
 - c. Whenever appropriate or necessary, the service worker obtains a court order vacating the termination of parental rights.
 - d. When the plan for the child does not include the possibility of return to parental custody, the service worker provides services to the child and foster care or preadoptive home as required in this section.
5. The service worker assists the child and the natural parent in adjusting emotionally and psychologically to the termination of parental rights and to the foster care or preadoptive placement.
6. The service worker provides the child and foster care provider or preadoptive home with help in resolving socio-psychological problems related to placement if requested by the child, foster care provider or preadoptive parent.

The service worker informs the foster care provider or preadoptive parent and the child, if of sufficient age, of this service.
7. The service worker also provides the foster care provider or preadoptive parent with information on the child's background and special needs, if any.
8. When necessary, the service worker instructs or arranges for instruction of the foster care provider or preadoptive home in:
 - a. Foster care parenting skills.
 - b. How to best meet the child's special needs.
 - c. How to best assist the child's adjustment to foster care or preadoptive placement.

9. The service worker regularly monitors the foster care or preadoptive placement for overall suitability and to assure:
 - a. The child is not being abused or neglected.
 - b. The child's special needs are addressed.
 - c. The child's relationship with his/her siblings, biological family and tribe is encouraged.

10. When an Indian child who is eligible for membership in an Indian tribe or band is in foster care or preadoptive placement following termination of parental rights, the service worker seeks tribal membership for the child at the earliest possible time after the placement.

11.80 ADOPTION

11.81 Introduction

- A. Adoption is possible once a child is legally free; i.e., parental rights of both parents have been voluntarily or involuntarily terminated under the laws of the state of Washington or any other competent jurisdiction, such as another county or state.
- B. When a case involves the adoptive placement (permanent placement for adoption) of a Canadian or unenrolled Indian child, the service worker follows the requirements of this Chapter.

11.82 Parental Consent to Adoption

In accepting a voluntary consent to adoption, the service worker follows the requirements of Chapter 11.50 through 11.55.

11.83 Indian Status of Adoptive Families

- A. The service worker requests all adoptive applicants complete a copy of DSHS 15-128(X), Verification of American Indian Ancestry.

If an applicant indicates he/she is Indian, the service worker requests the applicant provide documentation that the applicant is Indian, as defined in B., below.
- B. The service worker considers an applicant Indian if the applicant establishes that he/she is:
 - 1. A member of a federally recognized Indian tribe, including Eskimo, Aleut, or other Alaskan Native (see Chapter 12 for a list of federally recognized Indian tribes in the United States), or
 - 2. A member of a treaty tribe, Metis community, or a nonstatus Indian community from Canada, or
 - 3. Considered Indian by a federally or nonfederally recognized tribe or off-reservation Indian Alaska Native community organization.
- C. The service worker considers an adoptive family to be Indian if at least one of the parents meet the criteria in B., above.
- D. If an applicant claiming Indian status is unable to provide documentation that he/she meets the criteria in B., above, the service worker consults with:

1. A representative of the Indian child's tribe, if the applicant is being considered as an adoptive placement for a specifically identified, Indian child (see Chapter 11.05(C) and (D) for definition of "child's tribe"), or
2. The LICWAC, if the child's tribe is unavailable. See Chapter 10 regarding LICWAC procedures.

11.84 Foster Parent Adoptions

- A. The child's service worker ensures the procedures in Chapter 11.71 through 11.77 have been followed in the selection of a foster care placement for the child.
- B. As part of the total evaluation in approving any foster parent adoption of a Canadian or unenrolled Indian child, the service worker:
 1. Ensures the procedures in Chapter 11.70 through 11.75 have been followed in the selection of a foster care placement for the child.
 2. Documents in the case record the foster family's past performance and future commitment to exposing the child to his/her Indian tribal and cultural heritage.
 3. Document the child's wishes regarding involvement in his/her Indian culture.
 4. Document the tribal affiliation, if any, of the foster parents and the extent to which the parents are active in tribal and Indian cultural activities.
 5. Document whether the foster family is within the placement preference categories set forth in Chapter 11.72.
 6. Document that the procedures regarding tribal or LICWAC review and approval of placement, as set forth in Chapter 11.87, have been followed.

11.85 Placement Preferences - Adoptive Placement

- A. In any adoptive placement of a Canadian or unenrolled Indian child, the service worker places the child in the following order of preference:
 1. A member of the child's extended family. See Chapter 14 for definition of "extended family."
 2. Other members of the child's tribe. See Chapter 11.05(C) and (D) for definition of "child's tribe."

3. Other families of similar Indian heritage.
 4. Other Indian families.
- B. For purposes of applying the above preference, a family is considered an "Indian family" if at least one of the prospective adoptive parents is:
1. A member of a federally recognized Indian tribe, including Eskimo, Aleut, or other Alaska Native (see Chapter 12 for a list of federally recognized Indian tribes in the United States);
 2. A member of a treaty tribe, Metis community, or a non-status Indian community from Canada, or
 3. Considered Indian by a federally or non-federally recognized tribe or off-reservation Indian/Alaska Native community organization.
- C. In exploring the suitability of families within the preference categories, the service worker informs families about the adoption assistance program and the eligibility requirements for the program.
- The service worker assists families who may be eligible for the program to apply for adoptive support.
- D. When applying the above placement preference, the service worker:
1. Uses the social and cultural standards prevailing in the child's tribal or Indian community, and
 2. Gives priority to suitable adoptive families within a tribal or Indian community, with families within the child's tribal or Indian community having the first preference.
- E. When applying the preferences, the service worker, whenever possible:
1. Places the child with a suitable adoptive family who lives in the child's tribal or Indian community.
 2. Place the child in a manner assuring maximum opportunity for the child to maintain and nourish a relationship with his/her tribe. See Chapter 11.05 (C) and (D) for definition of "child's tribe."
 3. Whenever more than one sibling is to be placed, place siblings together or in close proximity, unless the placement would cause serious physical or emotional harm to one or more of the children.
 4. Place the child in a manner assuring maximum opportunity for maintenance of a sibling relationship.
- F. The service worker does not place the child outside the preference categories, except as provided in Chapter 11.88

11.86 Placement by the Social Services Program of the Child's Tribe

- A. The service worker uses the social services program of the child's tribe as the primary resource to help identify possible preference order placements and evaluate their suitability. See Chapter 11.05 (C) and (D) for definition of "child's tribe."
- B. The service worker makes a written adoption placement referral to the social services program of the child's tribe. The referral includes the information required by Chapter 8.35 (B).
- C. If the social services program of the child's tribe does not want to be involved in the adoptive placement or does not respond within ten (10) days following receipt of an adoption placement referral, the service worker documents the placement referral and tribal response in the service record and proceeds with the adoptive placement in accordance with Chapter 11.86 and 11.87.

The service worker consults with LICWAC if the tribe's social services program does not become involved in adoptive placement planning. See Chapter 10 regarding LICWAC procedures.

- D. If the child's tribe decides to undertake the task of identifying a placement and does not find a suitable placement for the child within 60 days, the service worker, on consultation with the tribe, finds a suitable placement.
- E. On request, the service worker assists the child's tribe to identify a suitable adoptive placement for the child.

11.87 Direct Placement By DCFS Or Licensed Child Placing Agency - Diligent Search For Placement

- A. When the child's tribe notifies the service worker that it will not undertake identification of an adoptive placement or has been unable to identify a suitable placement for the child or has not responded within ten (10) days following receipt of an adoption placement referral (see Chapter 11.85, above) the service worker diligently searches for a suitable placement within the order of preference before considering a nonpreferred placement.
- B. In conducting a diligent search for placement, the service worker follows the requirements of Chapter 8.40 (B).
- C. As part of a diligent search for placement, the service worker also provides written notification to the child's extended family as required in Chapter 7.20 and Chapter 11.73.

11.88 Tribal And LICWAC Consultation

- A. The service worker does not make any adoptive placement of a Canadian or unenrolled Indian child prior to consultation with the social services program of the child's tribe. See Chapter 11.05 (C) and (D) for definition of "child's tribe."
- B. If the child's tribe is not available for consultation, the service worker staffs the case with the LICWAC. See Chapter 10 for LICWAC procedures.

11.89 Placement Outside Preference Categories

- A. The service worker may place a Canadian or unenrolled Indian child outside of the preference categories found in this Chapter only when one or a combination of the following exist:
 - 1. The child's tribe or LICWAC, if the tribe is unavailable, concurs that the child's best interests require placement with a non-Indian family or other placement not within the categories. See Chapter 11.05 (C) and (D) for definition of "child's tribe" and Chapter 10 for LICWAC procedures.
 - 2. The child has extraordinary physical or emotional needs that cannot be met by placement within the categories.
 - 3. A diligent search for a placement within the preference categories has been completed and no suitable placement within the categories is available.

In determining the suitability of a family, the service worker evaluates the family in accordance with the social, economic, and cultural standards prevailing in the Indian community in which the child's parent(s) or extended family members reside or with which the parent(s) or extended family members maintain social or cultural ties.

11.80.1 Parental and Child Adoption Placement Preferences

The service worker follows the requirements of Chapter 08.55 in considering parental or child placement preferences regarding placement of a Canadian or unenrolled Indian child.

11.80.2 Record of Placement Determination

For each adoptive placement determination, the service worker documents in the child's service record:

- A. The factual and other basis for each adoptive placement decision.
- B. If siblings are not placed together, the reasons justifying separation of the siblings and the steps taken to maintain the sibling relationship following placement.
- C. Efforts made to comply with the placement preferences.

The service worker documents in the service record the homes contacted in the course of compliance efforts, including the names and addresses of extended family members and of tribally approved homes who were contacted.

11.80.3 Post-Placement Services - Adoptive Placement

The service worker provides post-placement services, as required below, whenever a Canadian or unenrolled Indian child is placed for adoption. In providing post-placement services, the service worker consults with the social services program of the child's tribe. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

If the child's tribe is unavailable, the service worker consults with LICWAC. See Chapter 10 regarding LICWAC procedures.

- A. When an Indian child eligible for membership in an Indian tribe is placed for adoption, the service worker seeks to secure tribal membership for the child prior to entry of a final decree of adoption.
- B. When a Canadian or unenrolled child is placed for adoption, until entry of a final decree of adoption, the service worker regularly evaluates the overall suitability of the placement and will monitor the placement to assure that:
 1. The child is not abused or neglected.
 2. The child's special needs are addressed.
 3. The child's relationship with his/her siblings and, if appropriate, other members of the child's birth extended family is encouraged.
 4. The child's relationship with his/her tribe is promoted.
 5. All other conditions and commitments of the placement are being met.

- C. The service worker assists the child and the prospective adoptive parents and, in the case of a voluntary consent to adoption, the natural parents, to emotionally and psychologically adjust to the adoptive placement.
- D. The service worker provides the prospective adoptive parents with information on the background and special needs, if any, of the child.

Where necessary, the service worker instructs or arranges for instruction of the prospective adoptive parents in:

1. How to best meet the child's special needs.
 2. How to best assist the child's adjustment to the adoptive placement.
- E. When an Indian child is the first child of the prospective adoptive parents or whenever the prospective adoptive parents are assessed to be noninterracially oriented or unable to meet any special needs of the child, the service worker provides training to the prospective adoptive parents in interracial or special needs parenting skills.

11.80.4 Agency Consent To Adoption

When DCFS or a child care agency, including a child placing agency or other DCFS contractor, has permanent custody of an Indian child following termination of parental rights, the service worker consults with the child's tribe in any deliberations and decisions about whether the agency should consent to the child's adoption. See Chapter 11.05 (C) and (D) for definition of "child's tribe."

If the child's tribe is unavailable, the service worker consults with LICWAC. See Chapter 10 for LICWAC procedures.

11.80.5 Release Of Birth Record Information To The Child's Tribe

- A. Prior to the entry of a final decree of adoption, the service worker provides the child's tribe with a copy of the Canadian or unenrolled Indian child's original birth certificate. See Chapter 11.05 (C) and (D) for definition of "child's tribe."
- B. If the child's tribe intervened as a party in the adoption proceeding, the service worker provides the tribe a copy of the final decree of adoption, a copy of the child's amended birth certificate, and other records of the proceedings as the tribe may request.

If the child's tribe has not intervened as a party in the adoption proceeding, the service worker obtains a court order authorizing the release of copies of such documents and records prior to providing the copies to the child's tribe.

11.80.6 Parental Withdrawal To Consent To Relinquishment/Termination or Adoption

The parent(s) of a Canadian or unenrolled Indian child may withdraw his/her consent to relinquishment/termination or adoption at any time before entry of an order terminating parental rights.

If a parent withdraws a voluntary consent prior to entry of a termination order, the service worker follows the requirements of Chapter 11.55.



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12.01 INTRODUCTION

This chapter contains the most frequently used address when giving notice to Indian tribes and the BIA.

12.05 TRIBAL ADDRESSES IN WASHINGTON STATECHEHALIS INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 536
Oakville, WA 98568
(206) 273-5911

CHINOOK INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 228
Chinook, WA 98614
(206) 777-8303
Non-federally recognized
tribe.

COLVILLE INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 150
Nespelem, WA 99155
(509) 634-4711

COWLITZ INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 2547
Longview, WA 98632
(206) 577-8140
Non-federally recognized
tribe.

DUWAMISH INDIAN TRIBE

Indian Child Welfare Matter
15614 First Ave. So.
Seattle, WA 98148
(206) 244-0606
Non-federally recognized
tribe.

HOH INDIAN TRIBE

Indian Child Welfare Matter
HC80, Box 917
Forks, WA 98331
(206) 374-6582

JAMESTOWN BAND OF CLALLAM INDIANS

Indian Child Welfare Matter
305 Old Blyn Hwy
Sequim, WA 98382
(206) 683-1109

KALISPEL INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 38
Uak, WA 99180
(509) 445-1147

KIKIALIUS INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 867
Mt. Vernon, WA 98272
Non-federally recognized
tribe.

LOWER ELWA TRIBAL BUSINESS COUNCIL

Indian Child Welfare Matter
P.O. Box 2034
Pt. Angeles, WA 98362
(206) 452-8471

LUMMI INDIAN TRIBE

Indian Child Welfare Matter
2616 Kwina Rd.
Bellingham, WA 98226
(206) 734-8180

MAKAH INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 115
Neah Bay, WA 98357
(206) 645-2584 or 2205

MUCKLESHOOT INDIAN TRIBE

Indian Child Welfare Matter
38811 - 172nd Ave. S.E.
Auburn, WA 98002
(206) 939-3311

NISQUALLY INDIAN TRIBE

Indian Child Welfare Matter
4820 She-Mah-Nua Dr., S.E.
Olympia, WA 98503
(206) 456-3221

NOOKSACK INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 157
Deming, WA 98244
(206) 592-5176

PORT GAMBLE INDIAN TRIBE

Judicial Office
Indian Child Welfare Matter
P.O. Box 280
Kingston, WA 98346
(206) 297-2755

PUYALLUP INDIAN TRIBE

Indian Child Welfare Matter
6209 N.E. 21st St.
Tacoma, WA 98422
(206) 597-6200

QUILLEUTE INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 279
LaPush, WA 98850
(206) 374-6163

QUINAULT INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 1118
Taholah, WA 98587
(206) 276-8211

SAMISH TRIBAL OFFICE

Indian Child Welfare Matter
P.O. Box 217
Anacortes, WA 98221
(206) 293-8404
Non-federally recognized
tribe.

SAN JUAN INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 202
Friday Harbor, WA 98250
Non-federally recognized
tribe.

SAUK-SUIATLE INDIAN TRIBE

Indian Child Welfare Matter
5318 Chief Brown Lane
Darrington, WA 98241
(206) 659-6865/435-8366

SHOALWATER BAY INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 579
Tokeland, WA 98590
(206) 267-6766

SKOKOMISH INDIAN TRIBE

Office of Reservation Council
Indian Child Welfare Matter
N 80 Tribal Center Rd.
Shelton, WA 98584
(206) 426-4232

SNOHOMISH INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 247
Snohomish, WA 98290
(206) 568-8591
Non-federally recognized
tribe.

SNOQUALMIE INDIAN TRIBE

Indian Child Welfare Matter
908-1/2 Rover Road
Puyallup, WA 98371
(206) 845-4578
Non-federally recognized
tribe.

SPOKANE INDIAN TRIBE

Indian Child Welfare Matter
Box 385
Wellpinit, WA 99040
(509) 258-4581

SQUAXIN ISLAND INDIAN TRIBE

Indian Child Welfare Matter
S.E. 70 Squaxin Lane
Shelton, WA 98584
(206) 426-9781

STELLACOOM INDIAN TRIBE

Indian Child Welfare Matter
2212 A St.
Tacoma, WA 98402
(206) 272-9781
Non-federally recognized
tribe.

STILLAGUIMISH INDIAN TRIBE

Indian Child Welfare Matter
2439 Stalukgualmish Lane
Arlington, WA 98223
(206) 652-7362

SUQUAMISH INDIAN TRIBE

Indian Child Welfare Matter
P.O. Box 498
Suquamish, WA 98392
(206) 598-3311

SWINOMISH INDIAN TRIBE

Child Welfare Committee
P.O. Box 455
LaConner, WA 98257
(206) 466-3163

TULALIP INDIAN TRIBE

Indian Child Welfare Matter
6700 Totem Beach Road
Marysville, WA 98270
(206) 659-6257

UPPER SKAGIT INDIAN TRIBE

Indian Child Welfare Matter
2284 Community Plaza
Sedro Woolley, WA 98284
(206) 755-0351

YAKIMA INDIAN NATION

Indian Child Welfare Matter
P.O. Box 151
Toppenish, WA 98948
(509) 865-5121

ABORIGINAL SWINOMISH TRIBE

Indian Child Welfare Matter
P.O. Box 305
LaConner, WA 98257
Non-federally recognized
tribe.

12.10 BUREAU OF INDIAN AFFAIRS ADDRESSES (BIA IN WASHINGTON STATE)

Colville Agency
POB 111
Nespelem, WA 99155
Telephone: (509) 634-8437

Puget Sound Agency
3006 Colby Avenue
Everett, WA 98201
Telephone: (206) 258-2651

Peninsula Area Agency
POB 120
Hoquiam, WA 98550
Telephone: (206) 533-9101

Spokane Agency
P.O. Box 6
Wellpinit, WA 99040
Telephone: (509) 258-4561

Bureau of Indian Affairs
Portland Area X Office
The Holladay Federal Bldg.
1102 N.E. Holladay St.
P.O. Box 3785
Portland, OR 97232-4182
Telephone: (503) 231-6783

Yakima Agency
POB 632
Toppenish, WA 98948
Telephone: (509) 865-2255

If the BIA agency that services the child's tribe cannot be determined, consultation from the LICWAC (Local Indian Child Welfare Committee) should be requested.

12.15 ALPHABETICAL LISTING OF FEDERALLY RECOGNIZED INDIAN TRIBES
(See Separate Listing for Alaskan Villages)

Alabama and Coushatta Tribes of Texas

APACHE

Apache Tribe of Oklahoma

Yavapai-Apache Indian Community of the Camp Verde Reservation, Arizona

Ft. McDowell Mojave-Apache Indian Community, Fort McDowell Band of Mojave-

Apache Indians of the Fort McDowell Indian Reservation, Arizona

Ft. Sill Apache Tribe of Oklahoma

Jicarilla Apache of the Jicarilla Apache Reservation, New Mexico

Mescalero Apache of the Mescalero Apache Reservation, New Mexico

San Carlos Apache of the San Carlos Reservation of Arizona Tonto Apache Tribe
of Arizona

Tonto Apache Tribe of Arizona

White Mountain Apache of the Fort Apache Reservation, Arizona

ARAPAHO

Arapaho Tribe of the Wind River Reservation, Wyoming

Cheyenne-Arapaho Tribe of Oklahoma

Assiniboine-Sioux

Assiniboine-Sioux of the Ft. Peck Reservation, Montana

Ft. Belknap Indian Community of the Ft. Belknap Reservation, Montana

BANNOCK (SHOSHONE-BANNOCK)

Shoshone-Bannock Tribe of Ft. Hall Reservation of Idaho

BILOXI

Tunica-Biloxi of the Blackfeet Indian Reservatin of Montana

CADDO

Caddo Indian Tribe of Oklahoma

CAHTO (Also see Pomo)

Cahto Indian Tribe of the Laytonville Rancheria, California

CAHUILLA

Agua Caliente Band of Cahuilla Indians of the Auga Caliente Indian
Reservation, Palm Springs, California

Augustine Band of Cahuilla Mission of the Augustine Reservation, California

Cabazon Band of Mission Indians of the Cahuilla Reservation, California

Los Coyotes Band of Cahuilla Mission Indians of the Los Coyotes
Reservation, California

Morongo Band of Cahuilla Mission Indians of the Morongo Reservation,
California

California Ramona Band or Village of Cahuilla Mission Indians of California

Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation,
California

Torres-Martinez Band of Cahuilla Mission Indians of the Torres-Martinez
Reservation, California

CAYUGA

Cayuga Nation of New York
Seneca-Cayuga Tribe of Oklahoma

CHEHALIS

Confederated Tribes of the Chehalis Reservation, Washington

CHEMEHUEVI

Chemehuevi Indian Tribe of the Chemehuevi Reservation, California

CHEROKEE

Cherokee Nation of Oklahoma
Eastern Band of Cherokee Indians of North Carolina
United Keetoowah Band of Cherokee Indians, Oklahoma

CHEYENNE

Cheyenne-Arapaho Tribes of Oklahoma
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana

CHICKASAW

Chickasaw Nation of Oklahoma

CHIPPEWA

Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin
Bay Mills Indian Community of the Sault Ste. Marie Band of Chippewa Indians, Bay Mills Reservation, Michigan
Chippewa-Cree Indian of the Rocky Boy Reservation, Montana
Grand Traverse Band of Ottawa & Chippewa Indians of Michigan
Keweenaw Bay Indian Community of L'Anse Lac Vieux Desert and Ontonagon Bands of Chippewa Indians of the L'Anse Reservation, Michigan
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of the Lac Courte Oreilles Reservation of Wisconsin
Minnesota Chippewa Tribe (Six component reservations), Minnesota
 Boise Fort Band (Nett Lake)
 Fond du Lac Band
 Grand Portage Band
 Leech Lake Band
 Mille Lac Band
 White Earth Band
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin, Red Cliff Reservation, Wisconsin
Red Lake Band of Chippewa Indians of the Red Lake Reservation, Minnesota
Saginaw Chippewa Indian Tribe of Michigan, Isabella Reservation, Michigan
Sault Ste. Marie Tribe of Chippewa Indians of Michigan
Sokoagon Chippewa Community of the Mole Lake Band of Chippewa Indians, Wisconsin
Turtle Mountain Band of Chippewa Indians, Turtle Mountain Indian Reservation, North Dakota

CHITIMACHA

Chitimacha Tribe of Louisiana

CHOCTAW

Choctaw Nation of Oklahoma
Mississippi Band of Choctaw, Mississippi

CHUMASH

Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation,
North Dakota

CLALLAM also spelled Klallam

Jamestown Band of Clallam Indians of Washington
Lower Elwha Tribal Community of the Lower Elwha Reservation, Washington
Port Gamble Indian Community, Port Gamble Band of Clallam Indians,
Port Gamble Reservation, Washington

COCOPAH

Cocopah Tribe of Arizona

COEUR D'ALENE

Coeur D'Alene Tribe of the Coeur D'Alene Reservation, Idaho

COLORADO RIVER

Colorado River Indian Tribes of the Colorado River Indian Reservation,
Arizona and California

COLVILLE

Confederated Tribes of the Colville Reservation Washington

COMANCHE

Comanche Indian Tribe of Oklahoma

COOS

The Confederated Tribes of Coos, Lower Umpqua and Suislaw Indians of Oregon

COUSHATTA

Coushatta Tribe of Louisiana

COVELO

Covelo Indian Community of the Round Valley Reservation, California

COW CREEK

(See Umpqua Indians)

CREE

Chippewa-Cree Indians of the Rocky Boy Reservation, Montana

CREEK

Alabama-Quassarte Tribal Town of the Creek Nation of Indians of Oklahoma
Creek Nation of Oklahoma
Kialegee Tribal Town of the Creek Indian Nation of Oklahoma
Thlopthlocco Tribal Town of the Creek Indian of Oklahoma

CROW

Crow Tribe of Montana

DELAWARE

Delaware Tribe of Western Oklahoma, Oklahoma

DIEGUENO

Barona Capitan Grande Band of Diegueno Mission Indians of the Barona
Reservation, California
Camp Band of Diegueno Mission Indians of the Camp Indian Reservation,
California
Capitan Grande Band of Diegueno Mission Indians of the Capitan Grande
Reservation, California
Cuyapaipe Community of Diegueno Mission Indians of the Cuyapaipe Reservation,
California
Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation,
California
La Posta Band of Diegueno Mission Indians of the La Posta Reservation,
California
Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation,
California
Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation,
California
San Pasqual Band of Diegueno Mission Indians of the San Pasqual Reservation,
California
Santa Ysabel Band of Diegueno Mission Indians of the Santa Ysabel Reservation,
California
Sycuan Band of Diegueno Mission Indians of the Sycuan Reservation, California
Viejas Baron Long Capitan Grande Band of Diegueno Mission Indians of the
Viejas Reservation, California

FLATHEAD

(See Salish-Kootenai)

GOSHUTE

Confederated Tribes of the Goshute Reservation, Nevada
Skull Valley Band of the Goshute Indians of Utah

GRAND RONDE

Confederated Tribes of the Grand Ronde Community of Oregon

GROS VENTRE

Ft. Belknap Indian Community of the Ft. Belknap Reservation of Montana
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota

HAVASUPAI

Havasupai Tribe of Havasupai Reservation, Arizona

HIDATSA

Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota

HOH

Hoh Indian tribe of the Hoh Reservation, Washington

HOOPA (aka HUPA)

Hoopa Valley Tribe of the Hoopa Valley Reservation, California

HOPI

Hopi Tribe of Arizona

IOWA

Iowa Tribe of the Indians of the Iowa Reservation in Nebraska and Kansas
Iowa Tribe of Oklahoma

JAMUL

Jamul Indian Village of California

KALISPEL

Kalispel Indian Community of the Kalispel Reservation, Washington

KAROK

Karok Tribe of California
Quartz Valley Rancheria of Karok, Shasta and Upper Klamath Indians of
California

KAW

Kaw Indian Tribe of Oklahoma

KICKAPOO

Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas
Kickapoo Tribe of Oklahoma

KIOWA

Kiowa Indian Tribe of Oklahoma

KLALLUM (see Clallam)

KLAMATH

Klamath Tribe of Oregon
Quartz Valley Rancheria of Karok, Shaster and Upper Klamath Indians of
California

KOOTENAI

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana

LUISENO

La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation,
California

Pala Band of Luiseno Mission Indians of the Pala Reservation, California

Pauma Band of Luiseno Mission Indians of the Pauma & Yuima Reservation,
California

Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation,
California

Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California

Soboba Band of Luiseno Mission Indians of the Soboba Reservation, California

Twenty-Nine Palms Band of Luiseno Mission Indians of the Twenty-Nine Palms
Reservation, California

LUMMI

Lummi Tribe of the Lummi Reservation, Washington

MAIDU

Berry Creek Rancheria of Maidu Indians of California

Covelo Indian Community of the Round Valley Reservation, California

Enterprise Rancheria of Maidu Indians of California

Greenville Rancheria of Maidu Indians of California

Mooretown Rancheria of Maidu Indians Susanville Indian Rancheria of
Paiute, Maidu, Pit River & Washoe Indians of California

MAKAH

Makah Indian Tribe of the Makah Indian Reservation, Washington

MALISEET

Houlton Band of Maliseet Indians of Maine

MANDAN

Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota

MARICOPA

AK Chin Indian Community of Papago Indians of Maricopa, AK Chin Reservation,
Arizona

Gila River Pima-Maricopa Indian Community of the Gila River Indian
Reservation of Arizona

Salt River Pima-Maricopa Indian Community of the Salt River Reservation,
Arizona

MENOMINEE

Menominee Indian Tribe of Wisconsin, Menominee Indian Reservation, Wisconsin

ME-WUK

Miami Tribe of Oklahoma

MICCOSUKEE

Miccosukee Tribe of Indians of Florida

MIWOK (ME-WUK)

Buena Vista Rancheria of Me-wuk Indians of California
Cher-Ae Heights Indian Community of the Trinidad Rancheria of California
Chicken Ranch Rancheria of Me-wuk Indians of California
Jackson Rancheria of Me-Wuk Indians of California
Sheep Ranch Rancheria of Me-Wuk Indians of California
Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California
Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California

MODOC

Modoc Tribe of Oklahoma
(Some members of Oregon's Klamath Tribe are also Modoc).

MOHAWK

St. Regis Band of Mohawk Indians of New York

MOHICAN

Stockbridge-Munsee Community of Mohican Indians of Wisconsin

MOJAVE (MOHAVE)

Fort McDowell Mohave-Apache Indian Community, Fort McDowell Band of Mohave-Apache Indians of the Fort McDowell Indian Reservation, Arizona
Fort Mohave Indian Tribe of Arizona, California & Nevada

MONO

Big Sandy Rancheria of Mono Indians of California
Cold Springs Rancheria of Mono Indians of California
Northfolk Rancheria of Mono Indians of California

MUCKLESHOOT

Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington

NARRAGANSETT

Narragansett Indian Tribe of Rhode Island

NAVAJO

Navajo Tribe of Arizona, New Mexico, and Utah

NEZ PERCE

Nez Perce Tribe of Idaho, Nez Perce Reservation, Idaho

NISQUALLY

Nisqually Indian Community of the Nisqually Reservation, Washington

NOOKSAK

Nooksack Indian Tribe of Washington

OMAHA

Omaha Tribe of Nebraska

ONEIDA

Oneida Nation of New York
Oneida Tribe of Indians of Wisconsin, Oneida Reservation, Wisconsin

ONONDAGA

Onondaga Nation of New York

OSAGE

Osage Tribe of Oklahoma

OTOE-MISSOURIA

Otoe-Missouria of Oklahoma

OTTAWA

Grand Traverse Band of Ottawa and Chippewa Indians of Michigan
Ottawa Tribe of Oklahoma

PAIUTE

Big Pine Band of Owens Valley Paiute Shoshone Indians, Big Pine Reservation, California
Bridgeport Paiute Indian Colony of California
Burns Paiute Indian Colony, Oregon
Cedarville Rancheria of Northern Paiute Indians of California
Confederated Tribes of the Warm Springs Reservation, Oregon
Fort Bidwell Indian Community of Paiute Indians of the Fort Bidwell Reservation, California
Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California
Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada
Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona
Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada
Lovelock Paiute Tribe of the Lovelock Indian Colony, Nevada
Moapa Band of Paiute Indians of Moapa River Reservation, Nevada
Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California
Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada
Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine Reservation, California
Paiute Indian Tribe of Utah
 Cedar City
 Indian Peaks
 Knosh
 Koosharen
 Shivwite
Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada
Reno-Sparks Indian Colony, Nevada
Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada
Summit Lake Paiute Tribe of the Summit Lake Reservation, Nevada
Susanville Indian Rancheria of Paiute, Maidu Pit River, and Washoe Indians of California
Utu Utu Gwaiti Paiute Tribe of the Walker River Reservation, Nevada

Walker River Paiute Tribe of the Walker River Reservation, Nevada
Winnemucca Indian Colony of Nevada
Yerington Paiute Tribe of the Yerington Colony and Campbell Ranch, Nevada

PAPAGO

Ak Chin Indian Community of Papago Indians of the Maricopa, Ak Chin
Reservation, Arizona
Papago Tribe of the Sells, Gila Bend, and San Xavier Reservation, Arizona

PASCUA YAQUI

Pascua Yaqui Tribe of Arizona

PASSAMAQUODDY

Passamaquoddy Tribe of Maine

PAWNEE

Pawnee Indian Tribe of Oklahoma

PENOBSCOT

Penobscot Tribe of Maine

PEORIA

Peoria Tribe of Oklahoma

PEQUOT

Mashantucket Pequot Tribe of Connecticut

PIMA

Gila River Pima-Maricopa Indian Community of the Gila River Indian
Reservation of Arizona
Salt River Pima-Maricopa Indian Community of the Salt River Reservation,
Arizona

PIT RIVER

Alturas Indian Rancheria of Pit River Indians of California
Big Bend Rancheria of Pit River Indians of California
Big Valley Rancheria of Pomo and Pit River Indians of California
Lookout Rancheria of Pit River Indians of California
Montgomery Creek Rancheria of Pit River Indians of California
Pit River Indian Tribe of the X-L Ranch, California
Roaring Creek Rancheria of Pit River Indians of California
Susanville Indian Rancheria of Paiute, Maidu, Pit River, and Washoe Indians
of California

POMO

Cahto Indian Tribe of the Laytonville Rancheria, California
Cloverdale Rancheria of Pomo Indians, California
Coyote Valley Band of Pomo Indians, California
Dry Creek Rancheria of Pomo Indians of California
Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria,
California
Hopland Band of Pomo Indians of the Hopland Rancheria, California

Kashia Band of Pomo Indians of the Stewart's Point Rancheria, California
Manchester Band of Pomo of the Manchester Pt. Arena Rancheria, California
Middletown Rancheria of Pomo Indians of California
Pinoleville Rancheria of Pomo Indians of California
Potter Valley Rancheria of Pomo Indians of California
Redding Rancheria of Pomo Indians of California
Robinson Rancheria of Pomo Indians of California
Sherwood Valley Rancheria of Pomo Indians of California
Upper Lake Band of Pomo Indians of Upper Lake Rancheria of California

PONCA

Ponca Tribe of Indians of Oklahoma

PORT GAMBLE

Port Gamble Klallom Indian Tribe, Washington

POTAWATOMI

Citizen Band of Potawatomi Indians of Oklahoma
Forest County Potawatomi Community of Wisconsin Indians of Michigan
Hannahville Indian Community of Wisconsin Potawatomi Indians of Michigan
Prairie Band of Potawatomi Indians of Kansas

PUEBLO

Pueblo of Acoma, New Mexico
Pueblo of Cochiti, New Mexico
Pueblo of Jemez, New Mexico
Pueblo of Isleta, New Mexico
Pueblo of Laguna, New Mexico
Pueblo of Namebe, New Mexico
Pueblo of Picuris, New Mexico
Pueblo of Pojoaque, New Mexico
Pueblo of San Ildefonso, New Mexico
Pueblo of San Juan, New Mexico
Pueblo of Sandia, New Mexico
Pueblo of Santa Ana, New Mexico
Pueblo of Santa Clara, New Mexico
Pueblo of Santo Domingo, New Mexico
Pueblo of Taos, New Mexico
Pueblo of Tesuque, New Mexico
Pueblo of Zia, New Mexico

PUYALLUP

Puyallup Tribe of the Puyallup Reservation, Washington

QUAPAW

Quapaw Tribe of Oklahoma

QUECHAN (YUMA)

Quechan Tribe of the Fort Yuma Reservation, California

QUILEUTE

Quileute Tribe of Quileute, Washington

QUINALT

Quinalt Tribe of the Quinalt Reservation, Washington

SAC & FOX

Sac & Fox Tribe of Mississippi and Iowa

Sac & Fox Tribe of Missouri of the Sac & Fox Reservation, Kansas and Nebraska

Sac & Fox Tribe of Indians of Oklahoma

SALISH

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana

SANTA ROSA

Santa Rosa Indian Community of the Santa Rosa Rancheria of California

SAUK-SUIATTLE

Sauk-Suiattle Tribe of Washington

SEMINOLE

Seminole Nation of Oklahoma

Seminole Tribe of Florida, Dania, Big Cypress, and Brighton Reservations,
Florida

SENECA

Seneca Nation of New York

Seneca-Cayuga Tribe of Oklahoma

Tonawanda Band of Seneca Indians of New York

SERRANO

San Manuel Band of Serrano Mission Indians of the San Manuel Reservation,
California

SHAWNEE

Absentee Shawnee of Oklahoma

Eastern Shawnee Tribe of Oklahoma

SHOALWATER

Shoalwater Bay Tribe of the Shoalwater Bay Indian Reservation, Washington

SHOSHONE

Big Pine Band of Owens Valley Paiutte-Shoshone Indians of the Big Pine
Reservation, California

Death Valley Timbi-Sha Shoshone Band of California

Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada

Ely Indian Colony of Nevada

Fort McDermitt Paiute-Shoshone Tribes of the Fort McDermitt Indian
Reservation, Nevada

Northwestern Band of Shoshone Indians of Utah (Washakie)

Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony,
California

Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada

Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine
Reservation, California

Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho
Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada
Shoshone Tribe of Wind River Reservation, Wyoming
Te-Moak Bands of Western Shoshone Indians of the Battle Mountain, Elko and
South Fort Colonies of Nevada

SILETZ

Conferated Tribes of the Siletz Reservation, Oregon

SIOUX

Asimiboine and Sioux Tribes of the Fort Peck Reservation, Montana
Cheyenne River Sioux of the Cheyenne River Reservation, South Dakota
Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota
Devils Lake Sioux Tribe of the Devils Lake Sioux Reservation, North Dakota
Flandreau Santee Sioux Tribe of South Dakota
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota
Lower Sioux Indian Community of the Minnesota Mdewakanton Sioux Indians
of the Lower Sioux Reservation in Minnesota
Oglala Sioux of the Pine Ridge, South Dakota
Prairie Island Indian Community of Minnesota Mdewakanton Sioux Indians of
the Prairie Island Reservation, Minnesota
Sioux Indians of the Lower Sioux Reservation, Minnesota
Sioux Indians of the Prairie Island Reservation, Minnesota
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
Santee Sioux Tribe of the Santee Reservation of Nebraska
Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake)
Sisseton-Wahpeton Sioux Tribe of the Standing Rock Reservation, North
and South Dakota
Upper Sioux Indian Community of the Upper Sioux Reservation, Minnesota
Yankton Sioux Tribe of South Dakota

SKAGIT

Upper Skagit Indian Tribe of Washington

SKOKOMISH

Skokomish Indian Tribe of the Skokomish Reservation, Washington

SMITH RIVER

Big Lagoon Rancheria of Smith River Indians of California
Elk Valley Rancheria of Smith River Indians Tolowa Indians of California

SPOKANE

Spokane Tribe of the Spokane Reservation, Washington

SQUAXIN ISLAND

Squaxin Island Tribe of the Squaxin Island Reservation, Washington

STILLAGUAMISH

Stillaguamish Tribe of Washington

STOCKBRIDGE

Stockbridge-Munsee Community of Mohican Indians of Wisconsin

SUQUAMISH

Suquamish of the Port Madison Reservation, Washington

SWINOMISH

Swinomish Indians of the Swinomish Reservation, Washington

TACHE

Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation,
California

THREE AFFILIATED TRIBES OF FT. BERTHOLD (Gros Ventre, Hidasto, Mandan)

Three Affiliated Tribes of Fort Bethold Reservation, North Dakota

TOLOWA

Cher-Ae Heights Indian Community of the Trinidad Rancheria of California
Elk Valley Rancheria of Smith River Tolowa Indians of California

TONKAWA

Tonkawa Tribe of Indians of Oklahoma

TULALIP

Tulalip Tribes of the Tulalip Reservation, Washington

TULE RIVER

Tule River Indian Tribe of the Tule River Indian Reservation, California

TUNICA

Tunica-Biloxi Indian Tribe of Louisiana

TUSCARORA

Tuscarora Nation of New York

UMATILLA

Confederated Tribes of the Umatilla Reservation, Oregon

UMPQUA

Cow Creek Band of Umpqua Indians of Oregon
The Confederated Tribes of Coos, Lower Umpqua and Suislaw Indians
of Oregon

UTE

Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado
Ute Indian Tribe of the Uintah and Ouray Reservation, Utah
Ute Mountain of the Ute Mountain Reservation in Colorado, New Mexico, and Utah

WAILAKI

Grindstone Indian Rancheria of Wintun-Wailaki Indians of California

WAMPANOAG

Gay Head Wampanoag Indians of Massachusetts

WARM SPRINGS

Confederated Tribes of the Warm Springs of Oregon (Warm Springs, Wasco, and Paiute)

WASHOE

Washoe Tribe of Nevada and California (Carson Colony, Dressierville, and Washoe Ranches)

Reno-Sparks Indian Colony, Nevada

Susanville Indian Rancheria of Paiute, Maidu, Pit River, and Washoe Indians of California

WICHITA

Witchita and Affiliated Tribes of Oklahoma

WINNEBAGO

Winnebago Tribe of the Winnebago Reservation of Nebraska

Wisconsin Winnebago Indian Tribe of Wisconsin

WINTUN

Cachil DeHe Band of Wintun Indians of the Colusa Indian Community of the Colusa Rancheria, California

Cortina Indian Rancheria of Wintun Indians of California

Grindstone Indian Rancheria of Wintun-Wailaki Indians of California

Rumsey Indian Rancheria of Wintun Indians of California

WIYOT

Blue Lake Rancheria of California

Table Bluff Rancheria of Wiyot Indians of California

WYANDOTTE

Wyandotte Tribe of Oklahoma

YAKIMA

Confederated Tribes and Bands of the Yakima Indian Nation, Yakima Reservation, Washington

YAQUI

Pascua Yaqui Tribe of Arizona

YAVAPAI

Yavapai-Apache Indian Community of the Camp Verde Reservation, Arizona

Yavapai-Prescott Tribe of the Yavapai Reservation, Arizona

YOKUT

Table Mountain Rancheria of California

Santa Rosa Indian Community of Santa Rosa Rancheria of California

Ysleta Del Sur Pueblo of Texas

YUMA

Quechan Tribe of the Fort Yuma Indian Reservation of California

YUROK

Cher-Ae Heights Indian Community of the Trinidad Rancheria of California
Coast Indian Community of Yurok Indians of the Resighini Rancheria,
California

Yurok Tribe of the Hoopa Valley Reservation, California

ZUNI Tribe of New Mexico

12.20 TRIBAL ADDRESSES IN THE UNITED STATES (Including Local BIA Offices)

ALABAMA

TRIBEBIA

Poarch Band of Creek Indians of
Creek Indians of Alabama
Route 3, Box 243-A
Atmore, Alabama 36502
(205) 368-9136

Choctaw Agency
421 Powell
Philadelphia, MS 39350

ARIZONA

Ak Chin Indian Comm. of Papago
Indians of Maricopa
Rt. 2, Box 27
Maricopa, AZ 85239
(602) 568-2227

Pima Agency
P. O. 8
Sacaton, Arizona 85257
(602) 562-3326 (963-7673)

Cocopah Tribe of Arizona
Bin G.
Somerton, AZ 85350
(602) 627-2102

Fort Yuma Agency
P. O. Box 1591
Yuma, AR 85364
(602) 627-2102

Colorado River Indian Tribe
Rt. 1, Box 23-B
Parker, AZ 85344
(602) 669-9211

Colorado River Agency
Rt. 1, Box 9-C
Parker, AZ 85344
(602) 669-6121

Fort McDowell Mohave-Apache
P.O. Box 17779
Fountain Hills, AZ 85256
(602) 990-0995

Salt River Agency
Rt. 1, Box 117
Scottsdale, AZ 85256
(602) 241-2842

Fort Mohave Indian Tribe of Arizona
500 Merriman Avenue
Needles, CA 92363

Colorado River Agency
Rt. 1, Box 9-C
Parker, AZ 85344
(602) 669-6121

Gila River Pima Maricopa Indian
P. O. Box 97
Sacaton, AZ 85247
(602) 562-3311

Pima Agency
P. O. Box 8
Sacaton, AZ 85247

Havasupal Tribe of the Havasupal
Reservation
P.O. Box 10
Supai, AZ 86435
(602) 448-2961

Truxton Cacon Agency
Valentine, AZ 86437

<u>TRIBE</u>	<u>BIA</u>
Hopi Tribe of Arizona P. O. Box 123 Kykotsmovi, AZ 86039 (602) 734-2445	Hopi Agency P. O. Box 158 Keams Canyon, AZ 86034
Kaibab Band of Paiute Indians Tribal Affairs Bldg. Pipe Springs, AZ 86022 (602) 643-7245	Southern Paiute Field Station P. O. Box 986 Cedar City, UT 84720
Navajo Tribe of Arizona, New Mexico and Utah Window Rock, AZ 86515 (602) 871-4941	Navajo Area Office P. O. Box M Window Rock, AZ 86515
Pascua Yaqui Tribe of Arizona 7474 S. Camino De Oeate Tucson, AZ 85746 (602) 883-2838	Salt River Agency Rt. 1, Box 117 Scottsdale, AZ 85256
Quecnan Tribe of Fort Yuma P. O. Box 1352 Yuma, AZ 85364 (619) 572-0213	Fort Yuma Agency P. O. Box 1591 Yuma, AZ 85364
Salt River Pima-Maricopa Indian Community Rt. 1, Box 216 Scottsdale, AZ 85256 (602) 941-7277	Salt River Agency Rt. 1, Box 117 Scottsdale, AZ 85256
San Carlos Apache Tribe P. O. Box 0 San Carlos, AZ 85550 (602) 475-2361	San Carlos Agency P. O. Box 209 San Carlos, AZ 85550
Tohono O'odham Nation of Arizona (formerly known as the Papago Tribe of the Sells, Gila Bend and San Xavier Reservation) P. O. Box 837 Sells, AZ 85634 (602) 383-2221	Papago Agency P. O. Box 578 Sells, AZ 85634 (602) 383-3286
Tonto Apache Tribe Tonto Reservation #30 Payson, AZ 85541 (602) 474-5000	Lexton Canon Agency Valentine, AZ 86437

TRIBEBIA

White Mountain Apache Tribe
P. O. Box 700
Whiteriver, AZ 85941
(602) 338-4346

Fort Apache Agency
P. O. Box 500
Whiteriver, AZ 85941

Yavapai-Apache Indian Community of
the Camp Verde Reservation
P. O. Box 1188
Camp Verde, AZ 86322
(602) 567-3649

Truxton Canon Agency
Valentine, AZ 86437

Yavapai-Prescott Tribe of the
Yavapai
P. O. Box 348
Prescott, AZ 86301

Truxton Canon Agency
Valentine, AZ 86437

CALIFORNIA

Aqua Caliente Band of Cahuilla
Indians
960 E. Tahquitz Way #106
Palm Springs, CA 92262
(619) 325-5673

Palm Springs Field Office
California Agency
P. O. Box 2245
Palm Springs CA 92263

Alturas Indian Rancheria of Pit
River
P. O. Box 1035
Alturas, CA 96101

Northern California Agency
P. O. Box 494879
Redding, CA 96049

Augustine Band of Cahuilla Mission
c/o Southern California Agency

Southern California Agency
3600 Lime Street, Suite 722
Riverside, CA 92501

Berry Creek Rancheria of Maidu
1779 Mitchell Avenue
Oroville, CA 95966
(916) 534-3859

Central California Agency
1800 Tribute Rd., Suite 111
Sacramento, CA 95815

Big Bend Rancheria of Pit River
P. O. Box 255
Big Bend, CA 96001

Northern California Agency
P. O. Box 494879
Redding, CA 96049

Big Lagoon Rancheria of Smith River
P. O. Drawer F
Trinidad, CA 95570
(707) 677-3115

Northern California Agency
P. O. Box 494879
Redding, CA 96049

<u>TRIBE</u>	<u>BIA</u>
Big Pine Band of Owens Valley Paiute Shoshone Indians P. O. Box 700 Big Pine, CA 93513 (619) 938-2121	Central California Agency 1800 Tribute Rd., Suite 111 Sacramento, CA 96049
Big Sandy Rancheria of Mono P. O. Box 337 Auberry, CA 93602 (209) 855-4003	Central California Agency 1800 Tribute Rd., Suite 111 Sacramento, CA 96049
Big Valley Rancheria of Pomo & Pit River P. O. Box 774 Lakeport, CA 95453 (707) 263-7522	Central California Agency 1800 Tribute Rd., Suite 111 Sacramento, CA 96049
Blue Lake Rancheria of California P. O. Box 428 Blue Lake, CA 95525 (707) 668-5286	Northern California Agency P. O. Box 494879 Redding, CA 96049
Bridgeport Paiute Indian Colony P. O. Box 37 Bridgeport, CA 93517 (619) 932-7083	Central California Agency 1800 Tribute Rd., Suite 111 Sacramento, CA 96049
Buena Vista Rancheria of MeWuk of California 4650 Coalmine Rd. Ione, CA 95640	Central California Agency 1800 Tribute Rd., Suite 111 Sacramento, CA 96049
Cabazone Band of Cahuilla Mission 84-245 Indio Springs Drive Indio, CA 92201 (619) 342-2593	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Cachil DeHe Band of Wintun Indians P. O. Box 8 Colusa, CA 95932 (916) 458-8231	Central California Agency 1800 Tribute Rd., Suite 111 Sacramento, CA 96049
Cahuilla Band of Mission Indians P. O. Box 860 Anza, CA 92306 (714) 763-5549	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501

<u>TRIBE</u>	<u>BIA</u>
Cahto Indian Tribe of the Laytonville P. O. Box 1239 Laytonville, CA 95454 (707) 984-6197	Central California Agency 1800 Tribute Rd., Suite 111 Sacramento, CA 96049
Campo Band of Diegueno Mission 1779 Campo Truck Trail Campo, CA 92006 (619) 478-9046	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Capitan Grande Band of Diegueo Mission Indians of California c/o Southern California Agency	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Barona Group of Capitan Grande Band of Mission Indians 1095 Barona Rd. Lakeside, CA 92040 (619) 443-6612	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Viejas Group of Capitan Grande P. O. Box 908 Alpine, CA 92001 (619) 445-3810	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Cedarville Rancheria of Northern Paiute Indians of California P. O. Box 142 Cedarville, CA 96104	Northern California Agency P. O. Box 494879 Redding, CA 96049
Chemehuevi Indian Tribe P. O. Box 1976 Chemehuevi, CA 92363 (619) 858-4531	Colorado River Agency Rt. 1, Box 9-C Parker, CA 95344
CherAe Heights Indian Community of the Trinidad Rancheria P. O. Box AA Trinidad, CA 95570	Northern California Agency P. O. Box 494879 Redding, CA 96049
Chicken Ranch Rancheria of MeWuk P. O. Box 1699 Jamestown, CA 95327 (209) 984-3057	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Cloverdale Rancheria of Pomo 285 Santana Drive Cloverdale, CA 95414 (707) 894-5773	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815

<u>TRIBE</u>	<u>BIA</u>
Coast Indian Community of Yurok P. O. Box 212 Klamath, CA 95548 (707) 484-2431	Northern California Agency P. O. Box 494879 Redding, CA 96049
Cold Springs Rancheria of Mono P. O. Box 209 Tollhouse, CA 93667 (707) 855-2326	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Cortina Indian Rancheria of Wintun P. O. Box 41113 Sacramento, CA 95841 (916) 726-7118	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Covelo Indian Community of Round Valley P. O. Box 448 Covelo, CA 95428 (707) 983-6126	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Coyote Valley Band of Pomo P. O. Box 39 Redwood Valley, CA 95470 (707) 485-8723	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Cuyapaibe Community Diegueno Mission 4390 LaPosta Truck Trail Pine Valley, CA 92062 (619) 478-5289	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Death Valley Timbisha Shoshone Band P. O. Box 206 Death Valley, CA 92328 (619) 786-2418	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Dry Creek Rancheria of Pomo Indians P. O. Box 224 Geyserville, CA 95441 (916) 284-6446	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Elem Indian Colony of Pomo Indians of Sulpher Bank P. O. Box 618 Clearlake Oaks, CA 95423 (707) 998-3315	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815

<u>TRIBE</u>	<u>BIA</u>
Elk Valley Rancheria of Smith River 375 Wyentae St. Crescent City, CA 95531 (707) 464-4680	Northern California Agency P. O. Box 494879 Redding, CA 96049
Enterprise Rancheria of Maidu Oroville, CA	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Fort Bidwell Indian Community of Paiute Indians P. O. Box 127 Fort Bidwell, CA 96117 (916) 279-6310	Northern California Agency P. O. Box 494879 Redding, CA 96049
Fort Independence Indian Community of Paiute Indians P. O. Box 67 Independence, CA 93526 (619) 878-2126	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Greenville Rancheria of Maidu P. O. Box 237 Greenville, CA 95947 (916) 284-6446	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Grindstone Indian Rancheria of Wintun Waiulaki P. O. Box 63 Elk Creek, CA 95939 (916) 934-3602	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Hoopa Valley Tribe of the Hoopa P. O. Box 1348 Hoopa, CA 95546 (916) 625-4211	Northern California Agency P. O. Box 494879 Redding, CA 96049
Inaja Band of Diegueno Mission 739 A. Street #12 Ramona, CA 92065 (619) 789-8581	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Jackson Rancheria of MeWuk Indians 16070 Miwuk Drive Jackson, CA 94642 (209) 223-3931	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815

<u>TRIBE</u>	<u>BIA</u>
Jamul Indian Village of California P. O. Box 612 Jamul, CA 92035 (619) 697-5041	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Karuk Tribe of California P. O. Box 1098 Happy Camp, CA 96039 (916) 493-5305	Northern California Agency P. O. Box 494879 Redding, CA 96049
Kashia Band of Pomp Indians of Stewarts Point Rancheria P. O. Box 54 Stewarts Point, CA 95480 (707) 785-2595	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
LaJolla Band of Luiseno Mission Star Route Box 158 Valley Center, CA 92087 (619) 742-3771	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
LaPosta Band of Diegueno Mission 1064 Barona Road Lakeside, CA 92040 (619) 782-9294	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Lookout Rancheria of Pit River P. O. Box 87 Lookout, CA 96054	Northern California Agency P. O. Box 494879 Redding, CA 96049
Los Coyotes Band of Cahuilla Mission P. O. Box 249 Warner Springs, CA 92086 (619) 782-3269	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Manchester Band of Pomo Indians P. O. Box 623 Point Arena, CA 95468 (707) 882-2788	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Manzanita Band of Diegueno Mission P. O. Box 1302 Boulevard, CA 92005 (619) 478-5028	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Mesa Grande Band of Diegueno Mission P. O. Box 270 Santa Ysabel, CA 92070 (619) 449-1907	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501

<u>TRIBE</u>	<u>BIA</u>
Middletown Rancheria of Pomo Indian P. O. Box 292 Middletown, CA 95461 (916) 987-3276	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Montgomery Creek Rancheria of Pit River Indians P. O. Box 282 Montgomery Creek, CA 96065	Northern California Agency P. O. Box 494879 Redding, CA 96049
Mooretown Rancheria of Maidu P. O. Box 532 Feather Falls, CA 95940	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Morongo Band of Cahuilla Mission 11581 Potrero Road Banning, CA 92220 (714) 849-4697	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Northfork Rancheria of Mono Indians 3027 Clement Street #2 San Francisco, CA 94121	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Paiute-Shoshone Indians of Bishop P. O. Box 548 Bishop, CA 93514 (619) 873-3584	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Paiute-Shoshone Indians of Lone Pine St. Route 1, 1101 S. Main St. Lone Pine, CA 93545 (619) 876-5414	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Pala Bang of Liuserno Mission Indians P. O. Box 43 Pala, CA 92059 (619) 742-3784	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Pauma Band of Luiseno Mission of the Pauma & Yuma Reservation P. O. Box 86 Pauma Valley, CA 92061 (619) 742-1289	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Pecbanga Band Luiseno Mission P. O. Box 1477 Temecula, CA 92390 (714) 676-2768	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501

<u>TRIBE</u>	<u>BIA</u>
Picayne Rancheria of Chukchansi P. O. Box 386 Coarsegold, CA 93614	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Pinoleville Rancheria of Pomo 367 North State Street, Suite 204 Ukiah, CA 95482 (707) 463-1454	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Pit River Indian Tribe of the X-1 Ranch Reservation P. O. Drawer 1570 Burney, CA 96013 (916) 335-5421	Northern California Agency P. O. Box 494879 Redding, CA 96049
Potter Valley Rancheria of Pomo Box 94 Potter Valley, CA 95469 (707) 743-1649	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Quartz Valley Rancheria of Karok, Shasta and Upper Klamath P. O. Box 25 Fort Jones, CA 96032 (916) 468-5488	Northern California Agency P. O. Box 494879 Redding, CA 96049
Ramona Band of Village of Cahuilla Mission 460 West Valley Road Colton, CA 92324	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Redding Rancheria of Pomo Indians 1786 California Street Redding, CA 96001 (916) 241-1871	Northern California Agency P. O. Box 494879 Redding, CA 96049
Redwood Valley Rancheria of Pomo P. O. Box 499 Redwood Valley, CA 95470 (707) 485-0361	Northern California Agency P. O. Box 494879 Redding, CA 96049
Rincon Band of Luiseno Mission P. O. Box 68 Valley Center, CA 92081 (619) 749-1051	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Roaring Creek Rancheria of Pit River P. O. Box 494879 Redding, CA 96049	Northern California Agency P. O. Box 494879 Redding, CA 96049

<u>TRIBE</u>	<u>BIA</u>
Robinson Rancheria of Pomo Indians P. O. Box 1119 Nice, CA 95464 (707) 275-0527	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Robnerville Rancheria of Bear River P. O. Box 108 Eureka, CA 95501 (707) 442-3931	Northern California Agency P. O. Box 494879 Redding, CA 96049
Rumsey Indian Rancheria of Wintun P. O. Box 18 Brooks, CA 95606 (916) 796-3234	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
San Manuel Band of Serrano Mission 5438 N. Victoria Avenue Highland, CA 92346 (714) 864-5050	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
San Pasquai Band of Diegueno Mission P. O. Box 365 Valley Center, CA 92082 (619) 749-3200	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Santa Rosa Indian Community of the Santa Rosa Rose Rancheria 16835 Alkaki Drive Lemoore, CA 93245 (209) 924-1278	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Santa Rosa Band of Cahuilla Mission 325 N. Western St. Hemet, CA 92343 (619) 741-5211	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Santa Ynez Band of Chumasn Mission P. O. Box 517 Santa Ynez, CA 93460 (805) 688-7997	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Santa Ysabel Band of Diegueno Mission P. O. Box 130 Santa Ysabel, CA 92070 (619) 765-0845	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501

TRIBEBIA

Sheep Ranch Rancheria of MeWuk
(no tribal organization)
c/o
Central California Agency
1800 Tribute Road, Suite 111
Sacramento, CA 95815

Central California Agency
1800 Tribute Road, Suite 111
Sacramento, CA 95815

Sherwood Valley Rancheria of Pomo
2141 South State Street
Ukiah, CA 95482
(707) 468-1337

Central California Agency
1800 Tribute Road, Suite 111
Sacramento, CA 95815

Shingle Springs Band of Miwok
Indians
(Verona Tract)
P. O. Box 1298
Single Springs, CA 95682
(916) 391-7822

Central California Agency
1800 Tribute Road, Suite 111
Sacramento, CA 95815

Smith River Rancheria
P. O. Box 239
Smith River, CA 95567
(707) 487-654-2765

Northern California Agency
P. O. Box 494879
Redding, CA 96049

Soboba Band of Luiseno Mission
P. O. Box 487
San Jacinto, CA 92383
(714) 654-2765

Southern California Agency
3600 Lime Street, Suite 722
Riverside, CA 92501

Susanville Indian Rancheria of
Paiute, Maidu, Pit River and Washoe
Indians
Drawer U
Susanville, CA 96130
(916) 257-6264

Central California Agency
1800 Tribute Road, Suite 111
Sacramento, CA 95815

Sycuan Band of Diegueno Mission
P. O. Box 520
Alpine, CA 92001
(619) 445-5993

Southern California Agency
3600 Lime Street, Suite 722
Riverside, CA 92501

Table Bluff Rancheria of Wiyot
Indians
P. O. Box 519
Loleta, CA 95551
(707) 733-4483

Northern California Agency
P. O. Box 494879
Redding, CA 96049

Table Mountain Rancheria
P. O. Box 105
Friant, CA 93626

Central California Agency
1800 Tribute Road, Suite 111
Sacramento, CA 95815

<u>TRIBE</u>	<u>BIA</u>
Torres-Martinez Band of Cahuilla 66-725 Martinez Road Terma, CA 92274 (619) 397-0300	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Thule River Indian Tribe P. O. Box 589 Porterville, CA 93258 (209) 781-4271	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Tuolumne Band of Me-Wuk Indians 19595 Miwuk Street Tuolumne, CA 95379 (209) 928-3475	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Twenty-nine Palms Band of Luiseno c/o Glen Calac 1150 E. Palm Canyon Dr. #75 Palm Springs, CA 92262	Southern California Agency 3600 Lime Street, Suite 722 Riverside, CA 92501
Upper Lake Bank of Pomo Indians P. O. Box 20272 Sacramento, CA 95820 (916) 371-2576	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Utu Utu Gwaiti Paiute of Benton Paiute Reservation 4, Box 56-A Benton, CA 93512 (619) 933-2321	Central California Agency 1800 Tribute Road, Suite 111 Sacramento, CA 95815
Yurok Tribe of Hoopa Valley P. O. Box 1348 Hoopa, CA 95546 (916) 625-4211	Northern California Agency P. O. Box 494879 Redding, CA 96049

COLORADO

Southern Ute Reservation, Colorado P. O. Box 737 Ignacio, CO 81157 (303) 563-4525	Southern Ute Agency P. O. Box 315 Ignacio, CO 91137 (303) 563-4511
Ute Mountain Tribe of Ute Mountain Towaoc, CO 81334	Ute Mountain Agency Towaoc, CO 82334

TRIBEBIA

CONNECTICUT

Mashantucket Pequot Tribe of
Connecticut
P. O. Box 160
Ledyard, CT 06339

Eastern Area Office
1951 Constitution Avenue
Washington, D.C. 20245

FLORIDA

Miccosukee Tribe of Indians of
Florida
P. O. Box 440021, Tamiami Station
Miami, FL 33144
(305) 223-8380

Seminole Agency for fire management
control only
Seminole Agency
6073 Stirling Road
Hollywood, FL 33024

Seminole Tribe of Florida, Dania
Big Cypress and Brighton Reservation
6073 Stirling Road
Hollywood, FL 33024
(305) 583-7112

Seminole Agency
6075 Stirling Road
Hollywood, FL 33024

IDAHO

Coeur D'Alene Tribe
Plummer, ID 83851
(208) 274-3101

Northern Idaho Agency
P. O. Box 277
Lapwai, ID 83540

Kootenai Tribe of Idaho
P. O. Box 1269
Bonners Ferry, ID 83805
(208) 267-3519

Northern Idaho Agency
P. O. Drawer 277
Lapwai, ID 83540

Nez Perce Tribe of Idaho
P. O. Box 305
Lapwai, ID 83540
(208) 843-2253

Northern Idaho Agency
P. O. Drawer 277
Lapwai, ID 83540

Shoshone-Bannock Tribes of Fort Hall
Fort Hall, ID 83203
(208) 238-3700

Fort Hall Agency
Fort Hall, ID 83203

IOWA

Sac & Fox of the Mississippi in Iowa
Rt. 2, Box 56C
Tama, Iowa 52339
(515) 484-4678/5358

Sac & Fox Area Field Office
Bureau of Indian Affairs
Rt. 2, Box 78A
Tama, Iowa 52339

TRIBEBIA

KANSAS

Iowa Tribe of Kansas and Nebraska
Rt. 1, Box 58A
Whitecloud, KS 66094
(913) 595-3258

Horton Agency
P. O. Box 31
Horton, KS 66439

Kickapoo Reservation in Kansas
Rt. 1, Box 157A
Horton, Kansas 66439
(913) 486-2131

Horton Agency
908 First Avenue East
Horton, Kansas 66439

Prairie Band of Potawatomi Indians
Route 2, Box 50A
Mayetta, Kansas 66509
(913) 966-2255

Horton Agency
Horton, Kansas 66439

Sac & Fox Tribe of Missouri in
Kansas and Nebraska
Rt. 1, Box 60
Reserve, Kansas 66434
(913) 742-7471

Horton Agency
P. O. Box 31
Horton, Kansas 66439

LOUISIANA

Chitimacha Tribe of Louisiana
P. O. Box 661
Charenton, Louisiana 70523

Choctaw Agency
412 Powell
Philadelphia, MS 39350

Coushatta Tribe of Louisiana
P. O. Box 818
Elton, Louisiana 70532

Choctaw Agency
412 Powell
Philadelphia, MS 39350

Tunica-Biloxi Indian Tribe of Louis.
P. O. Box 331
Marksville, Louisiana 71351

Choctaw Agency
412 Powell
Philadelphia, MS 39350

MAINE

Passamaguoddy Tribe of Maine
P. O. Box 301
Princeton, Maine 04668

Eastern Area Office
1951 Constitution Avenue NW
Washington, D.C. 20245

Penobscot Tribe of Maine
Six River Road
Indian Island Reservation
Old Town, MA 04468

Eastern Area Office
1951 Constitution Avenue NW
Washington, D.C. 20245

TRIBEBIA

Houlton Band of Maliset Indians
 P. O. Box 748-Bell Road
 Houlton, Maine 04730
 (207) 532-4273

Eastern Area Office
 1951 Constitution Avenue NW
 Washington, D.C. 20245

MASSACHUSETTS

Gayhead Wampanoag Indians of Mass.
 State Road, RFD, Box 137
 Gay Head, Massachusetts 02535
 (617) 645-9265

Eastern Area Office
 1951 Constitution Avenue NW
 Washington, D.C. 20245

MICHIGAN

Bay Mills Indian Community
 Rt. 1
 Brimley, MI 49715
 (906) 333-3241

Michigan Agency
 P. O. Box 884
 Sault Ste. Marie, MI 49783

Grand Traverse Band of Ottawa &
 Chippewa Indians of Michigan
 Rt. 1, Box 135
 Suttons Bay, MI 49692
 (616) 271-3538

Michigan Agency
 P. O. Box 884
 Sault Ste. Marie, MI 49783

Hannahville Indian Community
 N. 14911 Hannahville Blvd. Rd.
 Wilson, MI 49896
 (906) 466-2342

Michigan Agency
 P. O. Box 884
 Sault Ste. Marie, MI 49783

Keweenaw Bay Indian Community
 Rt. 1, Box 45
 Baraga, MI 49908
 (906) 353-6623

Michigan Agency
 P. O. Box 884
 Sault Ste. Marie, MI 49783

Lac Vieux Desert Band of Chippewa
 Indians
 P. O. Box 446
 Watersmeet, MI 49969
 RECOGNIZED 9/8/88
 (906) 358-4600

Michigan Agency
 P. O. Box 884
 Sault Ste. Marie, MI 49783

Saginaw Chippewa Indian Tribe
 7070 E. Broadway Rd.
 Mt. Pleasant, MI 48858
 (517) 772-5700

Michigan Agency
 P. O. Box 884
 Sault Ste. Marie, MI 49783

TRIBEBIA

Sault St. Marie Tribe of Chippewa
206 Greenvough Street
Sault St. Marie, MI 47983
(906) 635-6050

Michigan Agency
P. O. Box 884
Sault Ste. Marie, MI 49783

MINNESOTA

Lower Sioux Indian Community
Rt. 1 Box 308
Morton, MN 56270
(507) 697-6185

Minnesota Sioux Field Office
Minneapolis Area Office
15 South Fifth Street
Minneapolis, MN 55402

Minnesota Chippewa Tribe
(Six Component Reservations)
Bois Forte Band
Fon du Lac Band
Grand Portage Band
Leech Lake Band
White Earth Band
P. O. Box 217
Cass Lake, MN 56633
(218) 335-8581

Minnesota Agency
Rt. 3, Box 112
Cass Lake, MN 56633

Prairie Island Indian Community
5750 Sturgeon Lake Road
Welch, MN 55089
(800) 862-7089

Minnesota Sioux Field Office
Minneapolis Area Office
15 South Fifth Street
Minneapolis, MN 55402

Red Lake Band of Chippewa Indians
P. O. Box 550
Red Lake, MN 56671
(218) 679-3341

Red Lake Agency
Red Lake, MN 56671
(218) 679-3361

Shakopee Mdewakanton Sioux Comm.
2330 Sioux Trail N.W.
Prior Lake, MN 55372
(612) 445-8900

Minnesota Sioux Field Office
Minneapolis Area Office
15 South Fifth Street
Minneapolis, MN 55402

Upper Sioux Community
P. O. Box 147
Granite Falls, MN 56241
(612) 564-2360

Minnesota Sioux Field Office
Minneapolis Area Office
15 South Fifth Street
Minneapolis, MN 55402

TRIBEBIA**MISSISSIPPI**

Mississippi Band of Choctaw Indians
Rt. 7 Box 21
Philadelphia, MI 39350

Choctaw Agency
412 Powell
Philadelphia, MI 39350

MISSOURI

Eastern Shawnee Tribe of Oklahoma
P. O. Box 350
Seneca, MO 64865
(417) 776-2435

Miami Agency
P. O. Box 391
Miami, OK 74354

MONTANA

Assinboine and Sioux Tribe of
Montana
Poplar, MT 59255
(406) 768-5155

Fort Peck Agency
P. O. Box 637
Poplar, MT 59255

Blackfeet Tribe, Montana
Browning, Montana 59417
(406) 338-7276

Blackfeet Agency
P. O. Box 850
Browning, MT 59417

Chippewa-Cree Indians of Rocky Boy
Rocky Boy Rt. Box 544
Box Elder, Montana 59521
(406) 395-4282

Rocky Boy's Agency
Box Elder, Montana 59521
(406) 395-

Confederated Salish & Kootenai
Box 278
Pablo, MT 59855

Flathead Agency
Box A
Pablo, MT 59855

Crow Tribe of Montana
Crow Agency, MT 59022

Crow Agency
Crow Agency, MT 59022

Fort Belknap Indian Community of the
Fort Belknap Res-Montana
P. O. Box 249
Harlem, MT 59526

Fort Belknap Agency
P. O. Box 98
Harlem, MT 59526

Northern Cheyenne Tribe
P. O. Box 128
Lame Deer, MT 59043
(406) 477-8283

Northern Cheyenne Tribe
P. O. Box 128
Lame Deer, MT 59043
(406) 477-8283

TRIBEBIA

NEBRASKA

Omaha Tribe of Nebraska
Macy, Nebraska 68039
837-5391

Winnebago Agency
Winnebago, Nebraska 68071
FTS 758-7212
878-2201

Santee Sioux Tribe of Nebraska
Niobrara, Nebraska 68760
(402) 857-2271

Winnebago Agency
Winnebago, Nebraska 68071
FTS 758-7212
878-2201

Winnebago Tribe of Nebraska
Winnebago, Nebraska 68071

Winnebago Tribe of Nebraska
Winnebago, Nebraska 68071

NEVADA

Duckwater Shoshone Tribe
P. O. Box 68
Duckwater, NV 89314

Eastern Nevada Agency
P. O. Box 28
Elko, NV 89832

Ely Indian Colony of Nevada
16 Shoshone Circle
Ely, NV 89301
(702) 289-3013

Eastern Nevada Agency
P. O. Box 28
Elko, NV 89832

Fort McDermott Paiute and Shoshone
P. O. Box 457
McDermitt, NV 89820
(702) 532-3926

Western Nevada Agency
1300 Curry Street
Carson City, NV 89701

Las Vegas Tribe of Paiute Indians
No. 1 Paiute Drive
Las Vegas, NV 89106
(702) 386-3926

Southern Paiute Field Station
P. O. Box 986
Cedar City, UT 84720

Lovelock Paiute Tribe of Lovelock
P. O. Box 878
Lovelock, NV 89419
(702) 273-7861

Western Nevada Agency
1300 Curry Street
Carson City, NV 89701

Moapa Band of Paiute Indians
P. O. Box 56
Moapa, NV 89025
(702) 865-2787

Southern Paiute Field Station
P. O. Box 986
Cedar City, UT 84720

<u>TRIBE</u>	<u>BIA</u>
Paiute-Shoshone Tribe of Fallon P. O. Box 1650 Fallon, NV 89406 (702) 423-6075	Western Nevada Agency 1300 Curry Street Carson City, NV 89701
Pyramid Lake Paiute Tribe P. O. Box 256 Nixon, NV 89424	Western Nevada Agency 1300 Curry Street Carson City, NV 89701
Shoshone-Paiute Tribes of Duck Valley P. O. Box 219 Owyhee, NV 89832 (702) 757-3161	Eastern Nevada Agency P. O. Box 28 Elko, NV 89832
Reno-Sparks Indian Colony Nevada 98 Colony Road Reno, NV 89502 (702) 329-2936	Western Nevada Agency 1300 Curry Street Carson City, NV 89701
Summit Lake Paiute Tribe P. O. Box 64 Denio, NV 89404 (503) 495-2206	Western Nevada Agency 1300 Curry Street Carson City, NV 89701
Te-Moak Tribe of Western Shoshone 525 Sunset Street Elko, NV 89801 (702) 738-9251	Eastern Nevada Agency P. O. Box 28 Elko, NV 89832
Walker River Paiute Tribe P. O. Box 220 Schurz, NV 89427 (702) 773-2306	Western Nevada Agency 1300 Curry Street Carson City, NV 89701
Washoe Tribe of Nevada & California (Carson Colony, Dresslerville and Washoe Ranches) 919 Hwy 395 South Gardnerville, NV 89410 (702) 883-6431	Western Nevada Agency 1300 Curry Street Carson City, NV 89701
Winnemucca Indian Colony of Nevada P. O. Box 1669 Winnemucca, NV 89445 (702) 623-2980	Western Nevada Agency 1300 Curry Street Carson City, NV 89701

TRIBEBIA

Yerrington Paiute Tribe
171 Campbell Lane
Yerrington, NV 89447
(702) 463-3301

Western Nevada Agency
1300 Curry Street
Carson City, NV 89701

Yomba Shoshone Tribe
Rt. 1, Box 24
Austin, TX 89310

Western Nevada Agency
1300 Curry Street
Carson City, NV 89701

NEW MEXICO

Jicarilla Apache Tribe
P. O. Box 507
Dulce, NM 87528
(505) 759-3242

Jicarilla Agency
P. O. Box 167
Dulce, NM 87528

Mescalero Apache Tribe
P. O. Box 176
Mescalero, NM 88340

Mescalero Agency
Mescalero, NM 88340

Pueblo of Acoma, New Mexico
P. O. Box 309
Acomita, NM 87049

Southern Pueblo Agency
P. O. Box 1667
Albuquerque, NM 87103

Pueblo of Cochiti, New Mexico
P. O. Box 70
Cochiti Pueblo, NM 87041

Southern Pueblo Agency
P. O. Box 1667
Albuquerque, NM 87103

Pueblo of Jemez, New Mexico
P. O. Box 78
Jemez, Pueblo, NM 87024

Southern Pueblo Agency
P. O. Box 1667
Albuquerque, NM 87103

Pueblo of Isleta, New Mexico
P. O. Box 317
Isleta, Pueblo 87022

Southern Pueblo Agency
P. O. Box 1667
Albuquerque, NM 871031

Pueblo of Laguna, New Mexico
P. O. Box 194
Laguna, NM 87026
(505) 552-6654

Laguna Agency
P. O. Box 1448
Laguna, NM 87026

Pueblo of Nambe, New Mexico
Rt. 1, Box 117-88
Santa Fe, NM 87501

Northern Pueblos Agency
P. O. Box 849
Santa Fe, NM 87501

Pueblo of Picuris, New Mexico
P. O. Box 228
Penasco, NM 87553

Northern Pueblos Agency
P. O. Box 849
Santa Fe, NM 87501

<u>TRIBE</u>	<u>BIA</u>
P. O. Box Pojoaque, New Mexico Rt. 1, Box 71 Santa Fe, NM 87501	Northern Pueblos Agency P. O. Box 849 Santa Fe, NM 87501
Pueblo of San Felipe, New Mexico P. O. Box 308 Algodones, NM 87001	Southern Pueblo Agency P. O. Box 1667 Albuquerque, NM 87103
Pueblo of San Juan, New Mexico P. O. Box 1099 San Juan Pueblo, NM 87566	Northern Pueblos Agency P. O. Box 849 Santa Fe, NM 87501
Pueblo of San Ildetonso, New Mexico Route 5, Box 315A Santa Fe, NM 87501	Northern Pueblos Agency P. O. Box 849 Santa Fe, NM 87501
Pueblo of Sandia, New Mexico P. O. Box 6008 Bernalillo, NM	Southern Pueblo Agency P. O. Box 1667 Albuquerque, NM 87103
Pueblo of Santa Ana, New Mexico P. O. Box 37 Bernalillo, NM 87004	Southern Pueblo Agency P. O. Box 1667 Albuquerque, NM 87103
Pueblo of Santa Clara, New Mexico P. O. Box 580 Española, NM 87532	Northern Pueblos Agency P. O. Box 849 Santa Fe, NM 87501
Pueblo of Santo Domingo, New Mexico P. O. Box 99 Santo Domingo Pueblo, NM 870952	Southern Pueblo Agency P. O. Box 1667 Albuquerque, NM 87103
Pueblo of Taos, New Mexico P. O. Box 1846 Taos, NM 87571	Northern Pueblos Agency P. O. Box 849 Santa Fe, NM 87501
Pueblo of Tesuque, New Mexico Route 11, Box 1 Santa Fe, NM 87501	Northern Pueblos Agency P. O. Box 849 Santa Fe, NM 87501
Pueblo of Zia, New Mexico General Delivery San Ysidro, NM 87327	Southern Pueblo Agency P. O. Box 1667 Albuquerque, NM 87103
Zuni Tribe of the Zuni Reservation P. O. Box 339 Zuni, NM 87327 (505) 782-4481	Zuni Agency P. O. Box 369 Zuni, NM 87327

TRIBEBIA

NEW YORK

Cayuga Nation of New York
P. O. Box 11
Versailles, NY 14168
(716) 532-4847

Eastern Area Office
1951 Constitution Avenue NW
Washington, D.C. 20245

Oneida Nation of New York
313 LaForte Avenue, Apt. 1
Syracuse, NY 13207

New York Liaison Office
Federal Bldg., Rm. 523
100 S. Clinton St.
Syracuse, NY 12302

Onondaga Nation of New York
R.R. #1 Box 270A
Nedrow, NY 13120
(315) 469-8507

New York Liaison Office
Federal Bldg., Rm. 523
100 S. Clinton St.
Syracuse, NY 12302

Seneca Nation of New York
Genevieve Plummer Bldg.
P. O. Box 231
Salamanca, NY 14779
(716) 945-1790

New York Liaison Office
Federal Bldg., Rm. 523
100 S. Clinton St.
Syracuse, NY 12302

St. Regis Band of Mohawk, New York
Community Bldg.
Hogansburg, NY 13655
(518) 358-2272

New York Liaison Office
Federal Bldg., Rm. 523
100 S. Clinton St.
Syracuse, NY 12302

Tonawanda Band of Seneca Indians
7027 Meadville Road
Basom, NY 14013
(716) 542-4244

New York Liaison Office
Federal Bldg., Rm. 523
100 S. Clinton St.
Syracuse, NY 12302

Tuscarora Nation of New York
5616 Walmore Road
Lewiston, NY 14092
(716) 297-9279

New York Liaison Office
Federal Bldg., Rm. 523
100 S. Clinton St.
Syracuse, NY 12302

NORTH CAROLINA

Eastern Band of Cherokee Indians of
North Carolina
P. O. Box 455
Cherokee, NC 28719

Cherokee Agency
Cherokee, North Carolina 28719

TRIBEBIA

NORTH DAKOTA

Devils Lake Sioux Tribe
Fort Totten, ND 58335
(701) 766-4221

Fort Totten Agency
Fort Totten, ND 58335

Standing Rock Sioux Tribe
P. O. Box D
Fort Yates, ND 58538

Standing Rock Agency
Fort Yates, ND 58538

Three Affiliated Tribes of Fort
Berthold Reservation
New Town, ND 58763
(701) 627-4781

Fort Berthold Agency
P. O. Box 370
New Town, ND 58763

Turtle Mountain Band of Chippewa
Belcourt, ND 58316
(701) 477-6451

Turtle Mountain Agency
Belcourt, ND 58315
(701) 477-3191

OKLAHOMA

Absentee Shawnee Tribe
Box 1747
Shawnee, OK 74801
(405) 275-4030

Shawnee Agency
2025 South Gordon Cooper Dr.
Shawnee, OK 74801

Alabama-Ouassarte Tribal Town
Creek Nation
P. O. Box 484
Euraula, OK 74437
(918) 689-2638

Okmulgee Agency
P. O. Box 370
Okmulgee, OK 74447

Apache Tribe of Oklahoma
P. O. Box 1220
Anadarko, OK 73005
(405) 247-9493

Anadarko Agency
P. O. Box 309
Anadarko, OK 73005

Caddo Indian Tribe of Oklahoma
P. O. Box 487
Binger, OK 73009

Anadarko Agency
P. O. Box 309
Anadarko, OK 73005

Cherokee Nation of Oklahoma
P. O. Box 948
Tahlequah, OK 74464
(918) 456-0671
1-800-722-4325 in Oklahoma

Tahlequah Agency
P. O. Box 828
Tahlequah, OK 74464

<u>TRIBE</u>	<u>BIA</u>
Cheyenne-Arapaho Tribes of P. O. Box 38 Concho, OK 73022 (405) 262-4155	Concho Agency Concho, OK 73022
Chickasaw Nation of Oklahoma P. O. Box 1548 Ada, OK 74820 (405) 436-2603	Ardmore Agency P. O. Box 997 Ardmore, OK 73402
Choctaw Nation of Oklahoma Drawer 1210 Durant, OK 74702 (405) 924-8280	Talihina Agency P. O. Drawer H Talihina, OK 74571
Citizen Band Potawatomi Indians 1901 S. Gordon Cooper Dr. Shawnee, OK 74801 (405) 275-3121	Shawnee Agency 2025 South Gordon Cooper Dr. Shawnee, OK 74801
Comanche Indian Tribe of Oklahoma P. O. Box 908 Lawton, OK 73502	Anadarko Agency P. O. Box 309 Anadarko, OK 73005
Creek Nation of Oklahoma P. O. Box 580 Okmulgee, OK 74447	Okmulgee Agency P. O. Box 370 Okmulgee, OK 74447
Delaware Tribe of Western Oklahoma P. O. Box 825 Anadarko, OK 73005	Anadarko Agency P. O. Box 309 Anadarko, OK 73005
Fort Still Apache Tribe of Oklahoma Rt. 2, Box 121 Apache, OK 93006	Anadarko Agency P. O. Box 309 Anadarko, OK 73005
Iowa Tribe of Oklahoma P. O. Box 190 Perkins, OK 74059 (405) 547-2403	Shawnee Agency 2025 South Gordon Cooper Dr. Shawnee, OK 74801
Kaw Indian Tribe of Oklahoma Drawer 50 Kay City, OK 74641 (405) 269-2557	Pawnee Agency P. O. Box 440 Pawnee, OK 74058
Kjalegee Tribal Town of the Creek 928 Alex Noon Drive Wetumka, OK 74883	Muskogee Area Office Old Federal Bld. Muskogee, OK 74401

<u>TRIBE</u>	<u>BIA</u>
Kickapoo Tribe of Oklahoma (includes Texas Band of Kickapoo) P. O. Box 70 McLoud, OK 74851 (405) 654-2300	Shawnee Agency 2025 South Gordon Cooper Dr. Shawnee, OK 74801
Kiowa Indian Tribe of Oklahoma P. O. Box 369 Carnegie, OK 73015 (405) 654-2300	Anadarko Agency P. O. Box 309 Anadarko, OK 73005
Miami Tribe of Oklahoma P. O. Box 636 Miami, OK 74355 (918) 542-1445	Miami Agency P. O. Box 391 Miami, OK 74355
Modoc Tribe of Oklahoma P. O. Box 939 Miami, OK 74355 (918) 542-1190	Miami Agency P. O. Box 391 Miami, OK 74355
Osage Tribe of Oklahoma Tribal Administration Bldg. Osage Agency Pawhuska, OK 74056	Osage Agency Pawhuska, OK 74056
Ottawa Tribe of Oklahoma P. O. Box 110 Miami, OK 74355 (918) 540-1536	Miami Agency P. O. Box 391 Miami, OK 74355
Otoe-Missouria Tribe of Oklahoma P. O. Box 470 Red Rock, OK 74651 (405) 723-4434	Pawnee Agency P. O. Box 440 Pawnee, OK 74058
Pawnee Indian Tribe of Oklahoma P. O. Box 470 Pawnee, OK 74058 (918) 762-3624	Pawnee Agency P. O. Box 440 Pawnee, OK 74058
Peoria Tribe of Oklahoma P. O. Box 1527 Miami, OK 74355 (918) 540-2535	Miami Agency P. O. Box 391 Miami, OK 74355
Ponca Tribe of Indians of Oklahoma Box 2 White Eagle, Ponca City 74601 (405) 762-8104	Pawnee Agency P. O. Box 440 Pawnee, OK 74058

<u>TRIBE</u>	<u>BIA</u>
Quapaw Tribe of Oklahoma P. O. Box 765 Quapaw, OK 74363 (918) 542-1853	Miami Agency P. O. Box 391 Miami, OK 74355
Sac & Fox Tribe of Indians of Oklahoma Route 2, Box 246 Stroud, OK 74884	Shawnee Agency 2025 South Gordon Cooper Dr. Shawnee, OK 74801
Seminole Nation of Oklahoma P. O. Box 1498 Wewoka, OK 74884	Wewoka Agency P. O. Box 1060 Wewoka, OK 74884
Seneca-Cayuga Tribe of Oklahoma P. O. Box 1283 Miami, OK 74355 (918) 542-6609	Miami Agency P. O. Box 391 Miami, OK 74355
Thlopthlocco Tribal Town of Creek 8433 East 64th Pl. Tulsa, OK 74135	Okmulgee Agency P. O. Box 370 Okmulgee, OK 74447
Tonkawa Tribe of Indians of Oklahoma P. O. Box 70 Tonkawa, OK 74653 (405) 628-2561	Pawnee Agency Pawnee, OK 74801
United Keetoowah Band of Cherokee P. O. Box 195 Tahlequah, OK 74464	Tahlequah Agency P. O. Box 828 Tahlequah, OK 74464
Wichita Indian Tribe of Oklahoma P. O. Box 729 Anadarko, OK 73005	Anadarko Agency P. O. Box 309 Anadarko, OK 73005
Wyandotte Tribe of Oklahoma P. O. Box 250 Wyandotte, OK 74370 (918) 678-2297	Miami Agency P. O. Box 391 Miami, OK 74355

OREGON

Burns Paiute Indian Colony Oregon P. O. Box 71 Burns, OR 97720 (503) 573-2088	Warm Springs Agency P. O. Box 1239 Warm Springs, OR 97761
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<u>TRIBE</u>	<u>BIA</u>
Confederated Tribes of Coos Lower Umpua and Suislaw Indians 455 South 4th St. Coos Bay, OR 97420 (503) 267-5454	Siletz Agency P. O. Box 539 Siletz, OR 97380
Confederated Tribes of the Grand Ronde P. O. Box 38 Grand Rhonde, OR 97380 (503) 879-5215	Siletz Agency P. O. Box 539 Siletz, OR 97380
Confederated Tribes of the Umatilla P. O. Box 638 Pendleton, OR 97801 (503) 276-3165	Umatilla Agency P. O. Box 520 Pendleton, OR 97801
Confederated Tribes of Warm Springs P. O. Box 71 Warm Springs, OR 97761 (503) 553-1161	Warm Springs Agency P. O. Box 1239 Warm Springs, OR 97761
Cow Creek Band of Umpqua Indians 649 W. Harrison Roseburg, OR 97470 (503) 672-9405	Siletz Agency P. O. Box 539 Siletz, OR 97380
Klamath General Council Box 436 Chiloquin, OR 97624 RECOGNIZED 8/27/86	Chiloquin Sub-Agency P. O. Box 360 Chiloquin, OR 97624 (503) 783-2189

RHODE ISLAND

Naragansett Indian Tribe of Rhode Island RFD #2 Kenyon, Rhode Island 02836	Eastern Area Office 1951 Constitution Avenue NW Washington, D.C. 20245
---	--

SOUTH DAKOTA

Cheyenne River Sioux Tribe P. O. Box 590 Eagle Butte, SD 57625 (605) 245-2221	Cheyenne River Agency Eagle Butte, SD 57625
--	--

TRIBEBIA

Crow Creek Sioux Tribe of the Crow
Creek Reservation
Box 50
Fort Thompson, SD 57339
(605) 245-2221

Crow Creek Agency
P. O. Box 139
Fort Thompson, SD 57339
(605) 245-2311

Flandreau Santee Sioux
Box 292
Flandreau, SD 57028
(605) 997-3891

Flandreau Field Office
Flandreau, SD 57028

Lower Brule Sioux Tribe
Lower Brule, SD 57548
(605) 473-5561

Lower Brule Agency
P. O. Box 190
Lower Brule, SD 57548

Oglala Sioux Tribe of Pine Ridge
P. O. Box 468
Pine Ridge, SD 57770
(605) 867-5821

Pine Ridge Agency
P. O. Box 1203
Pine Ridge, SD 57770

Rosebud Sioux Tribe
P. O. Box 430
Rosebud, SD 57570
(605) 747-2381

Rosebud Agency
P. O. Box 550
Rosebud, SD 57570

Sisseton-Wahpeton Sioux of Lake
Traverse Reservation, South Dakota
P. O. Box 509
Agency Village, SD. 57262
(605) 698-3911

Sisseton Agency
P. O. Box 688
Agency Village, SD 57262

Yankton Sioux Tribe
P. O. Box 248
Marty, SD 57361
(605) 384-3804

Yankton Agency
Wagner, SD 57380

TEXAS

Alabama & Coughatta Tribes of Texas
Rt. 3, Box 640
Livingston, TX 77351
RECOGNIZED 8/18/87

Shawnee Agency
2025 South Gordon Cooper Dr.
Shawnee, OK 74801

UTAH

Confederated Tribes of the Goshute
Ibapah, UT 84034
(801) 234-1138

Eastern Nevada Agency
P. O. Box 28
Elko, NV 89832

<u>TRIBE</u>	<u>BIA</u>
Paiute Indian Tribe of Utah 600 N. 100 East Cedar City, UT 84720 (801) 586-1111	Southern Paiute Field Station P. O. Box 986 Cedar City, UT 84720
Skull Valley Band of Goshute of Utah c/o U & O Agency Ft. Duchesne, UT 84026	Uintah and Ouray Agency Ft. Duchesne, UT 84026
Ute Indian Tribe of Uintah & Ouray Fort Duchesne, UT 84026 (801) 722-5141	Uintah and Ouray Agency Ft. Duchesne, UT 84026

WASHINGTON

Confederated Tribes of the Chehalis P. O. Box 536 Oakville, WA 98568 (206) 273-5911	Olympia Peninsula Agency P. O. Box 120 Hoquiam, WA 98550
Confederated Tribes of the Colville P. O. Box 111 Nespelem, WA 99155 (509) 634-4711	Colville Agency P. O. Box 150 Nespelem, WA 99155
Confederated Tribes of Yakima P. O. Box 151 Toppenish, WA 98948 (509) 865-5121	Yakima Agency P. O. Box 632 Toppenish, WA 98948
Hoh Indian Tribe HC 80, Box 917 Forks, WA 98331 (206) 374-6582	Olympic Peninsula Agency P. O. Box 120 Hoquiam, WA 98550
Jamestown Klallam Tribe 205 Old Blyn Hwy Sequim, WA 98382 (206) 683-1109	Olympic Peninsula Agency P. O. Box 120 Hoquiam, WA 98550
Kalispel Indian Community P. O. Box 39 Usk, WA 99180 (509) 445-1147	Spokane Agency P. O. Box 389 Wellpinit, WA 99040
Lower Elwa Tribal Community 1666 Lower Elwha Road Port Angeles, WA 98362 (206) 452-8771	Olympic Peninsula Agency P. O. Box 120 Hoquiam, WA 98550

<u>TRIBE</u>	<u>BIA</u>
Lummi Tribe 2616 Kwina Road Bellingham, WA 98226 (206) 734-8180	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Muckleshoot Indian Tribe 39015 - 172nd SE Auburn, WA 98002 (206) 939-3311	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Nisqually Indian Community 4820 Seh-Nan-Num Dr. SE Olympia, WA 98503 (206) 456-5221	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Nooksack Indian Tribe P. O. Box 157 Deming, WA 98244 (206) 592-5176	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Makah Indian Tribe P. O. Box 114 Neah Bay, WA 98357 (206) 645-2201	Olympia Peninsula Agency P. O. Box 120 Hoquiam, WA 98550
Port Gamble Band of S'Klallam Indians P. O. Box 280 Kingston, WA 98346 (206) 297-2646	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Puyallup Tribe 2002 East 28th Street Tacoma, WA 98404 (206) 297-2646	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Quileute Tribe P. O. Box 279 LaPush, WA 98350 (206) 374-6263	Olympia Peninsula Agency P. O. Box 120 Hoquiam, WA 98550
Sauk-Suiattle Tribe 5318 Chief Brown Lane Darrington, WA 98241 (206) 435-8366	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Shoalwater Bay Tribe P. O. Box 130 Tokeland, WA 98590 (206) 267-6766	Olympia Peninsula Agency P. O. Box 120 Hoquiam, WA 98550

<u>TRIBE</u>	<u>BIA</u>
Skokomish Indian Tribe N. 80 Tribal Center Road Shelton, WA 98584 (206) 426-4232	Olympia Peninsula Agency P. O. Box 120 Hoquiam, WA 98550
Spokane Tribe P. O. Box 100 Wellpinit, WA 99040 (509) 258-4581	Spokane Agency P. O. Box 389 Wellpinit, WA 99040
Squaxin Island Tribe S.E. 70 Squaxin Lane Shelton, WA 98584 (206) 426-9781	Olympia Peninsula Agency P. O. Box 120 Hoquiam, WA 98550
Stillaguamish Tribe 3439 Stoluckguamish Lane Arlington, WA 98223 (206) 652-7362	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Suquamish Indian Tribe P. O. Box 598 Suquamish, WA 98392 (206) 598-3311	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Swinomish Indian Tribal Community P. O. Box 817 LaConner, WA 98257 (206) 466-3163	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Tulalip Tribe 6700 Totem Beach Road Marysville, WA 98270 (206) 653-4585	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201
Upper Skagit Indian Tribe of Washington 2284 Community Plaza Sedro Woolley, WA 98284 (206) 856-5501	Puget Sound Agency 3006 Colby Avenue-Fed. Bldg. Everett, WA 98201

WISCONSIN

Bad River Band of Lake Superior Chippewa Indians Rt. 39 Odapah, WI 54861 (715) 682-4212/9200	Great Lakes Agency Ashland, WI 54806
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<u>TRIBE</u>	<u>BIA</u>
Forest County Potawatomi Community P. O. Box 846 Crandon, WI 54520 (715) 478-2903	Great Lakes Agency Ashland, WI 54606
Lac Courte Oreilles Band of Lake Superior Chippewa Indians Rt. 2 Box 2700 Hayward, WI 54843 (715) 634-8934	Great Lakes Agency Ashland, WI 54806
Menominee Indian Tribe of Wisconsin P. O. Box 397 Keshena, WI 54135 (715) 799-3707 (tribal enrollment)	Menominee Field Office Minneapolis Area Office 15 South 5th St. Minneapolis, MN
Oneida Tribe of Wisconsin P. O. Box 365 Oneida, WI 54155 (414) 869-2214	Great Lakes Agency Ashland, WI 54806
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin P. O. Box 529 Bayfield, WI 54814 (715) 779-5805	Great Lakes Agency Ashland, WI 54806
Sokoagon Chippewa (Mole Lake) Community Rt. 1, Box 625 Crandon, WI 54520 (715) 478-2604	Great Lakes Agency Ashland, WI 54806
Strockbridge-Munsee Community Rt. 1 Bowler, WI 54416 (715) 793-4111	Great Lakes Agency Ashland, WI 54806
St. Croix Chippewa Indians P. O. Box 287 Hertel, WI 54845 (715) 349-2195	Great Lakes Agency Ashland, WI 54806
Wisconsin Winnebago Tribe P. O. Box 311 Tomah, WI 54660 (608) 372-4147	Great Lakes Agency Ashland, WI 54806

TRIBEBIA

WYOMING

Arapahoe Tribe of Wind River
P. O. Box 3966
Ft. Washakie, WY 82514
(307) 255-8394

Wind River Agency
Fort Washakie, WY 82514

Northwestern Band of Shoshone of
Utah (Washakie)
Rock Springs, WY 82901

Wind River Agency
Bureau of Indian Affairs
Fort Washakie, WY 82514

Shoshone Tribe of the Wind River
P. O. Box 217
Ft. Washakie, WY 82514

Wind River Agency
Fort Washakie, WY 82514

12.25 NOTIFICATION OF INDIAN TRIBAL ENTITIES IN ALASKA

The tribal system in Alaska is different from the rest of the United States. Every village or native town is considered to be an individual Indian tribe even though the villages may be close together and the people in the villages are of the same linguistic group. There are approximately 460 separate village tribal entities in Alaska.

Overlaying the village system are the regional profit and nonprofit corporations. There are 12 of each type of corporation in Alaska. The regional profit corporations are for the purpose of administering funds from the Alaska Native Claims Settlement Act. The regional nonprofit corporations cover social and cultural matters. In addition to notifying the village, it is best to also notify the proper nonprofit corporation of pending Indian Child Welfare matters.

Some techniques to use for notification are listed below.

- A. If the parent only knows the name of the regional profit corporation that he/she belongs to, use the profit and nonprofit corporation list (List A). That list cross references profit corporations to corresponding nonprofit corporations.
- B. Identify the specific village that the Alaskan native parent is from using the village list (List B) to see which nonprofit corporation covers that village and send the notice to that corporation. The addresses for all of the nonprofit corporations can be found in List C.
- C. Notice should also be sent directly to the native entity (village) that the parent is from. Names and addresses are found in List D.
- D. If you cannot identify what village, geographical area or profit or nonprofit corporation the person is from, notify the Portland Area Bureau of Indian Affairs (DSHS 09-536).

LIST A -- PROFIT* AND NON-PROFIT** CORPORATIONS

1. Arctic Slope Native Association*
- 1a. Arctic Slope Regional Corporation*
2. Mauneluk Association*
- 2a. Nana Regional Corporation*
3. Tanana Chiefs Conference and Dena Aka Corporation*
- 3a. Doyon Limited**
4. Bristol Bay Native Association*
- 4a. Bristol Bay Native Corporation**
5. Tlingit-Haida Central Council*
- 5a. Sealaska Corporation**
6. Aleutian/Pribilof Island Association, Inc.*
- 6a. Aleut Corporation**
7. Kodiak Area Native Association*
- 7a. Koniag Incorporated**
8. North Pacific Rim Native Corporation*
- 8a. Chugach Natives Incorporated**
9. Cook Inlet Tribal Council*
- 9a. Cook Inlet Regional Corporation**
10. Copper River Native Association*
- 10a. Ahtna Corporation**
11. Kawerak, Incorporated*
- 11a. Bering Straits Native Corporation**
12. Association of Village Council Presidents*
- 12a. Calista Corporation**

LIST B -- VILLAGE CORPORATIONS

This list is not meant to exclude villages that become recognized or established after the issuance of this manual.

<u>Village Name</u>	<u>Village Corporation</u>	<u>Regional Corporation</u>
Afognak	Native of Afognak, Inc.	7
Akhiok	Natives of Akhoik, Inc.	7
Akiachak	Akiachak, Ltd.	12
Akiak	Kokarmiut Corporation	12
Akutan	Akutan Corporation	6
Alakanuk	Alakanuk Native Corporation	12
Alatna	Alatna Endeavors, Inc.	3
Aleknagik	Aleknagik Natives, Ltd.	4
Allakaket	Aala Kaa K'a, Inc.	3
Ambler	Ivisaapaagmiit Corporation	2
Anaktuvuk Pass	Nunamiut Corporation	1
Andreafski	Nerklikmute Native Corporation	12
Angoon	Kootznoowoo, Inc.	3
Aniak	Aniak, Ltd.	12
Anvik	Central Native Corporation	3
Atka	Atxam Corporation	6
Atkasook	Atkasook Corporation	1
Atmauthluak	Atmauthluak, Ltd.	12
Barrow	Ukpeagvik Inupiat Corporation	1
Beaver	Beaver Kwit'chin Corporation	3
Belkofski	Belkofski Corporation	6
Bethel	Bethel Native Corporation	12
Bettles Field/ Evansville	Evansville, Inc.	3
Bill Moores	Kongnikilnamiut Yuita Corporation	11
Birch Creek	Tihteet'Aii, Inc.	3
Brevig Mission	Brevig Mission Native Corporation	11
Buckland	Nanachiak Corporation	2
Cantwell	Cantwell Yedetna Na Corporation	10
Chalkyitsik	Chalkyitsik Native Corporation	3
Chefornak	Chefarnrmute, Inc.	12
Chenega	Chenega Corporation	8
Chevak	Chevak Company	12
Chickaloon	Chikaloon-Moose Creek Native Assoc., Inc.	9
Chignik	Far West, Inc.	4
Chignik Lagoon	Chignik Lagoon Native Corporation	4
Chignik Lake	Chignik Lake Native, Inc.	4
Chistochina	Cheesh-na Inc.	10
Chitina	Chitina Native Corporation	10
Chuathbaluk	Chuathbaluk Company	12
Chuloonawick	Chuloonawick Corporation	12
Circle	Danzhit Hanl'aii Corporation	3
Clark's Point	Saguyak, Inc.	4
Cooper Center	Kluti-Kaah Corporation	10

<u>Village Name</u>	<u>Village Corporation</u>	<u>Regional Corporation</u>
Council	Council Native Corporation	11
Craig	Shaan-Seet, Inc.	5
Crooked Creek	Kipchaughpuk, Ltd.	12
Deering	Deering Ipnatchiak Corporation	2
Dillingham	Choggiung, Ltd.	4
Dot Lake	Dot Lake Native Corporation	3
Eagle	Hungwitchin Corporation	3
Eek	Iqfijouaq Company	12
Egegik	Becharof Corporation	4
Eklutna	Eklutna, Inc.	9
Ekuk	Ekuk Natives, Ltd.	4
Ekwok	Ekwok Natives, Ltd.	4
Emmonak	Emmonak Corporation	12
English Bay	English Bay Corporation	8
Eyak	Eyak Corporation	8
False Pass	False Pass Corporation	6
Ft. Yukon	Gwitchyaazhe Corporation	3
Gokona	Gakona Corporation	10
Galena	Notaaghleedin, Ltd.	3
Georgetown	Georgetown, Inc.	12
Golovin	Golovin Native Corporation	11
Goodnews Bay/Mumtrak	Kiutsarak, Inc.	12
Grayling	Hee-Yea-Lingde Corporation	3
Gulkana	Sta-Keh Corporation	10
Hamilton	Nunapiglluraq Corporation	12
Healy Lake	Mendas Chax-aq Native Corporation	3
Holy Cross	Deloycheet, Inc.	3
Hoonah	Huna Totem	5
Hooper Bay	Sea Lion Corporation	12
Hughes	Hadohdleekaga, Inc.	3
Huslia	Bin Googa, Inc.	3
Hydaburg	Haida Corporation	5
Inalik/Diamede	Diamede Native Corporation	11
Iniugig	Igiugig Native Corporation	4
Iliamna	Iliamna Natives Ltd.	4
Ivanof Bay	Bay View, Inc.	4
Kaguyak	Kaguyak, Inc.	7
Kake	Kake Tribal Corporation	5
Naktovik	Naktovik Inupiat Corporation	1
Kaltag	Takathlee-todin, Inc.	3
Karluk	Karluk Native Corporation	7
Kasaan	Kavilco, Inc.	5
Kasigluk	Kasigluk, Inc.	12
Kiana	Katyaak Corporation	2
King Cove	The King Cove Corporation	6
King Island	King Island Native Corporation	11
Kipnuk	Kugkaktlik, Ltd.	12
Kivalina	Kivalina Sinuakmeut Corpotation	2
Klawock	Klawock Heenya	5
Knik	Knikutnu, Inc.	9

<u>Village Name</u>	<u>Village Corporation</u>	<u>Regional Corporation</u>
Kobuk	Koovukmeut, Inc.	2
Kokhanok	Kokhanok Native Corporation	4
Koliganek	Kolignek, Ltd.	4
Kongiganak	Qenirtalet Coast Corporation	12
Kotlik	Kotlik Yupik Corporation	12
Kotzebue	Kikiktagruk Inupiat Corporation	2
Koyuk	Koyuk Native Corporation	11
Koyukak	Mineelghaadza', Ltd.	3
Kwethluk	Kwethluk, Inc.	12
Kwigillingok	Kwik, Inc.	12
Larson Bay	Nu-Nachk Pit, Inc.	7
Levelock	Levelock Natives, Ltd.	4
Lime Village	Lime Village Company	12
Lower Kalskag	Lower Kalskag, Inc.	12
Manley Hot Springs	Bean Ridge Corporation	3
Manokotak	Manokotak Natives, Ltd.	4
Marshall/Fortuna Ledge	Maserculig, Inc.	12
Mary's Igloo	Mary's Igloo Native Corporation	11
McGrath	Chamai, Inc.	3
Mekoryuk	Nima Corporation	12
Mentasta Lake	Mentasta, Inc.	10
Minto	Seth-de-ya-ah Corporation	3
Mountain Village	Azachorok, Inc.	12
Naknek	Paug-vik Incorporated, Ltd.	4
Napaimute	Napaimute, Ltd.	12
Napakiak	Napakiak Corporation	12
Napaskiak	Napaskiak, Inc.	12
Nelson Lagoon	Nelson Lagoon Corporation	6
Nenana	Toghetthele Corporation	3
New Stuyahok	Stuyahok, Ltd.	4
Newhalen	Newhalen Native Corporation	4
Newtok	Newtok Corporation	12
Nightmute	NGTA, Inc.	12
Nikolai	DonLee Corporation	3
Nikolski	Chaluka Corporation	6
Ninilchik	Ninilchik Native Association, Inc.	9
Noatak	Noatak Napaaktukmeut Corporation	2
Nome	Sitnasuak Native Corporation	11
Nondalton	Nondalton Native Corporation	4
Noorvik	Putoo Corporation	2
Northway	Northway Natives, Inc.	3
Nuiqsut	Kuukpik Corporation	1
Nulato	Nik'aghun, Ltd.	3
Nunapitchuk	Nunapitchuk, Ltd.	12
Ohogamiut	OHOG, Inc.	12
Old Harbor	Old Harbor Native Corporation	7
Oscarville	Oscarville Native Corporation	12
Ouzinkie	Ouzinkie Native Corporation	7
Paimiut	Paimiut Corporation	12
Pedro Bay	Pedro Bay Corporation	4

<u>Village Name</u>	<u>Village Corporation</u>	<u>Regional Corporation</u>
Perryville	Oceanside Corporation	4
Pilot Point	Pilot Point Native Corporation	4
Pilot Station	Pilot Station, Inc.	12
Pitka's Point	Pitka's Point Native Corporation	12
Platinum	ARVIG, Inc.	12
Point Hope	Tigara Corporation	1
Point Lay	Cully Corporation	1
Port Graham	Port Graham Corporation	8
Port Heiden	Meshik, Inc.	4
Port Lions	Port Lions Native Corporation	7
POortage Creek	Ohgsenakle Corporation	4
Quinhagak	Qanirtuug, Inc.	12
Rampart	Baan-o-yeel-kan Corporation	3
Red Devil	Red Devil, Inc.	12
Ruby	Dineega Corporation	3
Russian Mission (Yukon)	Russian Mission Native Corporation	12
St. George	St. George Tanaq Corporation	6
St. Mary's	St. Mary's Native Corporation	12
St. Michael	St. Michael Native Corporation	11
St. Paul	Tanadgusix Corporation	6
Sand Point	Shumagin Corporation	6
Saxman	Cape Fox Corporation	5
Scammon Bay	Askinuk Corporation	12
Selawik	Akuliuk, Inc.	2
Seldovia	Seldovia Native Association, Inc.	9
Shageluk	Zho-tse, Inc.	3
Shaktoolik	Shaktoolik Native Corporation	11
Sheldon's Point	Swan Lake Corporation	12
Shishmaref	Shishmaref Native Corporation	11
Shungnak	Isingnakmeut, Inc.	2
Sleetmute	Sleetmute, Ltd.	12
South Naknek	Quinuyang, Ltd.	4
Stebbins	Stebbins Native Corporation	11
Stevens Village	Dinyea Corporation	3
Stony River	Stony River, Ltd.	12
Tokotna	Gold Creek, Ltd.	3
Tanacross	Tanacross, Ltd.	3
Tanana	Tozitna, Ltd.	3
Tatitlek	Tatitlek Corporation	8
Tazlina	Tazlina, Inc.	10
Telida	Seseui, Inc.	3
Teller	Teller Native Corporation	11
Togiak	Togiak Natives Ltd.	4
Toksook Bay	Nunakuiak Yupik Corporation	12
Tuluksak	Tulukisarmute, Inc.	12
Tuntutuliak	Tuntutuliak Land, Ltd.	12
Tununak	Tununrmiut Rinit Corporation	12
Twin Hills	Twin Hills Native Corporation	4
Tyonek	Tyonek Native Corporation	9

<u>Village Name</u>	<u>Village Corporation</u>	<u>Regional Corporation</u>
Ugashik	Ugashik Native Corporation	4
Umkumuite	Umkumuite, Ltd.	12
Unalakleet	Unalakleet Native Corporation	11
Unalaska	Ounalashka Corporation	6
Unga	Unga Corporation	6
Upper Kalskag	Upper Kalskag, Inc.	12
Wainwright	Olgoonik Corporation	1
Wales	Wales Native Corporation	11
White Mountain	White Mountain Native Corporation	11
Woody Island	Leisnoi, Inc.	7
Yakutat	Tak-tat Kwaan, Inc.	5

LIST C -- ALASKA NATIVE REGIONAL CORPORATION ADDRESSES

1. ARTIC SLOPE NATIVE ASSOCIATION
Box 566
Barrow, AK 99723
Ph (907) 852-8633
2. MAUNELUK ASSOCIATION
Box 256
Kotzebue, AK 99752
3. TANANA CHIEFS INC.
122 1st Ave.
Fairbanks, AK 99701
Ph (907) 452-8251
4. BRISTOL BAY NATIVE ASSOCIATION
Box 310
Dillingham, AK 99576
5. ALEUTIAN/PRIBILOF ISLANDS
ASSOCIATION, INC.
401 E. Firewood Lane, Suite 201
Anchorage, AK 99503
(907) 276-2700
6. CENTRAL COUNCIL TLINGIT-HAIDA
INDIAN TRIBES OF ALASKA
Andrew Hope Building
320 West Willoughby Ave,
Suite 300
Juneau, AK 99801
7. KODIAK AREA NOTICE ASSOCIATION
400 Old Seward, No. 300
Anchorage, AK 99503
(907) 486-5725
8. NORTH PACIFIC RIM NATIVE
CORPORATION
3300 C St.
Anchorage, AK 99503
(907) 486-5725
9. COOK INLET TRIBAL COUNCIL
Anchorage, AK 99503
(907) 272-7529
10. COPPER RIVER NATIVE
ASSOCIATION, INC.
Drawer G
Copper Center, AK 99573
(907) 822-5240
11. KAWERAK, INC.
Box 948
Nome, AK 99762
(907) 443-5231
12. ASSOCIATION OF VILLAGE COUNCIL
PRESIDENTS
Box 219
Bethel, AK 99559
(907) 543-3521
13. 13th REGIONAL CORPORATION
101 East 8th St., Suite 240
Vancouver, WA 98660
(206) 693-2660

LIST D -- FEDERALLY-RECOGNIZED NATIVE ENTITIES

Akhiok Native Village of Box 5072 Akhiok, Alaska 99615 Phone: 299-8001	Atmauthluak Village of General Delivery Atmauthluak, Alaska 99559 Phone: 553-5610	Chignik Lagoon Native Village of General Delivery Chignik Lagoon, Alaska 99565 Phone: 840-2206
Akiachak Native Village of P.O. Box 70 Akiachak, Alaska 99551 Phone: 825-4626	Barrow Native Village Box 1139 Barrow, Alaska 99723 Phone: 852-5211 (City Office)	Chignik Lake Village General Delivery Chignik Lake, Alaska 99564 Phone: 845-2122
Akiak Native Community P.O. Box 52165 Akiak, Alaska 99552 Phone: 765-7411	Beaver Village Council General Delivery Beaver, Alaska 99724 Phone: 628-6126	Chilkat Indian Village of Klukwan P.O. Box 210 Haines, Alaska 99827 Phone: 767-5505
Akutan Native Village of General Delivery Akutan, Alaska 99553 Phone: 698-2232 Message	Belkofsky Native Village of General Delivery Belkofsky, Alaska 99695 Phone: 497-2260	Chilkoot Indian Assoc. of Haines P.O. Box 490 Haines, Alaska 99827 Phone: 766-2310/766-2299 home
Alakanuk Village of P.O. Box 58 Alakanuk, Alaska 99554 Phone: 238-3419	Bethel Native Village (Orutsararmiut) P.O. Box 927 Bethel, Alaska 99559 Phone: 543-2608	Chistochina Native Village of P.O. Box 241 Gakona, Alaska 99586 Phone: 822-3503
Alatna Village General Delivery Alatna, Alaska 99720 Phone:	Bettles Field (Evanville) General Delivery Bettles, Alaska 99726 Phone: 692-5501 (home)	Chitina Native Village of P.O. Box 31 Chitina, Alaska 99566 Phone: 823-2215
Alegnagik Village of P.O. Box 81 Alegnagik, Alaska 99555 Phone: 842-5960	Birch Creek Village General Delivery Fort Yukon, Alaska 99740 Phone: 828-6126/221-2115	Chuathbaluk Village of General Delivery Chuathbaluk, Alaska 99557 Phone: 467-4415
Allakaket Village General Delivery Allakaket, Alaska 99720 Phone: 968-5980	Brevig Mission Village General Delivery Brevig Mission, Alaska 99785 Phone: 642-3851	Circle Village P.O. Box 8 Circle, Alaska 99733 Phone: 773-1232
Ambler Village of General Delivery Ambler, Alaska 99796 Phone: 445-2125	Buckland Native Village of General Delivery Buckland, Alaska 99727 Phone: 494-2126	Clark's Point Village of P.O. Box 16 Clark's Point, Alaska 99569 Phone: 236-1221
Anaktuvuk Pass Village of General Delivery Anaktuvuk Pass, Alaska 99721 Phone:	Cantwell Native Village of P.O. Box 94 Cantwell, Alaska 99729 Phone: 786-2591	Copper Center Village P.O. Box 68 Copper Center, Alaska 99576 Phone: 822-5241
Angoon Community Association P.O. Box 188 Angoon, Alaska 99820 Phone: 788-3411	Chalkyitsik Village General Delivery Chalkyitsik, Alaska 99788 Phone: 773-1232	Craig Community Association P.O. Box 244 Craig, Alaska 99821 Phone: 826-3247
Aniak Village of P.O. Box 176 Aniak, Alaska 99557 Phone: 675-4349	Chenega Native Village of General Delivery Chenega Bay, Alaska 99562 Phone: 573-5111	Crooked Creek Village of General Delivery Crooked Creek, Alaska 99575 Phone: 732-8001
Anvik Village General Delivery Anvik, Alaska 99558 Phone: 663-6346 Message	Cherfornak Village of P.O. Box 110 Cherfornak, Alaska 99561 Phone: 867-8850	Deering Native Village of P.O. Box 36043 Deering, Alaska 99736 Phone: 363-2136 (City Office)
Arctic Village Council P.O. Box 22050 Arctic Village, Alaska 99722 Phone: 587-5226 (home)	Chevak Native Village P.O. Box 5514 Chevak, Alaska 99563 Phone: 858-7428	Dillingham Native Village of P.O. Box 216 Dillingham, Alaska 99576 Phone: 842-2384
Atka Native Village of Atka Rural Branch Atka, Alaska 99502 Phone: 839-2253	Chickaloon Village P.O. Box 1105 Chickaloon, Alaska 99674-1105 Phone: 272-5780	Diomedes Native Village of General Delivery Diomedes, Alaska 99762 Phone: 686-8001
Atkasook Village General Delivery Atkasook, Alaska 99723 Phone:	Chignik Native Village of General Delivery Chignik Lake, Alaska 99564 Phone:	Dot Lake Village of Box 272 Dot Lake, Alaska 99737 Phone: 882-2693 work

- Douglas Indian Association
P.O. Box 840
Douglas, Alaska 99824
Phone: 463-5219
- Eagle Village of
P.O. Box 19
Eagle, Alaska 99738
Phone: 547-5219
- Eek Native Village of
General Delivery
Eek, Alaska 99578
Phone: 536-5129
- Egegik Village Council
P.O. Box 189
Egegik, Alaska 99570
Phone: 233-2231
- Eklutna Native Village
P.O. Box 670705
Cugiak, Alaska 99567
Phone: 688-2286
- Ekuk Native Village of
General Delivery
Ekuk, Alaska 99576
Phone: 842-5937
- Ekwok Village
P.O. Box 42
Ekwok, Alaska 99580
Phone: 484-3317
- Elim Native Village of
General Delivery
Elim, Alaska 99739
Phone: 980-3821
- Emmonak Village Council
General Delivery
Emmonak, Alaska 99561
Phone: 949-1227
- Eyak Native Village
P.O. Box 878
Cordova, Alaska 99574
Phone: 484-3622
- False Pass Native Village of
General Delivery
False Pass, Alaska 99583
Phone: 548-2234
- Fort Yukon Native Village of
Box 126
Fort Yukon, Alaska 99740
Phone: 662-2581
- Gakona Native Village of
P.O. Box 124
Gakona, Alaska 99586
Phone: 822-3497
- Galena Village Council
Box 182
Galena, Alaska 99741
Phone: 656-1366
- Gambell Native Village of
P.O. Box 133
Gambell, Alaska 99742
Phone: 985-5028
- Golovin Vill. Giniik Eskimo Com.
General Delivery
Golovin, Alaska 99762
Phone: 779-3671
- Goodness Bay Native Village of
P.O. Box 52
Goodnews Bay, Alaska 99589
Phone: 697-8311
- Grayling Organized Village of
General Delivery
Grayling, Alaska 99590
Phone: 453-5128
- Gulkana Village Council
P.O. Box 254
Gakona, Alaska 99586
Phone: 822-3476
- Healy Lake Village Council
P.O. Box 667
Delta Junction, Alaska 99737
Phone: 452-7915
- Holy Cross Village Council
P.O. Box 203
Holy Cross, Alaska 99602
Phone: 476-7169
- Hoonah Indian Association
P.O. Box 144
Hoonah, Alaska 99829
Phone: 945-3600
- Hooper Bay Native Village of
P.O. Box 37
Hooper Bay, Alaska 99604
Phone: 758-4311
- Hughes Village Council
General Delivery
Hughes, Alaska 99745
Phone: 899-2206
- Huslia Village Council
General Delivery
Huslia, Alaska 99746
Phone: 829-2256 message
- Hydaburg Cooperative Association
Box 305
Hydaburg, Alaska 99922
Phone: 285-3761 (City of
Hydaburg)
- Igiugig Village Council
P.O. Box 4001
Igiugig, Alaska 99613
Phone: 533-3211
- Iliamna Village of
P.O. Box 286
Iliamna, Alaska 99606
Phone: 571-1246
- Inupiat Com of the Arctic Slope
P.O. Box 934
Barrow, Alaska 99723
Phone: 852-3746
- Ivanoff Bay Village Council
General Delivery
Ivanoff Bay, Alaska 99695
Phone: 699-8001
- Keke Organized Village of
P.O. Box 316
Keke, Alaska 99830
Phone: 785-6471
- Kaktovik Village of Barter Is.
P.O. Box 8
Kaktovik, Alaska 99747
Phone:
- Kalekag Village of
General Delivery
Kalekag, Alaska 99607
Phone: 471-2248
- Kanatak Native Village of
No residents
Phone:
- Karluk Native Village of
General Delivery
Karluk, Alaska 99608
Phone: 241-2224
- Kasaan Native Village of
General Delivery
Kasaan, Alaska 99924
Phone: 542-2214 (City of
Kasaan)
- Kasigluk Native Village of
General Delivery
Kasigluk, Alaska 99609
Phone: 477-6028
- Kenaitze Indian Tribe
P.O. Box 988
Kenai, Alaska 99611
Phone: 283-3633
- Ketchikan Indian Corp.
429 Deersount
Ketchikan, Alaska 99901
Phone: 225-5158
- Kiana Village
P.O. Box 69
Kiana, Alaska 99749
Phone: 475-2109
- King Cove Village
P.O. Box 91
King Cove, Alaska 99612
Phone: 497-2340
- King Island Native Community
P.O. Box 922
Nome, Alaska 99762
Phone: 443-5494
- Kipnuk Native Village of
General Delivery
Kipnuk, Alaska 99614
Phone: 896-5315
- Kivalina Native Village of
P.O. Box 32
Kivalina, Alaska 99750
Phone: 645-2137 (City Office)
- Klawock Cooperative Association
P.O. Box 112
Klawock, Alaska 99925
Phone: 755-2265
- Knik Village
P.O. Box 2130
Wasilla, Alaska 99687
Phone: 276-2845
- Kobuk Village
General Delivery
Kobuk, Alaska 99751
Phone: 948-2217 (City Office)
- Kokhanok Village
Kokhanok via
Iliamna, Alaska 99606
Phone: 282-2202
- Kongiganak Native Village
General Delivery
Kongiganak, Alaska 99559
Phone: 557-5638 (home)
- Kotlik Village of
P.O. Box 20096
Kitlik, Alaska 99621
Phone: 899-4326
- Kotzebue Native Village of
P.O. Box 296
Kotzebue, Alaska 99752
Phone: 442-3467

Koyuk Native Village of
P.O. Box 81
Koyuk, Alaska 99753
Phone: 963-3441 (City Office)

Koyukuk Village Council
General Delivery
Koyukuk, Alaska 99754
Phone: 927-2214

Kwethluk Organized Village of
P.O. Box 82
Kwethluk, Alaska 99621
Phone: 757-8814

Kwigillingok Native Village of
P.O. Box 49
Kwigillingok, Alaska 99622
Phone: 588-8114

Kwinhagak Native Village of
P.O. Box 58
Quinhagak, Alaska 99655
Phone: 556-8449

Larsen Bay Native Village of
P.O. Box 35
Larsen Bay, Alaska 99624
Phone: 847-2207

Levelock Village
General Delivery
Levelock, Alaska 99625
Phone: 287-3030

Lime Village Council
General Delivery
Lime Village, Alaska 99656
Phone: 648-8001

Lower Kalskag Village of
P.O. Box 27
Kalskag, Alaska 99626
Phone: 471-2228

Manley Hot Springs Village
General Delivery
Manley Hot Springs, AK 99756
Phone: 672-3271

Manokotak Village Council
General Delivery
Manokotak, Alaska 99625
Phone: 842-5678

Marshall Native Village of
General Delivery
Marshall, Alaska 99585
Phone: 679-6511

Native Village Mary's Igloo
Box 571
Teller, Alaska 99778

McGrath Native Village of
P.O. Box 134
McGrath, Alaska 99627
Phone: 524-3024

Mekoryuk Native Village of
P.O. Box 66
Mekoryuk, Alaska 99630
Phone: 827-8426

Mentasta Village Council
Mentasta Lake via
Tok, Alaska 99780
Phone: 291-2319

Minto Native Village of
P.O. Box 26
Minto, Alaska 99758
Phone: 798-7112

Mountain Village Native Village
of
P.O. Box 32214
Mountain Village, Alaska 99632
Phone: 591-2929

Naknek Native Village
P.O. Box 106
Naknek, Alaska 99633
Phone: 246-4210

Napakiaik Native Village of
General Delivery
Napakiaik, Alaska 99634
Phone: 589-2227

Napaskiak Traditional Village
General Delivery
Napaskiak, Alaska 99559
Phone: 737-7626

Nelson Lagoon Native Village of
Nelson Lagoon via
Port Miller, Alaska 99695
Phone: 989-2205

Nenana Native Association
P.O. Box 358
Nenana, Alaska 99760
Phone: 479-6211

Newhalen Village
P.O. Box 165
Iliamna, Alaska 99606
Phone: 571-1226

New Stuyahok Village
General Delivery
New Stuyahok, Alaska 99636
Phone: 693-8002

Newtok Village Council
General Delivery
Newtok, Alaska 99681
Phone: 237-2314

Nightmute Native Village of
General Delivery
Nightmute, Alaska 99690
Phone: 647-6427

Nikolai Village Council
General Delivery
Nikolai, Alaska 99691
Phone: 524-3741/293-2113

Niloleki Native Village of
General Delivery
Nikolski, Alaska 99638
Phone: 576-2208

Noatak Native Village of
General Delivery
Noatak, Alaska 99761
Phone: 485-2173

Nome Eskimo Community
P.O. Box 401
Nome, Alaska 99762
Phone: 443-2246

Nondalton Village Council
General Delivery
Nondalton, Alaska 99640
Phone: 294-2254

Noorvik Native Community
P.O. Box 71
Noorvik, Alaska 99763
Phone: 636-2144

Northway Village
P.O. Box 455
Northway, Alaska 99764
Phone: 778-2250/778-2291
message

Nulato Village
General Delivery
Nulato, Alaska 99765
Phone: 898-2205

Nunapitchuk Native Village of
P.O. Box 130
Nunapitchuk, Alaska 99641
Phone: 527-5705

Old Harbor Village of
P.O. Box 109
Old Harbor, Alaska 99643
Phone: 286-2204

Oscarville Traditional Village
General Delivery
Oscarville, Alaska 99559
Phone: 737-7125

Ouzinkie Native Village of
P.O. Box 13
Ouzinkie, Alaska 99644
Phone: 680-2259

Pedro Bay Village Council
P.O. Box 47020
Pedro Bay, Alaska 99647
Phone: 850-2225

Perryville Native Village of
P.O. Box 115
Perryville, Alaska 99648-0101
Phone: 852-2203

Petersburg Indian Association
P.O. Box 1128
Petersburg, Alaska 99833
Phone: 772-3636

Pilot Point Native Village of
P.O. Box 449
Pilot Point, Alaska 99649
Phone: 797-2208

Pilot Station Traditional
Village
General Delivery
Pilot Station, Alaska 99650
Phone: 549-3512

Pitka's Point Native Village of
P.O. Box 127
Pitka's Point, Alaska 99651
Phone: 438-2833

Platinum Traditional Village
P.O. Box 50
Platinum, Alaska 99651
Phone: 979-8126

Point Hope Native Village of
General Delivery
Point Hope, Alaska 99766
Phone: 362-8001

Point Lay Native Village of
General Delivery
Point Lay, Alaska 99790
Phone: 852-2100/883-2414

Portage Creek Village Council
General Delivery
Portage Creek, Alaska 99576
Phone: 842-5966

Port Graham Village Council
Port Graham via
Homer, Alaska 99603
Phone: 284-2227

Port Heiden Native Village of
General Delivery
Port Heiden, Alaska 99549
Phone: 979-8001

Port Lions Native Village of
P.O. Box 253
Port Lions, Alaska 99550
Phone: 454-2234

Rampart Village Council
General Delivery
Rampart, Alaska 99767
Phone: 358-3115

Red Devil Village of
General Delivery
Red Devil, Alaska 99585
Phone: 447-8001

Ruby Native Village of
Box 21
Ruby, Alaska 99768
Phone: 468-4406

Russian Mission Native Village of
General Delivery
Russian Mission, Alaska 99857
Phone: 584-5111

Sand Point Village
Box 189
Sand Point, Alaska 99861
Phone: 383-3525

Savoonga Native Village of
P.O. Box 129
Savoonga, Alaska 99789
Phone: 984-6414

Saxman Organized Village of
Rt. 2, Box 2
Ketchikan, Alaska 99901
Phone: 225-4166

Scammon Bay Native Village of
General Delivery
Scammon Bay, Alaska 99862
Phone: 558-5329

Selawik Native Village of
P.O. Box 59
Selawik, Alaska 99770
Phone: 484-2225

Shageluk Native Village
General Delivery
Shageluk, Alaska 99865
Phone: 473-8221

Shaktolik Native Village of
P.O. Box 75
Shaktolik, Alaska 99771
Phone: 955-3701

Sheldon's Point Native Village of
General Delivery
Sheldon's Point, Alaska 99866
Phone: 498-4226

Shishmaref Native Village of
General Delivery
Shishmaref, Alaska 99772
Phone: 649-3821

Shungnak Native Village of
General Delivery
Shungnak, Alaska 99773
Phone: 437-2170

Sitka Community Association
P.O. Box 1450
Sitka, Alaska 99835
Phone: 747-3207

Sleetmute Village of
General Delivery
Sleetmute, Alaska 99666
Phone: 449-9901

South Naknek Village Council
P.O. Box 70106
South Naknek, Alaska 99670
Phone: 246-6544

Stebbins Community Association
P.O. Box 42
Stebbins, Alaska 99671
Phone: 934-3561

Stevens Native Village of
General Delivery
Stevens Village, Alaska 99774
Phone: 478-9226

Stony River Village of
General Delivery
Stony River, Alaska 99673
Phone: 537-3225

St. Michael Native Village of
General Delivery
St. Michael, Alaska 99859
Phone: 923-3931

St. Paul Island Aleut Community of
P.O. Box 86
St. Paul Island, Alaska 99860
Phone: 548-2211

St. George Island
P.O. Box 9
St. George Island, Alaska 99660
Phone: 838-2242

St. Mary's Village
P.O. Box 48
St. Mary's, Alaska 99658
Phone: 438-2515

Takotna Village
General Delivery
Takotna, Alaska 99675
Phone: 298-2212/298-2211 work

Tanacross Native Village of
General Delivery
Tanacross, Alaska 99776
Phone: 883-4131

Tanana Native Village of
P.O. Box 1
Tanana, Alaska 99777
Phone: 8160

Tatort Native Village of
P.O. Box 1
Tatort, Alaska 99677
Phone: 2311

Tazewell Native Village of
P.O. Box 1
Glendon, Alaska 99586
Phone: 5865

Telida Village
Box 2
McGrath, Alaska 99627
Phone: 643-8115

Teller Native Village
P.O. Box 509
Teller, Alaska 99778
Phone: 642-3401

Tetlin Native Village of
General Delivery
Tetlin, Alaska 99779
Phone: 883-2321/324-5555

Tlingit and Haida Indians of
Alaska
See Individual SE AK communities
Phone:

Togiak Traditional Village of
P.O. Box 209
Togiak, Alaska 99678
Phone: 493-5433

Toksook Bay Native Village of
General Delivery
Toksook Bay, Alaska 99837
Phone: 427-7114

Tuluksak Native Community
General Delivery
Tuluksak, Alaska 99679
Phone: 695-8133

Tuntutuliak Native Village of
General Delivery
Tuntutuliak, Alaska 99680
Phone: 256-2112

Tununak Native Village of
P.O. Box 77
Tununak, Alaska 99681
Phone: 652-6527

Twin Hills Village
General Delivery
Twin Hills, Alaska 99576
Phone: 972-8001

Tyonek Native Village of
P.O. Box 82009
Tyonek, Alaska 99682
Phone: 279-1941

Ugashik Village Council
via Pilot Point
Pilot Point, Alaska 99649
Phone:

Unalakleet Native Village of
P.O. Box 70
Unalakleet, Alaska 99684
Phone: 624-3622

Venetie Native Village of
P.O. Box 6
Venetie, Alaska 99781
Phone: 849-8413

Wainwright Village
General Delivery
Wainwright, Alaska 99782
Phone: 763-2720/763-2726

Wales Native Village of
General Delivery
Wales, Alaska 99783
Phone: 664-3001

White Mountain Native Village of
P.O. Box 82
White Mountain, Alaska 99784
Phone: 638-3411 (City Office)

Wrangell Cooperative Association
P.O. Box 868
Wrangell, Alaska 99929
Phone: 674-3505

Central Council Tlingit & Haida
Indians of Alaska
320 W. Willoughby, Suite 300
Juneau, Alaska 99801
Phone: 586-1432

NOT FEDERALLY RECOGNIZED NATIVE ENTITIES

Andreafski
General Delivery
Saint Mary's, Alaska 99658
Phone: 438-2318

Bill Moore Slough
General Delivery
Kotlik, Alaska 99620
Phone: 899-4712

Chaloonawik Council
General Delivery
Emmonak, Alaska 99581
Phone:

English Bay Village Council
General Delivery
English Bay, Alaska 99603
Phone: 281-9219

Hamilton
General Delivery
Kitlik, Alaska 99620
Phone:

Kaltag Village Council
General Delivery
Kaltag, Alaska 99748
Phone: 534-2230

Koliganek Native Village
General Delivery
Koliganek, Alaska 99576
Phone: 596-8001

Ninilchik Tribal Council
P.O. Box 282
Ninilchik, Alaska 99689
Phone: 567-3313

Napsimuit
General Delivery
Aniak, Alaska 99557
Phone:

Nuiqsut Village Council
General Delivery
Nuiqsut, Alaska 99723
Phone: 480-6714

Ohogumuit
General Delivery
Marshall, Alaska 99585
Phone:

Paimute
General Delivery
Hooper Bay, Alaska 99604
Phone:

Pelican T&H Council
P.O. Box 828
Pelican, Alaska 99832
Phone: 735-4471

Salamantoff Native Village of
P.O. Box 2682
Kenai, Alaska 99611
Phone: 283-7864

Seldovia Native Village of
Drawer L
Seldovia, Alaska 99663
Phone: 234-7625

Shoonag' Tribe of Kodiak
P.O. Box 1974
Kodiak, Alaska 99615
Phone: 486-4449

Skagua Traditional Council
P.O. Box 399
Skagway, Alaska 99840
Phone: 983-2429

T&H Community Council
P.O. Box 44
Tenakee Springs, Alaska 99841
Phone: 736-8001

Tok Native Village of
P.O. Box 372
Tok, Alaska 99790
Phone: 883-5157/883-5524

Umkumuit
General Delivery
Nightmute, Alaska 99690
Phone:

Unalaska Village Council
P.O. Box 134
Unalaska, Alaska 99885
Phone: 581-1366

Yakutat Native Village of
P.O. Box 418
Yakutat, Alaska 99689
Phone: 784-3238

ALASKA NATIVE REGIONAL CORPORATIONS

AHTNA, Inc.
Drawer G
Cooper Center, Alaska 99573
Phone: 822-3476

Aleut Corporation
4000 Old Seward Hwy, Suite 300
Anchorage, Alaska 99503
Phone: 576-4300

Arctic Slope Regional Corp.
P.O. Box 129
Barrow, Alaska 99723
Phone:

Bering Straits Native Corp.
P.O. Box 1008
Nome, Alaska 99762
Phone: 443-5252

Bristol Bay Native Assoc.
P.O. Box 310
Dillingham, Alaska 99576
Phone: 842-5257

Calista Corporation
516 Denali Street
Anchorage, Alaska 99501
Phone:

Chugach AK Corp.
3000 A Street, Suite 400
Anchorage, Alaska 99503
Phone: 583-8866

Cook Inlet Region, Inc.
2525 "C" Street
Anchorage, Alaska 99509
Phone:

Doyon Limited
Doyon Building 201 First Avenue
Fairbanks, Alaska 99701
Phone: 452-4755

Koniag, Inc.
4300 "B" Street, Suite 407
Anchorage, Alaska 99503
Phone: 561-2668

NANA Regional Corporation
P.O. Box 49 4706 Harding Drive
Kotzebue, Alaska 99752
Phone: 442-3301

Sealaska Corporation
One Sealaska Plaza, Suite 400
Juneau, Alaska 99801
Phone: 586-1512

Thirteenth Regional Corp.
101 East Eighth Street, Suite 240
Vancouver, Washington 98660
Phone: (206) 693-2660

PUBLIC LAW 93-638 INDIAN ORGANIZATION CONTRACTORS

Aleutian/Pribilof Islands
Association
1689 "C" Street
Anchorage, Alaska 99501
Phone: 276-2700

Angoon Community Association
P.O. Box 188
Angoon, Alaska 99820
Phone: 768-3411

Assoc. of Village Council
Presidents
P.O. Box 219
Bethel, Alaska 99559
Phone: 543-3521

Bristol Bay Native Association
P.O. Box 189
Dillingham, Alaska 99576
Phone: 842-5257

Central Council, Tlingit & Haida
Indian Tribes of Alaska
320 W. Willoughby, Suite 300
Juneau, Alaska 99801
Phone: 586-1432

Cook Inlet Tribal Council
670 West Fireweek Lane, Suite
123
Anchorage, Alaska 99503
Phone: 272-7529

Copper River Native Association
Drawer "H"
Copper Center, Alaska 99573
Phone: 822-5241

Fairbanks Native Association
310-1/2 First Avenue
Fairbanks, Alaska 99701
Phone: 452-1648

Native Village of Fort Yukon
P.O. Box 126
Fort Yukon, Alaska 99740
Phone: 662-2581

Native Village of Gambell
P.O. Box 133
Gambell, Alaska 99742
Phone: 985-5028

Organized Village of Kake
P.O. Box 316
Kake, Alaska 99830-0316
Phone: 785-3461

Kawerak, Inc.
P.O. Box 948
Nome, Alaska 99762
Phone: 433-5231

Kenaitze Indian Tribe
P.O. Box 988
Kenai, Alaska 99611
Phone: 283-3633

Ketchikan Indian Corporation
429 Deermount Avenue
Ketchikan, Alaska 99901
Phone: 225-5158

Kiana Traditional Council
General Delivery
Kiana, Alaska 99749
Phone: 475-2109

Kodiak Area Native Association
402 Center Avenue
Kodiak, Alaska 99615
Phone: 486-5725

Kotzebue IRA Council
P.O. Box 296
Kotzebue, Alaska 99752
Phone: 442-3467

Kushokwim Native Association
P.O. Box 106
Aniak, Alaska 99557
Phone: 675-4384

The North Pacific Rim, Inc.
611 E. 12th Avenue, Suite 102
Anchorage, Alaska 99501
Phone: 276-2121

Manilaq Association
P.O. Box 256
Kotzebue, Alaska 99752
Phone: 442-3311

Nome Eskimo Community
P.O. Box 401
Nome, Alaska 99762
Phone: 443-2246

Noorvik IRA Council
P.O. Box 71
Noorvik, Alaska 99763
Phone: 636-2144

Orutsararmuit Native Council
P.O. Box 927
Bethel, Alaska 99559
Phone: 543-2608

Selawik Native Village
P.O. Box 59
Selawik, Alaska 99770
Phone: 484-2225

Sitka Community Association
P.O. Box 1450
Sitka, Alaska 99835
Phone: 747-3207

Stebbins Community Association
P.O. Box 42
Stebbins, Alaska 99671
Phone: 934-3561

Tanana Chiefs Conference, Inc.
201 First Avenue
Fairbanks, Alaska 99701
Phone: 452-8251

Tanana IRA Council
P.O. Box 93
Tanana, Alaska 99777
Phone: 366-7160

Native Village of Tyonek
P.O. Box 82009
Tyonek, Alaska 99682
Phone: 279-1841

United Crow Bank, Inc.
P.O. Box 131
Tok, Alaska 99780
Phone: 883-5137

Yakutat Native Association
P.O. Box 418
Yakutat, Alaska 99689
Phone: 784-3238

12.30 NOTICE FOR CANADIAN INDIANS

While the Federal Indian Child Welfare Act does not currently cover Canadian Indians, DCFS requires its staff and staff of child care agencies, including child placing agencies, provide notification to Canadian tribes and bands. Extensive development of Indian child welfare programs is under way in Canada. These programs are valuable resources available to Canadian Indian children.

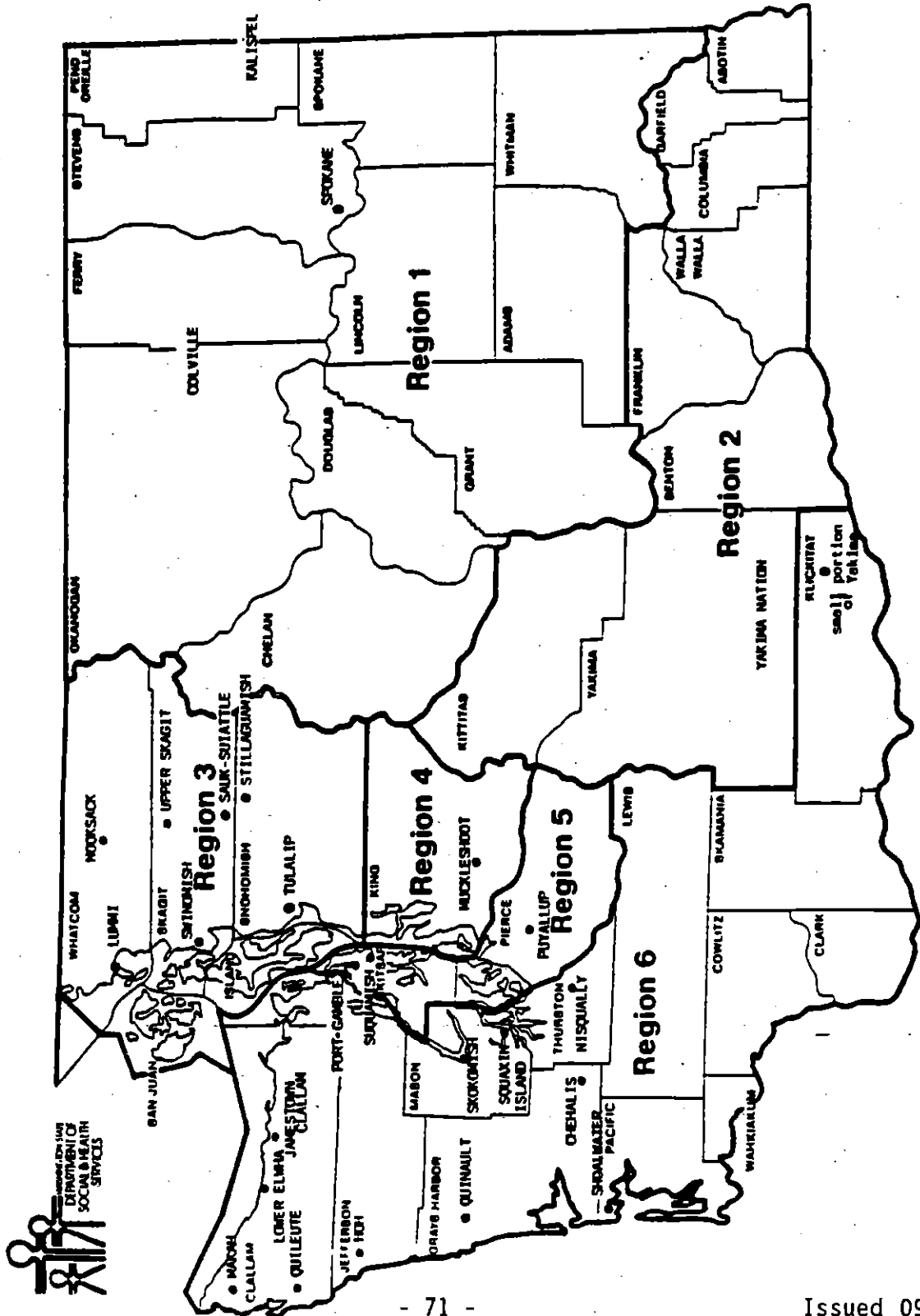
For assistance in locating Canadian Bands/addresses contact:

United Native Nations
Family Reunification Coordinator
300 - 33 E. Broadway
Vancouver, BC V5T 1V4
Phone (604) 879-2420

(A listing of Canadian Bands by Province will be forthcoming to be included in the manual.)

12.35 MAP OF WASHINGTON STATE

This map lists the regions, counties, and Indian tribes in Washington State.



12.40 NON-FEDERALLY RECOGNIZED TRIBES & URBAN INDIAN ORGANIZATIONS

Reserved - Information forthcoming

DSHS 04-220(X)	Family Ancestry Chart
DSHS 09-428(X)	Dependency Petition
DSHS 09-453	Guardianship Petition
DSHS 09-474	Petition for Relinquishment and Termination of Parent Child Relationship (RCW 26.33)
DSHS 09-536	Inquiry to Bureau of Indian Affairs
DSHS 09-537	Notice to Non-Federally Recognized or Canadian Indian Tribe or Band
DSHS 09-539	Inquiry to Indian Tribe, Band, or Nation Re: Membership Status
DSHS 09-541	Notice to Indian Tribe, Band or Nation
DSHS 09-542	Notice of Intervention and Request for Continuance - Indian Tribe
DSHS 09-543	Notice to Parent/Indian Custodian
DSHS 09-544	Request for Continuance - Parent/Indian Custodian
DSHS 09-545	Notice to BIA
DSHS 09-547	Motion and Order to Transfer Jurisdiction to Tribal Court
DSHS 09-548	Motion and Order for the Tribal Court to Accept Jurisdiction Under 25 U.S.C. 1911(b)
DSHS 09-758	Notice to Child's Tribe of Alternative Residential Placement (ARP) Proceeding
DSHS 09-759	Motion, Declaration, of Child's Return from Voluntary Foster Care Placement, and Order of Dismissal
DSHS 09-760	Notice of Placement Change
DSHS 09-761	Ethnic Identity Request
DSHS 09-762	Petition for Court Validation of Voluntary Consent to Foster Care Placement of an Indian Child
DSHS 09-763	Consent to Foster Care Placement and Court Certification
DSHS 09-764	Relinquishment of Custody, Consent to Termination/Adoption, and Court Certification - Indian Child

DSHS 09-765	Declaration of Adoption Facilitator
DSHS 09-766	Petition for Termination of Parent-Child Relationship (RCW 13.34)
DSHS 09-767	Declaration of Notification - Foster Care Placement Validation Hearing
DSHS 09-768	Superior Court Adoption Information for Indian Child
DSHS 09-769	Voluntary Relinquishment and Adoption Information to Parent of Indian Child
DSHS 09-770	Notice and Summons (Relinquishment/Termination/Adoption)
DSHS 09-771	Addendum to Petition
DSHS 09-772	Notice to Extended Family Members
DSHS 09-773	Notice of Termination or Adoption Decree Vacate
DSHS 09-774	Notice of Change of Voluntary Placement
DSHS 09-775	Inquiry to Indian Organization
DSHS 09-776	Notice of Dependency Dismissal
DSHS 09-777	Indian Child: Compliance Checklist
DSHS 09-778	Information to Prospective Adoptive Parents of Indian Child
DSHS 15-128	Verification of Indian Status: Foster Care and Adoptive Applicant

DSHS 04-220(X) (REV. 8/91), FAMILY ANCESTRY CHART



FAMILY ANCESTRY CHART

_____	=	_____
_____	=	_____
_____	=	_____
_____	=	_____
_____	=	_____

APPLICANT

Indian Blood: Tribe & Degree

FATHER

Indian Blood: Tribe & Degree

MOTHER

Indian Blood: Tribe & Degree

GRANDFATHER

Indian Blood: Tribe & Degree

GRANDMOTHER

Indian Blood: Tribe & Degree

GRANDFATHER

Indian Blood: Tribe & Degree

GRANDMOTHER

Indian Blood: Tribe & Degree

GREAT GRANDFATHER

Indian Blood: Tribe & Degree

GREAT GRANDMOTHER

Indian Blood: Tribe & Degree

GREAT GRANDFATHER

Indian Blood: Tribe & Degree

GREAT GRANDMOTHER

Indian Blood: Tribe & Degree

GREAT GRANDFATHER

Indian Blood: Tribe & Degree

GREAT GRANDMOTHER

Indian Blood: Tribe & Degree

GREAT GRANDFATHER

Indian Blood: Tribe & Degree

GREAT GRANDMOTHER

Indian Blood: Tribe & Degree

DSHS 04-220(X) (REV. 8/91) 764

DSHS 09-428(X) (REV. 8/91), DEPENDENCY PETITION (Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF
JUVENILE DIVISION

DEPENDENCY OF:

NO.

DEPENDENCY PETITION

D.O.B. _____

I. BASIS

I represent to the Court the following:

1.1 Information about the child:

Name: _____ Age: _____ Sex: _____ Date of birth: _____

Address: _____

1.2 The child:

- is an Indian child as defined in 25 U.S.C. 1903(4). The Indian Child Welfare Act, 25 U.S.C. 1901 et seq., applies to this proceeding. See attached Addendum to Petition.
- may be an Indian child as defined in 25 U.S.C. 1903(4). The Indian Child Welfare Act may apply to this proceeding. See attached Addendum to Petition.
- is or may be a Canadian Indian child or an unenrolled Indian child as defined in WAC 388-70-091 (2) and (3). The Indian Child Welfare Act does not apply to this proceeding.
- is not an Indian. The Indian Child Welfare Act does not apply to this proceeding.

1.3 Known information about the parent(s), guardian or custodian:

a. Name of father: _____

Address: _____

b. Name of mother: _____

Address: _____

c. Marital status of parents: _____

d. Name of legal guardian/custodian: _____

Address: _____

1.4 The child is dependent according to RCW 13.34.030(2) in that:

- a. The child has been abandoned, that is, the child's parent, guardian or other custodian has displayed/shown either by statement or conduct, an intention to forego, for an extended period, all parental rights or responsibilities despite an ability to do so;
- b. The child is abused or neglected as defined in Chapter 26.44 RCW;

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parents; Goldenrod - Indian Tribe/Other party

Dependency Petition
09-428(X) (REV. 8/91)

Page 1 of 2

DSHS 09-428(X) (REV. 8/91), DEPENDENCY PETITION (Page 2 of 2)

- c. The child has no parent, guardian, or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development; or
 - d. The child is developmentally delayed, as defined in RCW 71.20.016, and the child's parent, guardian, or custodian has reached a joint determination with Department of Social and Health Services (DSHS) that services appropriate to the child's needs cannot be provided in the home.
- 1.5 The allegation of dependency is based on the following facts:

II. RELIEF REQUESTED

I request that the Court inquire into this matter and make such order as the Court finds to be in the best interest of the child and justice.

DATE

PETITIONER

TITLE/AGENCY/RELATIONSHIP

III. CERTIFICATION

I certify under penalty of perjury under the laws of the State of Washington that the foregoing representations are true and correct.

Dated at _____, Washington, on _____
PLACE DATE

SIGNATURE

TYPE OR PRINT NAME

ADDRESS

STREET

CITY

STATE

ZIP CODE

TELEPHONE NUMBER

I have examined the petition and have determined that it is reasonably justifiable.

WITNESSED BY OFFICER _____

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parents; Goldenrod - Indian Tribe; Other party

DSHS 09-762 (REV. 8/91), PETITION FOR COURT VALIDATION OF VOLUNTARY CONSENT TO FOSTER CARE PLACEMENT OF AN INDIAN CHILD (Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF
JUVENILE DIVISION

VOLUNTARY FOSTER CARE
PLACEMENT OF:

NO.

PETITION FOR COURT VALIDATION OF VOLUNTARY
CONSENT TO FOSTER CARE PLACEMENT OF AN INDIAN
CHILD

An Indian Child

I. BASIS

I represent to the court the following:

1.1 Information about the child:

Name: _____

Date of Birth: _____ Age: _____ Sex: _____

Address: _____

- The child's residence/domicile is located within the reservation boundaries of the _____ Tribe.
- The child's residence/domicile is not located within the boundaries of an Indian reservation.
- There is not enough information available at this time to determine whether the child's residence/domicile is within an Indian reservation.

1.2 The child is or may be an Indian child as defined by the Indian Child Welfare Act, 25 U.S.C. 1903(4). The child:

- is a member of _____ Tribe. The tribe's address is: _____
- is eligible for membership in _____ Tribe and is the biological child of a tribal member. The Tribe's address is: _____
- is of Indian ancestry and may be a member of or eligible for membership in a federally recognized Indian tribe. Further efforts will be made by the petitioner to ascertain whether the child is an Indian child as defined by the Indian Child Welfare Act. The following efforts have been made to verify whether the child is Indian and to identify the tribal affiliation of the child and the parents/Indian custodian: _____

1.3 Information about the child's legal status:

- The child is is not the subject of any Tribal Court custody order. A copy of each such order is attached.
- The child is is not a ward of Tribal Court.
- There is not enough information available at this time to determine if the child is a Tribal Court ward.

1.4 Known information about the parent(s)/Indian custodian(s):

a. Name of consenting parent(s)/Indian custodian(s): _____

Address: _____

Tribal affiliation: _____

b. Name of non-consenting parent(s): _____

Address: _____

Tribal affiliation: _____

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parent/Indian custodian; Goldenrod - Indian tribe

DSHS 09-762 (REV. 8/91), PETITION FOR COURT VALIDATION OF VOLUNTARY CONSENT TO FOSTER CARE PLACEMENT OF AN INDIAN CHILD (Page 2 of 2)

- c. Name of Indian custodian(s): _____
 Address: _____
 Tribal affiliation: _____
 The Indian custodian has has not consented to foster care placement of the child.
- 1.5 The consenting parent/Indian custodian of the child wishes to voluntarily consent to foster care placement of the child for the following reasons(s): _____

- 1.6 The non-consenting parent/Indian custodian of the child cannot or will not assume custody of the child for the following reason(s): _____

- 1.7 The non-consenting parent/Indian custodian agrees with opposes foster care placement of the child.
- 1.8 The child will be placed with:
 A member of the Indian child's extended family;
 A foster home approved by the Indian child's tribe;
 A licensed Indian foster home;
 An institution for children approved by an Indian tribe or operated by an Indian organization which has a program suitable to meet the Indian child's needs.
- 1.9 The child will not be placed in any of the preferred placements listed in section 1.8 because: _____

- 1.10 Known information about the prospective foster care placement:
 Name of care providers: _____
 Address: _____
 Tribal affiliation (if any): _____
- 1.11 Agency/person that arranged foster care placement:
 Name: _____
 Address: _____

II. RELIEF REQUESTED

I request that the court set the matter for a validation hearing and that the court validate the voluntary consent to foster care placement, as provided in Chapter 13.34 RCW and 25 U.S.C 1913 (a).

DATE _____ PETITIONER _____
TITLE/AGENCY/INDIAN GROUP _____

III. CERTIFICATION

I certify under penalty of perjury under the laws of the state of Washington that the foregoing representations are true and correct.

SIGNED at _____, Washington, this _____ day of _____, 19 _____.

SIGNATURE _____
ADDRESS _____ STREET _____
CITY _____ STATE _____ ZIP CODE _____
TELEPHONE NUMBER _____

DSHS 09-453 (REV. 8/91), GUARDIANSHIP PETITION (Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF JUVENILE DIVISION

DEPENDENCY OF: NO. GUARDIANSHIP PETITION

D.O.B. I. BASIS

I represent to the Court the following:

1.1 The petitioner seeking a guardianship for the child is:

Name, Title, Agency, Relationship

a. The petitioner's interest in the appointment is:

1.2 Information about the child:

Name: Age: Sex: Date of birth:

Address:

1.3 The child:

- is an Indian child as defined in 25 U.S.C. 1903(4)... may be an Indian child... is or may be a Canadian Indian child... is not Indian.

1.4 The child is in the custody of:

Name of Institution, Agency, or Person, Address

1.5 The nature of the child's incapacity is minority.

1.6 Information about persons most closely related by blood or marriage to the child:

a. Name: Relationship:

Address:

b. Name: Relationship:

Address:

c. Name: Relationship:

Address:

1.7 There is is not in any state, a guardian or limited guardian for the person of the child.

1.8 The approximate value and description of the child's property, including compensation, pension, insurance or allowance to which he/she may be entitled is:

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parents; Goldenrod - Indian Tribe/Other party

DSHS 09-453 (REV. 8/91), GUARDIANSHIP PETITION (Page 2 of 2)

1.9 Information about the proposed guardian:

Name: _____
Address: _____

1.10 A guardianship should be established.

- a. The child has been found to be a dependent child under RCW 13.34.030 (2).
- b. A dispositional plan has been entered pursuant to RCW 13.34.130.
- c. The child has been removed, or will, at the time of the hearing, have been removed from the custody of the parent for a period of at least six months pursuant to a finding of dependency under RCW 13.34.030 (2).
- d. The services ordered under RCW 13.34.130 have been offered or provided and all necessary services reasonably available, capable of correcting the parental deficiencies within the foreseeable future have been offered or provided.
- e. There is little likelihood that conditions will be remedied so the child can be returned to the parents in the near future.
- f. A guardianship rather than termination of the parent-child relationship or continuation of the child's current dependent status would be in the best interest of the family.

1.11 The request for the establishment of a guardianship is based upon the following facts (including the reason(s) why appointment of a guardian is sought and why no alternative to guardianship is appropriate):

II. RELIEF REQUESTED

The petitioner requests:

- 2.1 The Court appoint a guardian for the child.
- 2.2 The duration of the guardianship be until the child attains the age of 18 years or until further order of the Court.
- 2.3 The proposed guardian be vested with the authority to provide day to day care and shelter for the child, to authorize the provision of necessary medical and dental care and treatment, and to otherwise assist the court in supervising the dependent child.

DATE _____ PETITIONER _____
TITLE/AGENCY/RELATIONSHIP _____

III. CERTIFICATION

I certify under penalty of perjury under the laws of the State of Washington that the foregoing representations are true and correct.

Dated at _____, Washington, on _____

SIGNATURE _____
TYPE OR PRINT NAME _____
ADDRESS _____ STREET _____
CITY _____ STATE _____ ZIP CODE _____
TELEPHONE NUMBER _____

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parents; Goldenrod - Indian Tribe/Other party

Guardianship Petition

Page 2 of 2

DSHS 09-474 (REV. 8/91), PETITION FOR RELINQUISHMENT AND TERMINATION OF PARENT CHILD RELATIONSHIP (RCW 26.33) (Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF

IN THE INTEREST OF

NO.

PETITION FOR RELINQUISHMENT AND TERMINATION OF PARENT-CHILD RELATIONSHIP (RCW 26.33)

D.O.B. _____

1. BASIS

I represent to the court the following:

1.1 Information about the child:

Name: _____ Date of birth: _____ Sex: _____
Address: _____

(CHILD MUST BE AT LEAST TEN (10) DAYS OLD IF THE INDIAN CHILD WELFARE ACT APPLIES TO THE PROCEEDING. SEE 1.3 BELOW.)

The child, who is currently unborn, was conceived on or about _____, 19____, at _____.
The child's expected date of birth is: _____

(PETITION CANNOT BE FILED ON AN UNBORN CHILD IF INDIAN CHILD WELFARE ACT APPLIES TO THE PROCEEDING. SEE 1.3 BELOW)

1.2 Known information about the parent(s), guardian, or custodian:

a. Name of mother: _____
Address: _____
The mother is is not a minor.

b. Name of father: _____
Address: _____
The father is is not a minor.

c. Name of alleged father(s): _____
Address(es): _____
The alleged father is is not a minor.

d. Name of legal guardian/custodian: _____
Address: _____

1.3 The Indian Child Welfare Act, 25 U.S.C. 1901 et seq., may does does not apply to this proceeding.
A Declaration of Adoption Facilitator has has not been filed as required by RCW 26.33.040(1).

1.4 The Soldiers and Sailors Relief Act of 1940; 50 U.S.C. 501 et seq., does does not apply to this proceeding.

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parents; Goldenrod - Indian Tribe/Other party

Petition for Relinquishment and Termination of Parent-Child Relationship (RCW 26.33)
ISS 09-474REV. 8/91 *04

Page 1 of 2

DSHS 09-474 (REV. 8/91), PETITION FOR RELINQUISHMENT AND TERMINATION OF PARENT CHILD RELATIONSHIP (RCW 26.33) (Page 2 of 2)

1.5 The parent-child relationship between the child and the child's mother father alleged father should be terminated.

The _____ has signed a consent to termination and adoption, which accompanies this petition.
The parent has consented for the following reason(s): _____

The other parent agrees with opposes this petition.

The _____ has failed to perform parental duties under circumstances showing a substantial disregard for his/her parental obligations and is withholding consent to termination and adoption contrary to the best interests of the child.

Other: _____

1.6 The Department of Social and Health Services _____ agency agrees to assume custody of the child and to have power and authority to authorize and provide all necessary care for the child, which includes but is not limited to foster care, medical and dental care, and evaluations of the child.

1.7 Agency/person arranging pre-adoptive or adoptive placement:

Name: _____

Address: _____

II. RELIEF REQUESTED

Petitioner requests:

2.1 The parent-child relationship between the child and the child's mother father alleged father be permanently terminated.

2.2 The child be committed to the permanent custody of the Department of Social and Health Services _____ agency and the permanent custodian be authorized to place the child with prospective adoptive parents, consent to the child's adoption, and exercise additional authority as provided by Chapter 26.33 RCW.

DATE _____

PETITIONER

TITLE/AGENCY RELATIONSHIP

III. CERTIFICATION

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated at _____, Washington, on _____, 19____.

SIGNATURE

TYPE OR PRINT NAME

ADDRESS STREET

CITY STATE ZIP CODE

TELEPHONE NUMBER

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parents; Goldenrod - Indian Tribe/Other party

Petition for Relinquishment and Termination of Parent-Child Relationship (RCW 26.33)
DSHS 09-474 (REV. 8/91)

DSHS 09-536 (REV. 8/91), INQUIRY TO BUREAU OF INDIAN AFFAIRS



Division of Children and Family Services
Olympia, Washington 98504

Portland Area Director
Bureau of Indian Affairs
1002 NE Holladay
PO Box 3785
Portland OR 97208-3785

Inquiry to Bureau of Indian Affairs (BIA)
 Second Inquiry

File No. _____

Dear Sir or Madam:

Pursuant to the provisions of the Indian Child Welfare Act (25 USC 1901), I am writing to request your assistance in determining whether the below listed child is an Indian within the meaning of the Act. Although our information suggests that this child is of Indian heritage, we have been unable to develop sufficient information to identify any tribal affiliation for the child. The information that we have includes the following:

- Child's full name: _____
- Child's birth date: _____
- Child's birth place: _____
- Names of child's mother: _____
- Birthdate of mother: _____ Birthplace of mother: _____
- Name of child's father: _____
- Birthdate of father: _____ Birthplace of father: _____
- Location of child's parents or Indian custodian: _____
- Tribal affiliation of mother _____; Enrollment number _____
Father _____; Enrollment number _____
- Any additional information: _____

I have also attached a family ancestry chart regarding the child's family and Indian ancestry.
Since the child's legal status in regard to the Indian Child Welfare Act is uncertain, we are unable to properly plan for the child in the absence of the information requested. Your earliest response will be most appreciated.

DATE _____

SERVICE WORKER _____

ADDRESS _____ STREET _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE NUMBER _____

Attach Family Ancestry Chart, DSHS 04-220 (X)

DISTRIBUTION: White - Bureau of Indian Affairs; Yellow - Service File

Inquiry to Bureau of Indian Affairs
DSHS 09-536 (REV. 8/91) *04



DSHS 09-537 (REV. 8/91), NOTICE TO NON-FEDERALLY RECOGNIZED OR CANADIAN INDIAN TRIBE OR BAND



Division of Children and Family Services
Olympia, Washington 98504

Notice to:
 Canadian Indian tribe or band
 Non-federally recognized Indian tribe or band

TO: _____
Tribe or band

File No. _____

Court Cause No. _____

Name of child: _____ Date of birth: _____

This letter is to advise you that a court hearing regarding the above named child will take place:

Type of hearing: _____

Date: _____ Time: _____ Location: _____

Mailing address of court: _____

Telephone number of court: _____

This hearing may result in:

Foster care Permanent loss of parental rights

Other (specify): _____

There is reason to believe that this child is a member of or eligible for membership in the _____

Indian tribe or band. The mother's name is _____

her address is _____

The father's name is _____

his address is _____

This letter is for purposes of notification only. As a Canadian Indian tribe or band or a non-federally recognized tribe or band, you do not have the automatic right to intervene in a judicial proceeding involving the child nor to request that the case be transferred to the jurisdiction of your tribe or band. You may file a motion to intervene pursuant to Superior Court Civil Rule 24. This agency will not oppose your motion. If the court determines that you have a sufficient legal interest in the proceeding, you may be allowed to intervene as a party.

Please contact me if you want more information about the situation and/or if you have services that you would like to offer to the child or family. I will look forward to hearing from you.

PLEASE KEEP THE INFORMATION CONTAINED IN THE LETTER CONFIDENTIAL.

Date: _____

SERVICE WORKER _____

ADDRESS _____ STREET _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE NUMBER _____

DISTRIBUTION: White - Tribe or band; Yellow - Service File

Notice to Non-Federally Recognized or Canadian Indian Tribe or Band

DSHS 09-537 (REV. 8/91) *83

DSHS 09-539 (REV. 8/91), INQUIRY TO INDIAN TRIBE, BAND, OR NATION RE:
MEMBERSHIP STATUS (Page 1 of 2)



Division of Children and Family Services
Olympia, Washington 98504

Inquiry to Indian Tribe, Band, or Nation
 Second Inquiry

TO: _____
Indian Tribe, Band, or Nation

File No. _____

Name of child: _____ Date of birth: _____

This agency recently received a referral regarding the above referenced child. We need your assistance to determine whether this child is subject to the provisions of the Indian Child Welfare Act, 25 U.S.C. 1901, et seq., and/or the Indian provisions of the Washington Administrative Code. I have attached a family ancestry chart regarding the child's family and Indian ancestry.

The Indian Child Welfare Act defines an "Indian child" as an unmarried person under the age of 18 years who is either: (a) a member of a federally recognized Indian tribe; or (b) eligible for membership in a federally recognized tribe and is the biological child of a member of a federally recognized Indian tribe. 25 U.S.C. 1903(4)

The Washington Administrative Code (WAC) governs case planning and placement activities in cases that involve Indian children. The WAC definition of "Indian child" is broader than the Indian Child Welfare Act definition. The WAC defines an "Indian child" as a person under the age of 18-years who is one of the following (WAC 388-70-091; -450; WAC 388-73-044):

- (1) An enrolled Indian: (a) any person who is enrolled or eligible for enrollment in a recognized tribe; or (b) any person determined, or eligible to be found, to be an Indian by the Secretary of the Interior; or (c) an Eskimo, Aleut or other Alaskan native.
- (2) A Canadian Indian: any person who is a member of a treaty tribe, Metis community or non-status Indian community from Canada.
- (3) An unenrolled Indian: a person considered to be an Indian by a federally or non-federally recognized Indian /Alaskan native community organization.

To help establish whether the child meets any of the above definitions, please answer the following questions:

1. Is the child presently a tribal member? Yes; enrollment number: _____ No
Is the child eligible for tribal membership? Yes No

2. Mother's name: _____ Mother's date of birth: _____
Is the child's mother presently a tribal member? Yes; enrollment number: _____ No
Is the child's mother eligible for tribal membership? Yes No

3. Father's name: _____ Father's date of birth: _____
Is the child's father presently a tribal member? Yes; enrollment number: _____ No
Is the child's father eligible for tribal membership? Yes No

4. Regardless of the child's formal membership status, does the tribe consider the child to be Indian? Yes No
If the answer is yes, please briefly explain:

DISTRIBUTION: White - Child's tribe; Yellow - Service File

DSHS 09-539 (REV. 8/91), INQUIRY TO INDIAN TRIBE, BAND, OR NATION RE: MEMBERSHIP STATUS (Page 2 of 2)

5. What kinds of case planning/placement services and/or court involvement can the tribe offer in this case?

Since this child's status under the Indian Child Welfare Act and the Washington Administrative Code is uncertain, we are unable to properly plan for the child in the absence of the information requested from you. Your earliest response will be most appreciated. If you do not respond in a timely manner, the child may not be treated as an Indian child for legal or case planning purposes.

If you need additional time or information in order to determine the child's Indian status, please immediately contact me at the address or telephone number listed below.

- First inquiry. If the tribe does not respond to this letter or contact me within 30 days from the date of this letter, case planning and court activities will proceed without consideration of the child's tribal affiliation until such time as the child's connection to your tribe is clearly established.
- Second inquiry. This is our second request for assistance. If the tribe does not respond to this letter or contact me within 15 days from the date of this letter, case planning and court activities will proceed without consideration of the child's tribal affiliation until such time as the child's connection to your tribe is clearly established.

Please feel free to contact me if you have any questions or require further assistance.

DATE

SERVICE WORKER

ADDRESS STATE

CITY STATE ZIP CODE

TELEPHONE NUMBER

Attach Family Ancestry Chart, DSHS 04-220 (X)

DISTRIBUTION: White - Child's tribe; Yellow - Service File

DSHS 09-541 (REV. 8/91), NOTICE TO INDIAN TRIBE, BAND OR NATION (Page 1 of 3)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF

IN THE INTEREST OF

NO

NOTICE TO INDIAN TRIBE, BAND OR NATION

An Indian Child

Pursuant to the Indian Child Welfare Act of 1978, 25 U.S.C. 1901 et. seq., and state law, if you are a federally recognized Indian Tribe, Band or Nation and the above named child is (a) a member of your Tribe or (b) eligible for tribal membership and the biological child of a tribal member, you have specific rights which are described below.

1. YOU ARE HEREBY NOTIFIED THAT THE FOLLOWING LEGAL ACTION IS PENDING FOR THE ABOVE NAMED INDIAN CHILD:

- Validation of parental consent to foster care (Chapter 13.34 RCW)
- Dependency (Chapter 13.34 RCW)
- Guardianship (Chapter 13.34 RCW)
- Involuntary termination of parental rights (Chapter 13.34 RCW)
- Voluntary relinquishment of parental rights (Chapter 26.33 RCW)
- Termination of parental rights (Chapter 26.33 RCW)
- Adoption (Chapter 26.33 RCW)
- Other: _____

2. INFORMATION ABOUT THE HEARING:

Type of hearing:

- Validation of consent to foster care placement
- Fact finding or hearing on the petition. A copy of the petition is attached. A written response to the petition is not required.
- Shelter care hearing
- Dependency disposition
- Dependency review
- Permanency planning
- Adoption
- Other: _____

Date: _____

Time: _____

Location of Court: _____

Mailing address of Court: _____

Telephone number of Court: _____

Name of Judge (if known): _____

Copies of any scheduling orders entered by the court are attached.

3. THE LEGAL ACTION MAY RESULT IN:

- DEPENDENCY
- GUARDIANSHIP
- OTHER: _____
- FOSTER CARE
- PERMANENT LOSS OF PARENTAL RIGHTS
- ADOPTION

DISTRIBUTION: White - Indian Child's Tribe; Yellow - Service file; Pink - Court file; Goldenrod - Indian child's parent(s)

Notice to Indian Tribe, Band or Nation

DSHS 09-541 (REV. 8/91) *21

Page 1 of 3

DSHS 09-541 (REV. 8/91), NOTICE TO INDIAN TRIBE, BAND OR NATION (Page 2 of 3)**4. INFORMATION ABOUT THE CHILD AND HIS/HER PARENT(S):**

Child's full name: _____

Child's birthdate: _____

Child's address: _____

Tribal affiliation of child: _____

Mother's full name: _____

Mother's birthdate: _____

Mother's address: _____

Tribal affiliation of mother: _____

Father's full name: _____

Father's birthdate: _____

Father's address: _____

Tribal affiliation of father: _____

Alleged father's full name: _____

Alleged father's birthdate: _____

Alleged father's address: _____

Tribal affiliation of alleged father: _____

Name of child's Indian custodian: _____

Indian custodian's address: _____

5. ADVICE OF RIGHTS

5.1 There is reason to believe that the child is (a) a member of your tribe or (b) eligible for tribal membership and is the biological child of a tribal member. Upon request, this agency will furnish case record material, reports or other documents that formed the basis for the decision to petition the court, as well as all reports and other documents that this agency intends to provide the court in support of the petition.

5.2 You have the right to examine and receive copies of such other documents that may assist the Tribe in deciding whether to petition for transfer of jurisdiction to the Tribe and/or intervene in the State Court proceeding.

5.3 The child's Indian Tribe has the right to intervene at any point in the court proceedings. If you wish to use this right of intervention and desire additional time to prepare, the scheduled court hearing can and will be delayed up to twenty days upon your request. If the proceeding involves dependency, guardianship or termination of parental rights. The most effective way to intervene and/or request a continuance is to fill out the attached form and return it as soon as possible to the Court address listed on page (1) of this notice. The Tribe may also intervene by personally appearing at the next scheduled hearing or by sending a written request for continuance and/or intervention to the Superior Court.

DISTRIBUTION: White - Indian Child's Tribe; Yellow - Service file; Pink - Court file; Goldenrod - Indian child's parent(s)

DSHS 09-541 (REV. 8/91), NOTICE TO INDIAN TRIBE, BAND OR NATION (Page 3 of 3)

5.4 You have the right to petition the court to transfer the proceeding to the jurisdiction of the Tribe. If you wish to request a transfer, please file a transfer petition as soon as possible after receiving notice. Unnecessary delay may result in denial of the request for transfer. This agency will support the tribal transfer petition unless: (1) the Tribe does not have a Tribal Court or other administrative body vested with authority over child custody proceedings; (2) the evidence necessary to decide the case cannot be presented in Tribal Court without undue hardship to the parties and witnesses and the Tribal Court is unwilling or unable to make arrangements for the presentation of evidence in a way that would substantially mitigate such hardship; (3) there was unreasonable delay in requesting the transfer; (4) the Tribe does not intend to go forward with the foster care placement or termination procedure; or (5) the Tribe lacks jurisdiction over the matter. To request a transfer of jurisdiction, you may fill out the attached form and return it as soon as possible to the Court address listed on page (1) of this notice. The Tribe may also request transfer of jurisdiction at the next scheduled court hearing or by sending a written request for transfer to the Superior Court.

5.5 You may wish to contact another Tribe or Indian organization for referral, consultation and/or possible intervention. The nearest Tribe or Indian organization is:

Name of Tribe/organization: _____

Mailing address: _____

Telephone: _____

PLEASE KEEP THE INFORMATION CONTAINED IN THIS NOTICE CONFIDENTIAL

Date: _____

NAME OF AGENCY SERVICE WORKER _____

TITLE _____

AGENCY ADDRESS _____ STREET _____

CITY _____ STATE _____ ZIP CODE _____

AGENCY TELEPHONE NUMBER _____

Attach DSHS 09-542, Notice of Intervention and Request for Continuance and any scheduling orders. If the above hearing is a fact finding, or hearing on the petition, attach a copy of the petition and any attachments. Send to the Tribe by registered mail, return receipt requested.

DSHS 09-542 (REV. 8/91), NOTICE OF INTERVENTION AND REQUEST FOR CONTINUANCE - INDIAN TRIBE

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF

IN THE INTEREST OF

NO.

NOTICE OF INTERVENTION AND REQUEST FOR CONTINUANCE - INDIAN TRIBE

 An Indian Child

NOTICE OF INTERVENTION

YOU AND EACH OF YOU will please take notice that the _____ Indian Tribe does hereby appear in the above-entitled cause and requests that each of the parties to this proceeding and their counsel of record provide the undersigned with copies of all documents hereafter filed with the court in the above proceeding, and with notice of all further hearings.

The papers and pleadings are to be sent or delivered to the _____ Indian Tribe at the address listed below.

REQUEST FOR CONTINUANCE

The _____ Indian Tribe requests an additional 20 days to prepare for the proceedings as provided for in 25 U.S.C. 1912, Indian Child Welfare Act, and applicable state laws.

DATE _____

TRIBAL NAME		

TRIBAL ADDRESS	STREET	
_____	_____	
CITY	STATE	ZIP CODE
_____	_____	_____
TELEPHONE NUMBER		

Notice of Intervention and Request for Continuance - Indian Tribe
DSHS 09-542 (REV. 8/91) '92

DSHS 09-543 (REV. 8/91), NOTICE TO PARENT/INDIAN CUSTODIAN (Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF
JUVENILE DIVISION

IN THE INTEREST OF

NO.

NOTICE TO PARENT/INDIAN CUSTODIAN

An Indian Child

TO: _____

NAME

ADDRESS

I. NOTICE OF HEARING

1.1 YOU ARE GIVEN NOTICE THAT THE FOLLOWING LEGAL ACTION IS PENDING FOR THE ABOVE NAMED INDIAN CHILD:

- Validation of parental consent to foster care (Chapter 13.34 RCW)
- Dependency (Chapter 13.34 RCW)
- Guardianship (Chapter 13.34 RCW)
- Involuntary termination of parental rights (Chapter 13.34 RCW)
- Other: _____

1.2 INFORMATION ABOUT HEARING:

Type of hearing:

- Validation of consent to foster care placement
- Fact finding on the petition. A copy of the petition is attached. A written response to the petition is not required.
- Shelter care hearing Dependency disposition
- Dependency review Permanency planning
- Other: _____

Date: _____ Time: _____

Location of Court: _____

Mailing address of Court: _____

Telephone number of Court: _____

Name of Judge (if known): _____

Copies of any scheduling orders entered by the court are attached.

1.3 THIS IS A SERIOUS MATTER SO PLEASE COME TO THE HEARING. THE HEARING MAY RESULT IN ENTRY OF A COURT ORDER FOR:

- Dependency
- Out-of-home care. If the child is placed in out-of-home care, you remain financially responsible for the costs of the child's care.
- Guardianship
- PERMANENT LOSS OF PARENTAL RIGHTS
- OTHER: _____

IF YOU FAIL TO ATTEND THE HEARING, THE COURT MAY ENTER THE ABOVE ORDER(S) IN YOUR ABSENCE.

DISTRIBUTION: White - Indian child's parents; Yellow - Service file; Pink - Court file; Goldenrod - Indian child's tribe

Notice to Parent/Indian Custodian

Page 1 of 2

DSHS 09-543 (REV. 8/91) *03

DSHS 09-543 (REV. 8/91), NOTICE TO PARENT/INDIAN CUSTODIAN (Page 2 of 2)

II. ADVICE OF RIGHTS

- 2.1 You have the right to talk to a lawyer. If you cannot afford to pay for a lawyer, you have the right to ask the Court to appoint a lawyer to represent you for free. The Court will grant your request if the pending legal action is a dependency, guardianship, or termination of parental rights proceeding, and if you qualify for free legal representation. You do not have a right to a court appointed lawyer if the pending proceeding is for validation of parental consent to foster care.
- 2.2 A lawyer can look at the social and legal files in your case, talk to the service worker, tell you about the law, help you understand your rights and help you at the hearing.
- 2.3 You have the right to examine all reports or other documents filed with this court upon which any decision with regarding the child may be based.
- 2.4 Upon request, the petitioning agency will furnish case record material, reports or other documents that formed the basis for the decision to petition the court, as well as all reports and other documents that this agency intends to provide the court in support of this petition.
- 2.5 You have the right to request that the case be transferred to the court of the tribe of which your child is a member or eligible to be a member. You also have the right to object to a transfer of jurisdiction to Tribal Court.
- 2.6 If the proceeding involves dependency, guardianship, or termination of parental rights, you have the right to request and be granted an additional twenty (20) days to prepare for participation in the proceedings. If you wish to request the additional time, fill out the attached form and return it as soon as possible to the Superior Court at the mailing address listed on page one (1) of this notice.
- 2.7 At any proceeding you have the right to introduce evidence, testify in your own behalf, question witnesses, and receive a decision from an unbiased judge based solely on the information presented at the hearing.

III. RIGHTS OF ALLEGED FATHERS

- 3.1 If you acknowledge paternity, you will be presumed to be the child's father. Unless the court rules otherwise, you can participate in this proceeding with all of the rights of a parent listed above and all of the rights provided to a parent under the Indian Child Welfare Act, 25 U.S.C. 1901, et seq. You may also be required to pay support. To acknowledge paternity, you must file a written statement in court or with the state office of vital statistics. The statement must be signed under oath and state that you are the child's father.
- 3.2 If you wish to legally establish paternity, you must get a court order declaring you to be the father of the child. Such an order will give you all of the legal rights and responsibilities of a parent as provided under Washington law and the Indian Child Welfare Act.
- 3.3 It may be possible for you to acknowledge or establish paternity under tribal law or custom.
- 3.4 If you fail to acknowledge or establish paternity, you may not have any right to participate in this proceeding. You also may permanently lose all rights concerning the child.

Date: _____

NAME OF AGENCY SERVICE WORKER _____

TITLE _____

AGENCY ADDRESS _____ STATE _____

CITY _____ STATE _____ ZIP CODE _____

AGENCY TELEPHONE NUMBER _____

Attach Request for Continuance, DSHS 09-544, and copies of the petition (include any attachments) and any scheduling orders.

DSHS 09-544 (REV. 8/91), REQUEST FOR CONTINUANCE - PARENT/INDIAN CUSTODIAN

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF

IN THE INTEREST OF

NO.

**REQUEST FOR CONTINUANCE -
PARENT/INDIAN CUSTODIAN**

An Indian Child

I, _____, the parent/Indian custodian of
NAME

_____, hereby request an additional
NAME OF CHILD
twenty (20) days to prepare for the proceedings in this matter, as provided for in 25 U.S.C. 1912, the Indian
Child Welfare Act, and applicable state laws.

DATE _____

NAME OF PARENT/INDIAN CUSTODIAN _____

ADDRESS _____ STREET _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE NUMBER _____

Request for Continuance - Parent/Indian Custodian
DSHS 09-544 (REV. 8/91) 134

DSHS 09-545 (REV. 8/91), NOTICE TO BIA (Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF

IN THE INTEREST OF

NO.

NOTICE TO BUREAU OF INDIAN AFFAIRS (BIA)

An Indian Child

I. NOTICE

Pursuant to the provisions of 25 U.S.C. 1912 and state law, you are hereby notified that the above-named Indian child is the subject of a child custody proceeding in the above entitled court. You are further notified that the following information cannot be determined:

- The identity/location of the child's parents
- The identity/location of the child's Indian custodian
- The identity of the child's Indian tribe

2. INFORMATION ABOUT THE CHILD AND HIS/HER PARENTS

- Child's full name: _____
- Child's birth date: _____
- Child's birth place: _____
- Names of child's parents: _____
- Mother's maiden name: _____
- Birthdate of mother: _____ Birthplace of mother: _____
- Birthdate of father: _____ Birthplace of father: _____
- Location of child's parents: _____
- Tribal affiliation of mother: _____; enrollment number: _____
 Father: _____; enrollment number: _____
 Child _____; enrollment number _____
- Name of child's Indian custodian: _____
- Location of child's Indian custodian: _____
- Any additional information: _____

DISTRIBUTION: White - BIA; Yellow - Service file; Pink - Court file

Notice to BIA
DSHS 09-545 (REV. 8/91) -13

Page 1 of 2

DSHS 09-545 (REV. 8/91), NOTICE TO BIA (Page 2 of 2)

3. PLEASE NOTIFY THE CHILD'S PARENT(S) AND/OR INDIAN TRIBE THAT THE FOLLOWING LEGAL ACTION IS PENDING FOR THE ABOVE NAMED INDIAN CHILD:

- Dependency
- Involuntary termination of parental rights
- Guardianship
- Other: _____

Copies of the notices to the child's parents/Indian custodian and/or the child's tribe are attached. Please forward the attached information to the parties specified in Section 1 above.

4. TIME, DATE AND LOCATION OF HEARING:

Date: _____
 Time: _____
 Location of Court: _____
 Mailing address: _____
 Telephone number: _____

DATE _____

NAME _____
 TITLE _____
 AGENCY ADDRESS _____ STREET _____
 CITY _____ STATE _____ ZIP CODE _____
 AGENCY TELEPHONE NUMBER _____

Attach copies of notices to the child's parent/Indian custodian and/or tribe. Send to the BIA.

DSHS 09-547 (REV. 8/91), MOTION AND ORDER TO TRANSFER JURISDICTION TO TRIBAL COURT

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF

IN THE INTEREST OF

NO.

MOTION AND ORDER TO TRANSFER JURISDICTION TO TRIBAL COURT

An Indian Child

MOTION

The undersigned moves this court for an order to transfer jurisdiction of these proceedings from this court to the Tribal Court of the _____ Tribe of Indians.

This motion is based on the provisions of 25 U.S.C. 1911 (b), the Indian Child Welfare Act.

DATE _____

NAME _____

TITLE _____

ORDER

This matter has come before the court upon a motion under 25 U.S.C. 1911 (b) to transfer of jurisdiction of these proceedings from this court to the Tribal Court of the _____ Tribe of Indians.

The court has considered the above motion, therefore,

IT IS HEREBY ORDERED that this court releases any and all jurisdiction of these proceedings and transfers the same to the Tribal Court of the _____ Tribe of Indians. This release and transfer is contingent upon acceptance of jurisdiction by the Tribal Court.

DATE _____

JUDGE _____

PRESENTED BY:

NAME _____

- AAG or Prosecuting Attorney
- DCF5 Social Worker
- Private Agency

NAME OF TRIBAL REPRESENTATIVE _____

NAME _____

- Father
- Father's Attorney

NAME _____

- Mother
- Mother's Attorney

NAME _____

- Guardian Ad Litem
- Attorney for Guardian Ad Litem

Motion and Order to Transfer Jurisdiction to Tribal Court.

DSHS 09-547 (REV. 8/91) *24

DSHS 09-548 (REV. 8/91), MOTION AND ORDER FOR THE TRIBAL COURT TO ACCEPT JURISDICTION UNDER 25 U.S.C. 1911(B)

IN THE TRIBAL COURT FOR THE _____ TRIBE OF INDIANS

IN THE INTEREST OF

NO.

An Indian Child

MOTION AND ORDER FOR THE TRIBAL COURT TO
ACCEPT JURISDICTION UNDER 25 U.S.C. 1911 (b)

MOTION

The undersigned asks that the court accept the transfer of jurisdiction of these proceedings to the Tribal Court. This motion is based upon the provisions of 25 U.S.C. 1911 (b), the Indian Child Welfare Act.

DATE _____

NAME _____

TITLE _____

ORDER

The undersigned has considered the motion, therefore,

IT IS HEREBY ORDERED that the Tribal Court accepts any and all jurisdiction over these proceedings.

DATE _____

TRIBAL COURT JUDGE _____

Motion and Order for the Tribal Court to Accept Jurisdiction Under 25 U.S.C. 1911 (b)

DSHS 09-548 (REV. 8/91) *00

DSHS 09-758 (REV. 8/91), NOTICE TO CHILD'S TRIBE OF ALTERNATIVE RESIDENTIAL PLACEMENT (ARP) PROCEEDING

SUPERIOR COURT OF WASHINGTON FOR THE COUNTY OF JUVENILE DIVISION

Alternative residential placement of:

NO.

NOTICE TO CHILD'S INDIAN TRIBE OF ALTERNATIVE RESIDENTIAL PLACEMENT (ARP) PROCEEDING

 An Indian Child

Name of child: _____ Date of birth: _____

Tribal affiliation of child: _____

You are given notice that an Alternative Residential Placement petition was filed with this court, a copy of which is attached.

A hearing will be held:

Date: _____ Time: _____

Location of Court: _____

Mailing address: _____

Telephone number: _____

The purpose of the hearing is to hear and consider evidence on the petition.

The possible outcome of the hearing is that the child could be placed outside of his/her home in foster care or other appropriate placement. Although the Indian Child Welfare Act provisions regarding tribal intervention may not apply to this proceeding, you may ask the Court to allow the tribe to intervene pursuant to the provisions of Superior Court Civil Rule (CR) 24.

DATE _____

SERVICE WORKER

ADDRESS STREET

CITY STATE ZIP CODE

TELEPHONE NUMBER

DISTRIBUTION: White - Child's Indian tribe; Yellow - Service file; Pink - Court file

Notice to Child's Indian Tribe of Alternative Residential Placement (ARP) Proceeding
DSHS 09-758 (8/91)*03

DSHS 09-759 (REV. 8/91), MOTION, DECLARATION, OF CHILD'S RETURN FROM VOLUNTARY FOSTER CARE PLACEMENT, AND ORDER OF DISMISSAL

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF JUVENILE DIVISION

VOLUNTARY FOSTER CARE PLACEMENT OF:

NO.

MOTION, DECLARATION OF CHILD'S RETURN FROM VOLUNTARY FOSTER CARE PLACEMENT, AND ORDER OF DISMISSAL

_____ An Indian Child

MOTION

The undersigned person represents to the court the facts listed below and moves the court for an order dismissing the above entitled cause.

DECLARATION

I, _____, hereby declare that:

- 1.1 I am a service worker for:
 - The Washington State Department of Social and Health Services (DSHS)
 - Other child placing agency (specify): _____
- 1.2 The above named Indian child was temporarily placed in the custody, care, and control of this agency for purposes of foster care placement at the request of the child's:
 - Mother Father Indian custodian
 Date of placement: _____
- 1.3 The child was returned to the: Mother Father Indian custodian

Date of placement: _____
- 1.4 The name and address of the person to whom the child was returned is: _____
- 1.5 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED at _____, Washington, on _____

CITY

DATE

DECLARANT

ORDER

The undersigned has read and considered the above recited motion and declaration of facts in support thereof, NOW, THEREFORE IT IS HEREBY ORDERED that the above entitled cause is DISMISSED.

DATED this _____ day of _____, 19_____.

JUDGE

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parent(s)/Indian custodian; Goldenrod - Indian tribe

Motion, Declaration of Child's Return from Voluntary Foster Care Placement, and Order of Dismissal
DSHS 09-759 REV. 8/91 *02

DSHS 09-760 (REV. 8/91), NOTICE OF PLACEMENT CHANGE



Division of Children and Family Services
Olympia, Washington 98504

TO: Parent(s) or Indian Custodian and the
child's Indian tribe

NOTICE OF PLACEMENT CHANGE

File No. _____

Name of child: _____ Date of birth: _____

Tribal affiliation of child: _____

This letter is to notify you that this agency:

- intends to change the child's foster care placement after seven (7) working days from the date of this letter.
- intends to immediately change the child's foster care placement.
- has changed the child's foster care placement.

The child has been or will be placed with:

- a member of the child's extended family, namely: _____
- a foster home approved by the child's Indian tribe.
- a licensed Indian foster home.
- an institution for children approved by an Indian tribe or operated by an Indian organization, specifically: _____

Other: _____

You are entitled to participate in the development of agency case plans, including placement decisions, that affect the child or the child's family. If you have preferences or recommendations regarding the child's placement, this agency will consider your wishes in making placement plans for the child. You also are entitled to question the agency's case plan.

As a parent or Indian custodian, you are entitled to request that the child be returned to your care. If the child has been placed in foster care as the result of a court order, you may request a court hearing to contest an agency decision not to return the child to your custody. If you voluntarily placed the child in foster care, you may withdraw your consent to placement and the child will immediately be returned to you, unless return would likely cause an emergency resulting in imminent physical harm to the child. In emergency circumstances, immediate steps will be taken to obtain court authorization for continued foster care placement.

Please contact me immediately if you have any questions or would like to discuss the child's case plan or the reasons for changing the child's placement.

DATE _____

SERVICE WORKER _____

ADDRESS _____ STREET _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE NUMBER _____

DISTRIBUTION: White - Parent/Indian custodian; Yellow - Child's tribe; Pink - Service file

Notice of Placement Change

DSHS 09-760 (REV. 8/91) *4

DSHS 09-761 (REV. 8/91), ETHNIC IDENTITY REQUEST

ETHNIC IDENTITY REQUEST

The Indian Child Welfare Act is a Federal Law requiring that all Indian children be identified and the tribe notified of out-of-home placement. To assist in this process all biological parents need to complete this form prior to a private agency accepting a child into care.

NAME OF CHILD (PRINT)		DATE
<p>I, _____, and I, _____,</p> <p style="text-align: center;"><small>BIOLOGICAL MOTHER (PRINT) BIOLOGICAL FATHER (PRINT)</small></p> <p>hereby acknowledge that _____ is of the following ethnic heritage:</p> <p style="text-align: center;"><small>NAME OF CHILD</small></p> <p>Mother:</p> <p>Indian blood: <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Tribe: _____</p> <p><input type="checkbox"/> Identity of tribe unknown</p> <p>Blood degree: _____</p> <p><input type="checkbox"/> Blood degree unknown</p> <p>Father:</p> <p>Indian blood: <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Tribe: _____</p> <p><input type="checkbox"/> Identity of tribe unknown</p> <p>Blood degree: _____</p> <p><input type="checkbox"/> Blood degree unknown</p>		
MOTHER'S SIGNATURE	DATE	
FATHER'S SIGNATURE	DATE	
CASEWORKER SIGNATURE	DATE	TELEPHONE NUMBER
AGENCY ADDRESS	STREET	CITY STATE ZIP CODE
<p>Maintain the white copy in the case file. Within ten (10) working days after completion of form, send the yellow copy to the Division of Children and Family Services (DCFS) Regional Administrator; and, if the child is Indian, send the pink copy to the Indian Child Welfare Specialist, OB #2, Mail Stop OB-41, Olympia WA 98504.</p>		

DSHS 09-761 (09/91)*03

DSHS 09-763 (REV. 8/91), CONSENT TO FOSTER CARE PLACEMENT AND COURT CERTIFICATION (Page 1 of 3)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF JUVENILE DIVISION

IN THE INTEREST OF

NO.

CONSENT TO FOSTER CARE PLACEMENT AND COURT CERTIFICATION

 An Indian Child

Pursuant to Chapter 13.34 RCW and the Indian Child Welfare Act, 25 U.S.C. 1901 et seq., I, _____, parent/Indian custodian of the above named child, hereby declare as follows:

1. Child

Name: _____
 Date of birth: _____ Age: _____ Sex: _____
 Last known address: _____
 Indian tribe(s) of which child is a member or eligible for membership: _____
 Enrollment number: _____

2. Parent(s)/Indian Custodian(s)

Mother's name: _____
 Last known address: _____
 Tribal affiliation(s): _____

 Father's name: _____
 Last known address: _____
 Tribal affiliation(s): _____

 Indian custodian's name: _____
 Last known address: _____
 Tribal affiliation(s): _____

3. Department of Social and Health Services (DSHS) or other agency

Agency: DSHS Other agency: _____
 Name of service worker(s) who assisted the parent/Indian custodian to execute the consent: _____

 Address of service worker(s) office: _____

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parent(s)/Indian custodian; Gold/Red - Indian tribe

DSHS 09-763 (REV. 8/91), CONSENT TO FOSTER CARE PLACEMENT AND COURT CERTIFICATION (Page 2 of 3)

4. Consent to Foster Care Placement

4.1 I am the _____ of the above identified child. The child was born more than ten (10) days prior to the date on which I signed this consent.

4.2 I hereby request and consent to foster care placement of the child. The reasons for the placement are:

4.3 I understand that I have the right to obtain the advice and representation of an attorney regarding the foster care placement of the child.

4.4 I hereby authorize the _____ agency to assume custody, control, and care of the child for purposes of foster care placement. I further grant to the agency the power and authority to authorize and provide all necessary medical, dental, or psychological care as recommended by the treating doctor or psychologist.

4.5 I understand that if my child is placed in a licensed foster home or group home, payment for the child's care may come from public assistance funds. I also understand that under Washington state law, I'm responsible for the support of my child. I understand that I will be required to make payment to help meet the cost of the child's care if public assistance funds are used to pay for my child's foster home or group care placement. Determination of the amount I am required to pay will be made by an order of the Superior Court or by the Office of Support Enforcement, Department of Social and Health Services.

4.6 I understand that this consent is not valid and has no force and effect unless I sign the consent in Court and the Court validates the consent. Upon Court validation of the consent, the child may be placed in foster care.

4.7 I understand that I have the right to withdraw and revoke this consent for any reason and at any time. I also understand that if I withdraw and revoke this consent, I have the right to have the child promptly returned to my custody unless the return of custody would likely cause imminent physical harm to the child or unless a court order for foster care placement of the child has been entered in accordance with the provisions of state law and Section 1912 of the Indian Child Welfare Act.

4.8 I understand and agree that a copy of this consent will be sent to any Indian tribe of which the child is a member or eligible for membership.

4.9 I have read or have had read to me this consent and I understand it. This consent has been given freely, voluntarily, and with full knowledge of the consequences. The consent is not the result of fraud or duress, nor am I acting under the influence of anyone.

4.10 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED at _____, Washington this _____ day of _____, 19 _____.

PARENT

DSHS 09-763 (REV. 8/91), CONSENT TO FOSTER CARE PLACEMENT AND COURT CERTIFICATION (Page 3 of 3)

PARENT'S/INDIAN CUSTODIAN'S IN-COURT DECLARATION AND SIGNATURE

This section must be completed in Court in the presence of a Judge/Commissioner.

I declare under penalty of perjury under the laws of the State of Washington that I wish to place my child in foster care as provided in the foregoing consent and that the information in the consent is true and correct.

SIGNED at _____, Washington this _____ day of _____, 19____
before the undersigned Judge/Commissioner.

PARENT

COURT CERTIFICATION

Pursuant to RCW 13.34.245(1) and the Indian Welfare Act of 1978, 25 U.S.C. Section 1913 (a), I hereby certify that this consent was executed by the parent/Indian custodian in writing and recorded before me; that the terms and consequences of the consent were fully explained in detail in the parent's/Indian custodian's primary language, and that the parent/Indian custodian fully understood the consequences of giving such consent.

CERTIFIED this _____ day of _____, 19____.

JUDGE/COMMISSIONER

DSHS 09-764 (REV. 8/91), RELINQUISHMENT OF CUSTODY, CONSENT TO TERMINATION/ADOPTION, AND COURT CERTIFICATION - INDIAN CHILD (Page 1 of 4)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF

IN THE INTEREST OF

NO.

RELINQUISHMENT OF CUSTODY, CONSENT TO TERMINATION/ADOPTION, AND COURT CERTIFICATION - INDIAN CHILD

An Indian Child

Pursuant to Chapter 26.33 RCW and the Indian Child Welfare Act, 25 U.S.C. 1901 et seq., I, _____, parent of the above named child, hereby declare under penalty of perjury:

1. Child
 Name: _____
 Date of birth: _____ Age: _____ Sex: _____
 Last known address: _____
 Indian tribe(s) of which child is a member or eligible for membership: _____
2. Parent(s)/Indian Custodian(s)
 Mother's name: _____
 Last known address: _____
 Tribal affiliation: _____
 Father's name: _____
 Last known address: _____
 Tribal affiliation: _____
 Indian custodian's name: _____
 Last known address: _____
 Tribal affiliation: _____
3. Department of Social and Health Services (DSHS) or other agency
 Agency: DSHS Other agency: _____
 Name of service worker(s) who assisted the parent to execute the consent: _____
 Address of service worker(s) office: _____
4. Relinquishment of custody and consent to termination of parental rights
 4.1 I am the _____ of the above identified child. The child was born more than ten (10) days prior to the date on which I signed this consent.

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parent(s); Goldenrod - Indian tribe

Relinquishment of Custody, Consent to Termination/Adoption, and Court Certification - Indian Child
DSHS 09-764 (REV. 8/91) *94

DSHS 09-764 (REV. 8/91), RELINQUISHMENT OF CUSTODY, CONSENT TO TERMINATION/ADOPTION, AND COURT CERTIFICATION - INDIAN CHILD (Page 2 of 4)

4.2 I wish to relinquish my parental rights to the child because I realize that it is not in the best interest of the child to reside with me. (State additional reasons, if any, for relinquishment of parental rights.)

4.3 I understand that I have the right to obtain the advice and representation of an attorney regarding the relinquishment and termination of my parental rights.

4.4 I understand that my decision to relinquish the child is an extremely important one. I understand that after I sign this consent in Court and it is approved by the Court, an order permanently terminating my parental rights will be entered. The termination order will take away all my legal rights and obligations as a parent, except for my rights to revoke this consent as set forth in Paragraphs 4.10 and 4.11 below. I also understand that there are social services and counseling services available in the community, and that there may be financial assistance available through state and local governmental agencies.

4.5 I confirm that I desire to and hereby consent to relinquish custody of the child to _____ and hereby authorize the agency to have custody of the child and to have the power and authority to authorize and provide all necessary care for the child, which shall include but not be limited to, foster care, medical care, dental care, evaluations of the child, and placement of the child for adoption.

4.6 I hereby consent to termination of my parental rights and request the Court to enter an order permanently terminating all of my parental rights to the child. I further authorize the agency to consent, on my behalf, to the child's adoption.

4.7 I UNDERSTAND THAT THIS CONSENT IS NOT VALID AND HAS NO FORCE OR EFFECT UNLESS I SIGN THE CONSENT IN COURT AND UNLESS THE CONSENT IS APPROVED BY THE COURT. Upon Court approval of this consent, the Court will enter an order permanently terminating my parental rights.

4.8 I understand that the legal effect of an order permanently terminating my parental rights will be to divest me of all legal rights and obligations with respect to the child, except for my rights to revoke this consent as set forth in 4.10 and 4.11 below. I also understand that the child will be freed from all legal obligations of obedience and maintenance with respect to me, and shall be, to all legal intents and purposes, and for all legal incidents, the child, legal heir and lawful issue of the ultimate adoptive parents, entitled to all rights and privileges including the right of inheritance and the right to take under testamentary disposition, and subject to all obligations of a child of such adoptive parents. I further understand that after my parental rights are terminated, I am not thereafter entitled to notice of proceedings regarding the child's adoption, nor do I have any right to contest the adoption or otherwise participate in the child's adoption proceedings, except as set forth in Paragraphs 4.10 and 4.11 below.

4.9 I also understand that an order permanently terminating my parental rights will not disentitle the child to any benefits due the child from any third person, agency, state, or the United States nor will the termination order affect any rights or benefits that the child derives or may be entitled to derive from any federally recognized Indian tribe of which the child is a member. I also understand that the child, upon reaching the age of eighteen (18) years, shall have the right to request and receive information regarding my tribal affiliation or other such information as may be necessary for the child's enrollment as a member in the tribe or for determining or protecting any rights or benefits associated with tribal membership.

4.10 I understand that I have the right to withdraw and revoke this consent for any reason and at any time before the Court enters an adoption decree regarding the child. I understand that a decree of adoption will not be entered until a minimum of forty-eight (48) hours after I sign the consent in Court. I also understand that if I wish to revoke my consent, I must revoke it in one of the following ways: (i) written revocation may be delivered or mailed to the Clerk of the Court and such revocation will be effective if received by the Clerk of the Court prior to entry of the adoption decree or (ii) revocation may be made orally to the Court at any time prior to entry of the adoption decree.

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parent(s); Goldenrod - Indian tribe

DSHS 09-764 (REV. 8/91), RELINQUISHMENT OF CUSTODY, CONSENT TO TERMINATION/ADOPTION, AND COURT CERTIFICATION - INDIAN CHILD (Page 3 of 4)

- 4.11 I understand that, if I withdraw and revoke this consent before the Court enters an adoption decree regarding the child, I have the right to have the child promptly returned to my custody unless the return of custody would likely cause imminent physical harm to the child or unless a court order for foster care placement of the child has been entered.
- 4.12 I understand that after the Court enters an adoption decree this consent is not revocable except for fraud or duress practiced by the person, department or agency requesting the consent or for lack of mental competency at the time the consent was given by me. Under no circumstances can I revoke this consent for fraud or duress later than two years after the Court enters an adoption decree.
- 4.13 The address of the Clerk of the Court where the consent will be presented for Court approval is: _____
- 4.14 **THIS CONSENT IS VOLUNTARILY EXECUTED WITH OR WITHOUT DISCLOSURE OF THE NAME OR OTHER IDENTIFICATION OF THE PROSPECTIVE ADOPTIVE PARENTS.**
- 4.15 Except as otherwise specifically described in this paragraph, no promises have been made to me, as a condition of my consent, regarding the tribal affiliation, health, ethnic, religious, economic, or other personal characteristics of any prospective adoptive family with whom the child will be placed. The promises which have been made to me are as follows (describe specifically): _____
- 4.16 I understand and agree that a copy of this consent will be sent to any Indian tribe of which the child is a member or eligible for membership.
- 4.17 **I HEREBY WAIVE NOTICE OF FURTHER PROCEEDINGS IN THIS MATTER, EXCEPT FOR ANY PROCEEDING HELD TO OBTAIN COURT APPROVAL OF THIS CONSENT.**
- 4.18 I have read or have had read to me the foregoing and I understand the same. The foregoing consent has been given freely, voluntarily, and with full knowledge of the consequences as stated above, and the consent is not the result of fraud or duress, nor am I acting under the influence of anyone.
- 4.19 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED at _____, Washington this _____ day of _____, 19 _____.

PARENT

PARENT'S IN-COURT DECLARATION AND SIGNATURE

This section must be completed in Court in the presence of a Judge/Commissioner.

I declare under penalty of perjury under the laws of the State of Washington that I wish to relinquish my parental rights as provided in the foregoing consent and that the information in the consent is true and correct.

SIGNED at _____, Washington this _____ day of _____, 19 _____.

PARENT

Witness to parent's consent: _____

Address of witness: _____
STREET

CITY STATE ZIP CODE

Relationship to parent: _____

Age of witness (must be at least 18 years old): _____

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parent(s); Goldenrod - Indian tribe

DSHS 09-764 (REV. 8/91), RELINQUISHMENT OF CUSTODY, CONSENT TO TERMINATION/
ADOPTION, AND COURT CERTIFICATION - INDIAN CHILD (Page 4 of 4)

COURT CERTIFICATION

Pursuant to Chapter 26.33 RCW and the Indian Welfare Act of 1978, 25 U.S.C. Section 1913 (a), I hereby certify that this consent was executed by the parent in writing and recorded before me; that the terms and consequences of the consent were fully explained in detail in the parent's primary language, and that the parent fully understood the consequences of giving such consent. I further certify that the parent's signature was witnessed by an impartial, competent witness at least eighteen years of age and selected by the relinquishing parent.

CERTIFIED this _____ day of _____, 19 _____

JUDGE / COMMISSIONER

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parent(s); Goldenrod - Indian tribe

Relinquishment of Custody, Consent to Termination/Adoption, and Court Certification - Indian Child
DSHS 09-764 (REV. 8/91)

Page 4 of 4

DSHS 09-765 (REV. 8/91), DECLARATION OF ADOPTION FACILITATOR (Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR THE COUNTY OF

IN THE INTEREST OF:

NO.

DECLARATION OF ADOPTION FACILITATOR

Minor child

I, _____ hereby declare:

- 1. I am a social service worker for the Department of Social and Health Services. _____ Agency.
- 2. I have made the following efforts to verify whether the above-named child is Indian and to determine whether the Indian Child Welfare Act, 25 U.S.C. 1901 et seq., applies to this proceeding: _____

- 3. The child:
 - is an Indian child as defined in 25 U.S.C. 1903(4). The Indian Child Welfare Act applies to this proceeding.
 - may be an Indian child as defined in 25 U.S.C. 1903(4). The Indian Child Welfare Act may apply to this proceeding.
 - is or may be a Canadian Indian child or an unenrolled Indian child as defined in WAC 388-70-091(2) and (3). The Indian Child Welfare Act does not apply to this proceeding.
 - is not Indian. The Indian Child Welfare Act does not apply to this proceeding.
- 4. Indian child. (The following additional information applies only if the child is or may be Indian as defined in the Indian Child Welfare Act.)
 - 4.1 The child:
 - is a member of the _____ Tribe. The Tribe's address is: _____
 - is eligible for membership in the _____ Tribe and is the biological child of a tribal member. The Tribe's address is: _____
 - is of Indian ancestry and may be a member of or eligible for membership in a federally recognized Indian tribe. I will make further efforts to ascertain whether the child is an Indian as defined by the Indian Child Welfare Act.

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parents; Goldenrod - Indian Tribe/Other party

DSHS 09-765 (REV. 8/91), DECLARATION OF ADOPTION FACILITATOR (Page 2 of 2)

4.2 Tribal affiliation of child's mother: _____

Tribal affiliation of child's father: _____

Tribal affiliation of Indian custodian: _____

4.3 The child's residence/domicile is located within the reservation boundaries of the _____ Indian Tribe.

The child's residence/domicile is not located within the boundaries of an Indian reservation.

There is not enough information available at this time to determine whether the child's residence/domicile is within an Indian reservation.

4.4 The child is is not the subject any Tribal Court custody order. A copy of each such order is attached.

The child is is not a ward of Tribal Court.

There is not enough information available at this time to determine if the child is a Tribal Court ward.

4.5 Information about the prospective adoptive parents (if known and if the prospective adoptive parents have consented to disclosure of the information):

Name(s): _____

Address: _____

Tribal affiliation: _____

I declare under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.

Signed at _____, Washington, this _____ day of _____, 19_____.

SERVICE WORKER

ADDRESS STREET

CITY STATE ZIP CODE

TELEPHONE NUMBER

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parents; Goldenrod - Indian Tribe/Other party

Declaration of Adoption Facilitator
DSHS 09-765 (REV. 8/91)

Page 2 of 2

DSHS 09-766 (REV. 8/91), PETITION FOR TERMINATION OF PARENT-CHILD RELATIONSHIP (RCW 13.34) (Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF JUVENILE DIVISION

DEPENDENCY OF:

NO.

PETITION FOR TERMINATION OF PARENT-CHILD RELATIONSHIP (RCW 13.34)

D.O.B.

I. BASIS

I represent to the Court the following:

1.1 Information about the child:

Name: _____ Age: _____ Sex: _____ Date of birth: _____
Address: _____

1.2 The child:

- is an Indian child as defined in 25 USC 1903(4). The Indian Child Welfare Act, 25 U.S.C. 1901 et seq., applies to this proceeding. See attached Addendum to Petition.
- may be an Indian child as defined in 25 USC 1903(4). The Indian Child Welfare Act may apply to this proceeding. See attached Addendum to Petition.
- is or may be a Canadian Indian child or an unenrolled Indian as defined in WAC 388-70-091(2) and (3). The Indian Child Welfare Act does not apply to this proceeding.
- is not Indian. The Indian Child Welfare Act does not apply to this proceeding.

1.3 Known information about the parent(s), guardian or custodian:

- a. Name of father: _____
Address: _____
- b. Name of mother: _____
Address: _____
- c. Marital status of parents: _____
- d. Name of legal guardian/custodian: _____
Address: _____

1.4 The parent-child relationship between the child and the child's mother father should be terminated:

- a. The child has been found to be a dependent child under RCW 13.34.030(2).
- b. The court has entered a dispositional order pursuant to RCW 13.34.130.
- c. The child has been removed or will, at the time of the hearing, have been removed from the custody of the parent for a period of at least six months pursuant to a finding of dependency under RCW 13.34.030(2).
- d. The services ordered under RCW 13.34.130 have been offered or provided and all necessary services, reasonably available, capable of correcting the parental deficiencies within the foreseeable future have been offered or provided.
- e. There is little likelihood that conditions will be remedied so that the child can be returned to the parent in the near future.
- f. Continuation of the parent and child relationship clearly diminishes the child's prospects for early integration into a stable and permanent home.
- g. Termination is in the child's best interests.

DISTRIBUTION: White - Court file; Yellow - Service file; Pink - Parents; Goldenrod - Indian Tribe/Other party

Petition for Termination of Parent-Child Relationship (RCW 13.34)

Page 1 of 2

DSHS 09-766 (8/91) *04

DSHS 09-767 (REV. 8/91), DECLARATION OF NOTIFICATION - FOSTER CARE PLACEMENT
VALIDATION HEARING

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF
JUVENILE DIVISION

VOLUNTARY FOSTER
CARE PLACEMENT OF:

NO.

DECLARATION OF NOTIFICATION - VOLUNTARY
FOSTER CARE PLACEMENT VALIDATION HEARING

An Indian Child

I, _____ hereby declare:

I am over the age of eighteen years; on the _____ day of _____, 19 _____

at _____ a.m./p.m. I notified the above-named child's:

- mother
- father
- Indian custodian
- tribe
- Other (specify) _____

of the foster care placement validation hearing regarding the child. Notification was accomplished by:

- personal service of written notice (copy attached)
- mailed written notice (copy attached)
- telephone
- telegraph
- telefax
- Other (specify) _____

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED at _____, Washington, this _____ day of _____, 19 _____.

DECLARANT

ADDRESS STREET

CITY STATE ZIP CODE

TELEPHONE NUMBER

DISTRIBUTION: White - Court file; Yellow - Service file

Declaration of Notification - Voluntary Foster Care Placement Validation Hearing
DSHS 09-767 (8/91) *13

DSHS 09-768 (REV. 8/91), SUPERIOR COURT ADOPTION INFORMATION FOR INDIAN CHILD
(Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF

IN THE INTEREST OF

No.

SUPERIOR COURT ADOPTION INFORMATION FOR INDIAN CHILD

_____ An Indian child

In accordance with the Tribal-State Agreement between the Indian Tribes of this state and the Department of Social and Health Services, I _____, request that the Court include the

following information in the final decree of adoption. I further request that, pursuant to the requirements of 25 U.S.C. 1951, the Indian Child Welfare Act, the Court send a copy of the final adoption decree and other information required by Section 1951 to the Secretary of the Interior at the following address:

NAME
Department of the Interior
Bureau of Indian Affairs
1951 South Constitution Ave. N.W.
Washington, D.C. 20245.

1. Information about the child

Name of child: _____

Tribal affiliation of child: _____

2. Information about the child's tribe

Name of child's tribe: _____

Location of tribe: _____

3. Information about the child's biological family

Name of biological mother: _____

Address of biological mother: _____

Name of biological father: _____

Address of biological father: _____

Name(s) of minor biological siblings where parental rights between the siblings and the biological parents have not been terminated: _____

Information, including number and sex, about biological siblings where the parent-child relationship between the biological siblings and the biological parents has been terminated.

DISTRIBUTION: White - Court file; Yellow - Service file

**DSHS 09-768 (REV. 8/91), SUPERIOR COURT ADOPTION INFORMATION FOR INDIAN CHILD
(Page 2 of 2)**

Names and addresses of adoptive parents of the child's siblings (if they request that their identity be made known).

Names and addresses of extended family members, including adult siblings (if they request that their identity be made known).

4. Information about the child's adoptive parents

Name of the child's adoptive mother: _____

Address of the child's adoptive mother: _____

Name of the child's adoptive father: _____

Address of the child's adoptive father: _____

5. The identity and business address of any agency that has files or information relating to the adoptive placement.

If this case involves a voluntary consent to adoption by the biological parents of the child, I request that the court include the following statement in the adoption decree:

The natural parents have been advised of their rights under the Indian Child Welfare Act, 25 U.S.C. 1913, to petition the court, within two years following entry of the decree, to vacate the adoption on grounds that the consent to adoption was obtained through fraud or duress.

DATE _____

SERVICE WORKER

ADDRESS STREET

CITY STATE ZIP CODE

TELEPHONE NUMBER

DSHS 09-769 (REV. 8/91), VOLUNTARY RELINQUISHMENT AND ADOPTION INFORMATION TO PARENT OF INDIAN CHILD (Page 1 of 2)



Division of Children and Family Services
Olympia, Washington 98504

**VOLUNTARY RELINQUISHMENT AND ADOPTION
INFORMATION TO PARENT OF INDIAN CHILD**

File No. _____

TO: PARENT(S) OF AN INDIAN CHILD

Name of child: _____ Date of birth: _____

Tribal affiliation of child: _____

1. You may be able to relinquish and terminate your parental rights or pursue an adoption through a proceeding in Tribal Court rather than a state Superior Court. You should contact the child's tribe if you would like additional information.
2. Because your child is a ward of Tribal Court or domiciled/resident on the reservation of an exclusive jurisdiction tribe, the _____ Indian Tribe has exclusive jurisdiction over any proceedings related to the relinquishment/termination of your parental rights or the adoption of the child. Such proceedings must be pursued in Tribal Court rather than a state Superior Court. Contact the child's tribe for additional information.
3. Name of tribal contact person: _____
Address of Indian tribe: _____
Telephone number of Indian tribe: _____
4. PLEASE BE AWARE THAT:
 - 4.1 Tribal Court law and procedures may differ from state law.
 - 4.2 Tribal Court termination of parental rights and adoption orders are entitled to full faith and credit in all the states.
 - 4.3 The requirements of the Indian Child Welfare Act may not apply in Tribal Court proceedings, and this may facilitate completion of the termination or adoption.
 - 4.4 The State Registrar of Vital Statistics will issue an amended birth certificate in compliance with the order of the Tribal Court when an adoption decree is entered.
5. YOU ARE NOTIFIED THAT YOU HAVE THE FOLLOWING PROTECTIONS UNDER THE FEDERAL INDIAN CHILD WELFARE ACT:
 - 5.1 25 U.S.C. 1913 (a) When any parent or Indian custodian voluntarily consents to a foster care placement or to termination of parental rights, such consent will not be valid unless it is done in writing and recorded before a judge of a court of competent jurisdiction and accompanied by a judge's certificate that the terms and consequences of the consent were fully explained in detail and were fully understood by the parent or Indian custodian. The judge will also certify that the parent or Indian custodian fully understood the explanation in English or that it was interpreted into a language that they understood. ANY CONSENT GIVEN PRIOR TO, OR WITHIN TEN DAYS AFTER, BIRTH OF AN INDIAN CHILD IS NOT VALID.

DISTRIBUTION: White - Parent/Indian custodian; Yellow - Service file

Voluntary Relinquishment and Adoption Information to Parent of Indian Child
DSHS 09-769 (8/91)*02

Page 1 of 2

DSHS 09-769 (REV. 8/91), VOLUNTARY RELINQUISHMENT AND ADOPTION INFORMATION TO PARENT OF INDIAN CHILD (Page 2 of 2)

- 5.2 25 U.S.C. 1913 (b) Any parent or Indian custodian may withdraw consent to a foster care placement that was made under state law at any time and, upon such withdrawal, the child will be returned to the parent or Indian custodian.
- 5.3 25 U.S.C. 1913 (c) In any voluntary proceeding for termination of parent rights to, or adoptive placement of, an Indian child, the consent of the parent may be withdrawn for any reason at any time prior to the entry of a final decree of adoption and the child will be returned to the parent.
- 5.4 25 U.S.C. 1913 (d) After the entry of a final decree of adoption of an Indian child in state Superior Court, the parent may withdraw consent upon the grounds that the consent was obtained through fraud or duress and may petition the court to vacate the decree. Upon a finding that a consent was obtained through fraud or duress, the court will vacate the decree and return the child to the parent. No adoption which has been effective for at least two years may be invalidated by this provision.
- 5.5 25 U.S.C. 1915 In any adoptive placement of an Indian child under state law, a preference will be given to placement with (1) a member of the child's extended family; (2) other members of the Indian child's Tribe; or (3) other Indian families.
- 5.6 25 U.S.C. 1917 Upon application by an adopted Indian individual who has reached the age of 18, the court which entered the final adoption decree shall inform the individual of the tribal affiliation, if any, of the individual's biological parents and provide such other information as may be necessary to protect rights flowing from the individual's tribal relationships.
- 5.7 25 U.S.C. 1951 Upon the request of an adopted individual over the age of 18, the adoptive or foster parents of an Indian child, or an Indian tribe, the Secretary of the Interior shall disclose such information as may be necessary for enrollment as a tribal member or for determining any rights associated with that membership.
6. YOU ARE ALSO NOTIFIED THAT:
- 6.1 The notice and appearance waiver provisions of RCW 26.33.310 do not apply to the parent of an Indian child. **YOUR CONSENT IS NOT VALID UNLESS YOU APPEAR IN COURT AND SIGN THE CONSENT IN THE PRESENCE OF THE JUDGE.** Your consent must also be witnessed by an impartial, competent person who you have selected and who is at least eighteen years of age.
- 6.2 You may engage an Indian interpreter or a representative of the social services program of the child's tribe to participate in the proceeding to assure that your consent is well informed and voluntary. Tribal contact information is contained in Section 3 of this form.
- 6.3 If you wish to assist in the release of information to your child in the event that he/she petitions the court for such information (see Section 5.6, above), you may do so by keeping the court informed of your current address.

DATE _____

SERVICE WORKER

ADDRESS STREET

CITY STATE ZIP CODE

TELEPHONE NUMBER

DO NOT USE THIS FORM IN CASES INVOLVING CANADIAN INDIAN CHILDREN OR UNENROLLED INDIAN CHILDREN

DISTRIBUTION: White - Parent/Indian custodian; Yellow - Service file

Voluntary Relinquishment and Adoption Information to Parent of Indian Child
DSHS 09-769 (8/91) 1-13

Page 2 of 2

DSHS 09-770 (REV. 8/91), NOTICE AND SUMMONS (RELINQUISHMENT/TERMINATION/ADOPTION) (Page 1 of 2)

SUPERIOR COURT OF WASHINGTON FOR COUNTY OF

IN THE INTEREST OF

NO.

 An Indian Child

NOTICE AND SUMMONS
(Relinquishment/Termination/Adoption)

TO: _____
 NAME _____
 ADDRESS _____

I. NOTICE OF HEARING

1.1 YOU ARE GIVEN NOTICE THAT THE FOLLOWING LEGAL ACTION IS PENDING FOR THE ABOVE NAMED INDIAN CHILD:

- Voluntary relinquishment of parental rights (Chapter 26.33 RCW)
- Termination of parental rights (Chapter 26.33 RCW)
- Adoption (Chapter 26.33 RCW)
- Other: _____

A copy of the petition filed in this case is attached. If you wish to defend against this action, you must respond in writing within twenty (20) days after service of this summons.

1.2 TIME, DATE AND LOCATION OF HEARING:

Date: _____

Time: _____

Location of Court: _____

Mailing address of Court: _____

Telephone number of Court: _____

Name of Judge (if known): _____

Copies of any scheduling orders entered by the court are attached.

1.3 THIS IS A SERIOUS MATTER SO PLEASE COME TO THE HEARING. THE HEARING MAY RESULT IN ENTRY OF A COURT ORDER FOR:

- PERMANENT LOSS OF PARENTAL RIGHTS
- OTHER: _____

IF YOU FAIL TO RESPOND TO THE TERMINATION ACTION WITHIN TWENTY (20) DAYS OF SERVICE OF NOTICE OR IF YOU FAIL TO ATTEND THE HEARING, THE COURT MAY ENTER THE ABOVE ORDER(S) IN YOUR ABSENCE.

II. ADVICE OF RIGHTS

2.1 You have the right to talk to a lawyer. If you cannot afford to pay for a lawyer and if you have not consented to termination of your parental rights, you have the right to ask the Court to appoint a lawyer to represent you for free. The Court will grant your request if you qualify for free legal representation.

DISTRIBUTION: White - Indian child's parents; Yellow - Service file; Pink - Court file; Goldenrod - Indian child's tribe

Notice and Summons (Relinquishment/Termination/Adoption)
DSHS 09-770 (REV. 8/91) 1-92

Page 1 of 2

DSHS 09-770 (REV. 8/91), NOTICE AND SUMMONS (RELINQUISHMENT/TERMINATION/ADOPTION) (Page 2 of 2)

II. ADVICE OF RIGHTS (Continued)

- 2.2 A lawyer can look at the social and legal files in your case, talk to the service worker, tell you about the law, help you understand your rights and help you at the hearing.
- 2.3 You have the right to examine all reports or other documents filed with this court upon which any decision regarding the petition may be based.
- 2.4 Upon request, the petitioning agency will furnish case record material, reports or other documents that formed the basis for the decision to petition the court, as well as all reports and other documents that the agency intends to provide the court in support of this petition.
- 2.5 You have the right to request that the case be transferred to the court of the tribe of which your child is a member or eligible to be a member. You also have the right to object to a transfer of jurisdiction to Tribal Court.
- 2.6 If the above hearing is in regard to a petition for termination of parental rights, you have the right to request and be granted an additional twenty (20) days to prepare for participation in the hearing. If you wish to request the additional time, fill out the attached form and return it as soon as possible to the Superior Court at the mailing address listed on page one (1) of this notice.
- 2.7 At any proceeding you have the right to introduce evidence, testify in your own behalf, question witnesses, and receive a decision from an unbiased judge based solely on the information presented at the hearing.

III. RIGHTS OF ALLEGED FATHERS

- 3.1 If you acknowledge paternity, you will be presumed to be the child's father. Unless the court rules otherwise, you can participate in this proceeding with all of the rights of a parent listed above and all of the rights provided to a parent under the Indian Child Welfare Act, 25 U.S.C. 1901, et seq. You may also be required to pay support. To acknowledge paternity, you must file a written statement in court or with the state office of vital statistics. The statement must be signed under oath and state that you are the child's father.
- 3.2 If you wish to legally establish paternity, you must get a court order declaring you to be the father of the child. Such an order will give you all of the legal rights and responsibilities of a parent as provided under Washington law and the Indian Child Welfare Act.
- 3.3 It may be possible for you to acknowledge or establish paternity under tribal law or custom.
- 3.4 If you fail to acknowledge or establish paternity, you may not have any right to participate in this proceeding.
- 3.5 If this proceeding involves a petition for termination of parental rights, FAILURE TO ACKNOWLEDGE OR ESTABLISH PATERNITY OR RESPOND TO THE PETITION WITH TWENTY (20) DAYS AFTER SERVICE OF THIS NOTICE MAY RESULT IN THE PERMANENT TERMINATION OF ALL RIGHTS CONCERNING THE CHILD. If you respond to the petition and acknowledge or establish paternity prior to termination, your rights will not be terminated unless (i) you give valid consent to termination or (ii) your rights are terminated in accordance with state laws and the requirements of the federal Indian Child Welfare Act regarding involuntary termination of parental rights.

Date: _____

NAME OF AGENCY SERVICE WORKER _____

TITLE _____

AGENCY ADDRESS _____ STREET _____

CITY _____ STATE _____ ZIP CODE _____

AGENCY TELEPHONE NUMBER _____

Attach Request for Continuance, DSHS 9-544, and copies of the petition (include attachments) and any scheduling orders.

Notice and Summons (Relinquishment/Termination/Adoption)

Page 2 of 2

DSHS 09-770 (REV. 8/91)

DSHS 09-771 (REV. 8/91), ADDENDUM TO PETITION (Page 1 of 3)

IN THE INTEREST OF

NO.

ADDENDUM TO PETITION

An Indian Child

The following information is to be filed with the Superior Court with a dependency, guardianship, or termination petition pursuant to an agreement for the delivery of Indian child welfare services between the federally recognized Indian Tribes of the State of Washington and the Department of Social and Health Services.

1. I, _____, hereby declare:

1.1 Name of the Indian child: _____
Date of birth: _____ Last known address of Indian child: _____

1.2 Name of child's mother: _____
Address of child's mother: _____
Name of child's father: _____
Address of child's father: _____
Name and address of Indian custodian, if any: _____

Efforts made to locate parents/Indian custodian if the identity or whereabouts of such persons are unknown:

1.3 The child: _____

Is a member of the _____ Tribe. The Tribe's address is: _____

Is eligible for membership in the _____ Tribe and is the biological child of a tribal member.
The Tribe's address is: _____

Is of Indian ancestry and may be a member of or eligible for membership in a federally recognized Indian tribe. Further efforts will be made by the petitioner to ascertain whether the child is an Indian child as defined by the Indian Child Welfare Act. The following efforts have been made to verify whether the child is Indian and to identify the tribal affiliation of the child and the parents/Indian custodian: _____

DISTRIBUTION: White - Attach to the petition; Yellow - Service file; Pink - Indian child's parents; Goldenrod - Indian child's tribe

DSHS 09-771 (REV. 8/91), ADDENDUM TO PETITION (Page 2 of 3)

1.2 Tribal affiliation of child's mother: _____
Tribal affiliation of child's father: _____
Tribal affiliation of child's Indian custodian: _____

- 1.5 The child's residence/domicile is located within the reservation boundaries of the _____ Tribe.
- The child's residence/domicile is not located within the boundaries of an Indian reservation.
- There is not enough information available at this time to determine whether the child's residence/domicile is within an Indian reservation.

1.6 The position of the child's tribe regarding the child's residence/domicile (if known) _____

- 1.7 The child is is not the subject of any Tribal Court custody order. A copy of each such order is attached.
- The child is is not a ward of Tribal Court.
- There is not enough information available at this time to determine if the child is a Tribal court ward.

1.8 A specific and detailed account of the circumstances that led to filing the petition:

1.9 A statement of specific active efforts made to provide remedial and rehabilitative services designed to prevent the break-up of the Indian family (attach documentation of services provided): _____

A statement as to whether those efforts proved unsuccessful and the reasons for lack of success:

DISTRIBUTION: White - Attach to the petition; Yellow - Service file; Pink - Indian child's parents; Goldenrod - Indian child's tribe

DSHS 09-771 (REV. 8/91), ADDENDUM TO PETITION (Page 3 of 3)

2. The child is is not in shelter care placement (provide the information requested below only if the child has been placed in shelter care):

2.1 A specific and detailed account of the circumstances that led the service worker to seek shelter care placement :

2.2 Reasons why the child has not been transferred to the jurisdiction of his/her tribe: _____

2.3 The child's tribe has has not concurred in the dependency petition. The believed basis for the tribe's concurrence/lack of concurrence: _____

2.4 A statement of the "reasonable efforts" made to prevent placement: _____

2.5 A statement of the specific actions that have been taken or will be taken to assist the parents or Indian custodian to obtain the return of the child to their custody: _____

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at _____, Washington, this _____ day of _____, 19_____.

DECLARANT _____

ADDRESS _____ STREET _____

CITY _____ STATE _____ ZIP CODE _____

DISTRIBUTION: White - Attach to the petition; Yellow - Service file; Pink - Indian child's parents; Goldenrod - Indian child's tribe

DSHS 09-772 (REV. 8/91), NOTICE TO EXTENDED FAMILY MEMBERS



Division of Children and Family Services
Olympia, Washington 98504

NOTICE TO EXTENDED FAMILY MEMBERS

TO: Extended Family Members

File No. _____

Name of child: _____ Date of birth: _____

Tribal affiliation of child: _____

This letter is to inform you that:

- The child's parent(s) or Indian custodian has voluntarily agreed to:
 - Foster care placement of the child (out of home placement).
 - Permanent termination of parental rights and placement of the child for adoption.
- The Superior Court of Washington state has ordered that:
 - The child be involuntarily removed from his/her parents and placed in foster care.
 - The relationship between the child and his/her parents be involuntarily terminated (the child has been permanently taken away from his/her parents by the court).

As members of the child's extended family, you have the legal right to be considered before non-family members for:

- Temporary foster care placement of the child.
- Pre-adoptive/adoptive placement of the child.

In order to be considered a placement resource for the child you must: _____

The next scheduled court hearing about placement for the child will take place:

Date: _____ Time: _____

Location of court: _____ ADDRESS

Telephone number of court: _____

PLEASE CONTACT ME AS QUICKLY AS POSSIBLE IF YOU WOULD LIKE TO DISCUSS THE POSSIBILITY OF HAVING THE CHILD PLACED WITH YOU OR IF YOU HAVE ANY QUESTIONS. IF YOU DO NOT PROMPTLY INDICATE YOUR INTEREST IN CARING FOR THE CHILD, YOU MAY LOSE THE OPPORTUNITY FOR THE CHILD TO BE PLACED IN YOUR HOME.

DATE _____

SERVICE WORKER _____

ADDRESS STREET _____

CITY STATE ZIP CODE _____

TELEPHONE NUMBER _____

Send this form by registered mail, return receipt requested.

DISTRIBUTION: White - Extended family members; Yellow - Service file

Notice to Extended Family Members

DSHS 09-772 (8/91) *3

DSHS 09-773 (REV. 8/91), NOTICE OF TERMINATION OR ADOPTION DECREE VACATE



Division of Children and Family Services
Olympia, Washington 98504

- TO: Child's Indian tribe
 Biological parents of child
 Prior Indian custodian of child

NOTICE OF TERMINATION OR ADOPTION DECREE
VACATE

File No. _____

Name of child: _____ Date of birth: _____

Tribal affiliation of child: _____

This letter is to notify you that a court order has been entered that terminates the parental rights of the child's adoptive parents or that sets aside the child's adoption.

The child's biological parents and prior Indian custodian, if any, have the right to petition a Superior Court in the State of Washington for return of custody of the child.

Superior Court file number: _____ Telephone number of court: _____

Address of Court: _____

This agency will will not oppose the return of the child to the biological parent(s) or prior Indian custodian. If return to the biological parent(s) or custodian is opposed, the reasons for opposition are:

Please contact me as quickly as possible so that we can discuss future planning and placement for the child.

DATE _____

SERVICE WORKER _____

ADDRESS _____ STREET _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE NUMBER _____

DISTRIBUTION: White - Biological parents, prior Indian custodian or child's tribe; Yellow - Service file

Notice of Termination or Adoption Decree Vacate

DSHS 09-773 (8/91) *94

DSHS 09-774 (REV. 8/91), NOTICE OF CHANGE OF VOLUNTARY PLACEMENT



Division of Children and Family Services
Olympia, Washington 98504

TO: Parent(s) or Indian custodian and the child's Indian Tribe

NOTICE OF CHANGE OF VOLUNTARY TO INVOLUNTARY PLACEMENT

File No. _____

Name of child: _____ Date of birth: _____

Tribal affiliation of child: _____

This letter is to notify you that this agency has decided to ask the State Superior Court to change the voluntary foster care placement of this child to an INVOLUNTARY foster care placement. We will do this by filing a dependency petition in the Superior Court in the near future. Except in emergency circumstances, the petition will not be filed sooner than fifteen (15) days from the date of this notice. The reasons for seeking involuntary foster care placement are:

After the petition is filed, you will be given a copy. You will also be notified of the date, place and time of any court hearings that involve this child.

As a parent or Indian custodian you have the right to withdraw your voluntary consent to foster care placement and have the child immediately returned to you, unless return would be likely to cause an emergency resulting in imminent physical harm to the child. In emergency circumstances, immediate steps will be taken to obtain court authorization for continued foster care placement.

Please contact me if you have any questions or if you wish to withdraw the voluntary consent to foster care placement.

DATE _____

SERVICE WORKER _____

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE NUMBER _____

DISTRIBUTION: White - Parents/Indian Custodian; Yellow - Child's tribe; Pink - Service file

Notice of Change of Voluntary to Involuntary Placement
09-774 (8/91)*03

DSHS 09-775 (REV. 8/91), INQUIRY TO INDIAN ORGANIZATION



Division of Children and Family Services
Olympia, Washington 98504

INQUIRY TO INDIAN ORGANIZATION
 Second Inquiry

To: _____
INDIAN ORGANIZATION

File No. _____

RE: _____
NAME OF CHILD

NAMES OF CHILD'S PARENT(S)

This agency is involved with the above named child and parent(s). We need your assistance to determine whether provisions of the Washington Administrative Code (WAC) related to Indian families apply to this case.

Applicable WAC provisions define the term "Indian" to include "...an unenrolled Indian: a person considered to be an Indian by a federally or nonfederally recognized tribe or urban Indian/Alaskan native community organization." (WAC 388-70-091; -450; WAC 388-73-044)

We are seeking answers to the following questions:

1. Have you provided service to the individuals identified above? YES NO
2. If the answer is YES, did you, during the course of providing service, regard those individuals as Indian?
 YES NO

Your assistance in this matter is greatly appreciated. Please contact me if you have any questions or require further assistance.

DATE

SERVICE WORKER

ADDRESS STREET

CITY STATE ZIP CODE

TELEPHONE NUMBER

Distribution: White - Indian organization; Yellow - Service file

Inquiry to Indian Organization
DSHS 09-775 (8/91) 754

DSHS 09-776 (REV. 8/91), NOTICE OF DEPENDENCY DISMISSAL



Division of Children and Family Services
Olympia, Washington 98504

- TO: Parent/Indian custodian
 Child's Indian tribe
 Other party to dependency proceeding

NOTICE OF DEPENDENCY DISMISSAL

File No. _____

Court Cause No. _____

Name of child: _____ Date of birth: _____

Tribal affiliation of child: _____

The dependency proceeding in _____ County Superior Court, Juvenile Division
that involved the above named child was dismissed on _____ DATE

- The child was returned to the custody of:

Name: _____

Address: _____

- The child remains in the custody of:

Name: _____

Address: _____

DATE _____

SERVICE WORKER _____

ADDRESS _____ STATE _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE NUMBER _____

DISTRIBUTION: White - Parents/Indian tribe/Other party; Yellow - Service file

Notice of Dependency Dismissal

DSHS 09-776 (REV. 8/91) '91

DSHS 09-777 (REV. 8/91), INDIAN CHILD: COMPLIANCE CHECKLIST



**INDIAN CHILD:
COMPLIANCE CHECKLIST**

CHILD'S NAME _____
CASE NUMBER _____

<p>VERIFICATION OF INDIAN STATUS - CHAPTER 03</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Is the child of Indian Ancestry? If yes, proceed. 03.20(B)(1)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Is the child a ward of any Tribal Court? 03.20(B)(2)</p> <p>You must, at a minimum, include written documentation of the name, address and telephone number of persons providing information. Also, you must follow-up with a written request and confirming letter(s).</p> <p><input type="checkbox"/> Contact tribe or Bureau of Indian Affairs (BIA) (if tribe unknown) by phone and request written verification of Indian status. If more than one tribe, contact each. Send written inquiry to tribe(s)/BIA. 03.25</p> <p><input type="checkbox"/> If no response received within 15 days after written request for verification, re-contact by phone and send second request. 03.35(B)(2)</p> <p><input type="checkbox"/> If Canadian Indian but unknown band contact Division of Children and Family Services (DCFS) headquarters and follow-up with a written request for assistance. 03.25</p> <p><input type="checkbox"/> If none of the above categories applies, is the child considered to be an Indian by an off-reservation Indian/Alaskan native community organization? Contact organization, if applicable. 03.25</p> <p><input type="checkbox"/> Based upon investigation of status, the child is:</p> <p style="margin-left: 20px;"><input type="checkbox"/> Indian as defined in the federal ICWA. See 03.05(A). Proceed.</p> <p style="margin-left: 20px;"><input type="checkbox"/> Canadian Indian or unenrolled Indian. See 03.05(B) & (C). Proceed to Chapter 11.</p> <p style="margin-left: 20px;"><input type="checkbox"/> Non-Indian. See 03.35. Do not proceed.</p> <p>ACTIVITIES PRIOR TO COURT ACTION - CHAPTER 5 (DOES NOT APPLY TO CANADIAN INDIAN/UNENROLLED INDIAN CHILDREN)</p> <p><input type="checkbox"/> Notify and involve federally recognized Washington State tribe(s) if applicable. 05.05 Provide all case record materials, reports, family social histories, or other documents related to the alleged abused and/or neglect to the tribal designee or tribally designated organization. See 05.20 for important restrictions.</p> <p><input type="checkbox"/> Notify a Washington State tribe of Child Protective Services (CPS) referrals as quickly as possible. 05.05(A) & (B)(1)</p> <p><input type="checkbox"/> When possible, contact an Indian interpreter. 05.15</p> <p><input type="checkbox"/> Provide information to other tribes as provided in 05.10 and 5.20(B).</p> <p><input type="checkbox"/> Notify appropriate law enforcement agencies under circumstances outlined in 05.25</p> <p><input type="checkbox"/> Develop a remedial and rehabilitative service plan utilizing relatives, tribe and a qualified expert. 05.35 See also 05.40, and 05.45</p> <p>COURT RELATED ACTIVITIES CHAPTER 8 (DOES NOT APPLY TO CANADIAN/UNENROLLED INDIAN CHILDREN, SEE CHAPTER 11)</p> <p style="text-align: center;">JURISDICTION</p> <p style="text-align: center;"><i>DOCUMENT ALL CONTACTS WITH TRIBES</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Is the child's residence/domicile within the boundaries of an Indian reservation?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Is the child a ward of the tribal court?</p> <p><input type="checkbox"/> Contact tribe regarding domicile or residence and wardship. 06.12 Document inquiries. 06.14</p> <p><input type="checkbox"/> Determine if tribe has exclusive or concurrent jurisdiction. See 06.10 and 06.11.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Will the tribe will take jurisdiction?</p> <p style="text-align: center;">CONCURRENT JURISDICTION, SPECIAL REQUIREMENTS</p> <p><input type="checkbox"/> Notify child's tribe of intent to file a state court action and the date that the action will be filed. Notice must be provided at least five business days prior to filing (except in emergency cases). 06.13</p>	<p>VOLUNTARY CONSENT TO FOSTER CARE PLACEMENT</p> <p><input type="checkbox"/> Determine jurisdiction before filing. 06.21(A)</p> <p><input type="checkbox"/> Inform parent/Indian custodian of placement preference requirements, notification requirements, and validation requirements. 06.23(A)</p> <p><input type="checkbox"/> Encourage parent/Indian custodian to contact child's tribe or an Indian interpreter. Document this action. 06.23; 06.24</p> <p><input type="checkbox"/> Fully explain consent to place form to parent/custodian prior to obtaining signature. Forms must be either read by or to parent/custodian. 06.25(A) and (B)</p> <p><input type="checkbox"/> Parent/custodian must sign form acknowledging reading and understanding of form and wish to place. MUST ALSO SIGN CONSENT IN COURT IN ORDER FOR IT TO BE VALID. 06.25(C) & (D)</p> <p style="text-align: center;">VALIDATION PROCEDURES (FOSTER CARE)</p> <p><input type="checkbox"/> Immediately provide copies of signed forms to child's tribe, nonconsenting parent(s), and child's Indian custodian. Notify Washington tribes five (5) days prior to commencing process, if possible. 06.26(A) & (B)</p> <p><input type="checkbox"/> File petition for court validation in Juvenile Court. 06.26(C)</p> <p><input type="checkbox"/> Notify parents and tribe of time, date, and place of the validation hearing. File Declaration of Notification. 06.26(D)</p> <p style="text-align: center;"><i>SEE REMAINDER OF 6.25 FOR IMPORTANT INSTRUCTIONS</i></p> <p style="text-align: center;">CHANGING VOLUNTARY TO INVOLUNTARY PLACEMENT</p> <p><input type="checkbox"/> Notify parents/custodian and tribe at least 15 days before dependency is filed (except in emergency cases). 06.28</p> <p style="text-align: center;">SHELTER CARE PLACEMENT</p> <p><input type="checkbox"/> Determine jurisdiction prior to placing child, if possible. 06.41</p> <p><input type="checkbox"/> File dependency petition and addendum in Juvenile Court (unless child returned home within 72 hours). 06.43</p> <p><input type="checkbox"/> Notify parents/custodian and tribe. 06.45</p> <p style="text-align: center;">SHELTER CARE BEYOND 72 HOURS</p> <p><input type="checkbox"/> Seek order transferring jurisdiction to child's tribe, if applicable. 06.46</p> <p><input type="checkbox"/> If possible, present testimony of qualified Indian expert regarding continued foster care placement. 06.46(B)(2) Expert must be present at 30 day hearing. 06.46(B)(4)</p> <p><input type="checkbox"/> Set fact-finding as soon as possible. 06.46(B)(5)</p> <p style="text-align: center;">DEPENDENCY FACT-FINDING/DISPOSITION</p> <p><input type="checkbox"/> File dependency petition and addendum in Juvenile Court. Follow 06.30 before filing. 06.51</p> <p><input type="checkbox"/> Notify parents/custodian. Notice must be received at least 15 days prior to fact-finding. 06.51(C)(1)</p> <p><input type="checkbox"/> Notify tribe(s). Notice must be received at least 15 days prior to fact-finding. If location or identity of tribe(s) are unknown, send notice to BIA at least 25 days prior to fact finding. 06.51(C)(2).</p> <p><input type="checkbox"/> Notify parents/Indian custodian and tribe of disposition hearing. 06.52</p> <p><input type="checkbox"/> Notify child's extended family if child to be placed out of home. 07.20</p> <p><input type="checkbox"/> Staff with tribal designee or LICWAC, if tribe unavailable. 06.53(A)</p> <p><input type="checkbox"/> Involve tribe or qualified Indian expert in preparation of ISP/social study. 06.53(B) & (C)</p> <p><input type="checkbox"/> Provide copies of reports/orders to parents/tribe.</p>
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THIS FORM IS TO BE USED AS A GUIDELINE ONLY. REFER TO THE MANUAL FOR DETAILED PROCEDURES AND REQUIREMENTS.

DSHS 09-777 BACK (REV. 8/91), INDIAN CHILD: COMPLIANCE CHECKLIST

<p style="text-align: center;">DEPENDENCY REVIEW HEARINGS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Notify parent/custodian and tribe of review hearing at least 20 days prior to hearing. 06.54 <input type="checkbox"/> Follow 06.53 in preparing ISP reports. 06.54 <input type="checkbox"/> When dependency dismissed, notify parent/custodian tribe and any other party. 06.56 <p style="text-align: center;">ALTERNATIVE RESIDENTIAL PLACEMENT</p> <ul style="list-style-type: none"> <input type="checkbox"/> Determine tribal jurisdiction prior to filing ARP petition. 06.60(A) & (B) <input type="checkbox"/> Involve qualified Indian expert approved by child's tribe or an Indian interpreter to assist in communicating with the family. 06.60(C) <input type="checkbox"/> File ARP petition with Juvenile Court. 06.60(D) <input type="checkbox"/> Notify tribe immediately. 06.60(F) <input type="checkbox"/> Follow placement preferences unless child's tribe has waived or changed preference. 06.60(G) <p style="text-align: center;">GUARDIANSHIP/INVOLUNTARY TERMINATION</p> <ul style="list-style-type: none"> <input type="checkbox"/> Follow 06.30 before filing. 06.70(A); 06.80(A) <input type="checkbox"/> Staff case with tribal designee or LICWAC, if tribal designee unavailable. 06.70(B); 06.80(B) <input type="checkbox"/> File petition and addendum in Juvenile Court. 06.70(C); 06.80(C) <input type="checkbox"/> See section above regarding notice procedures for fact-finding. 06.70(D); 06.80(D) <p style="text-align: center;">VOLUNTARY RELINQUISHMENT/TERMINATION OR ADOPTION</p> <ul style="list-style-type: none"> <input type="checkbox"/> Determine jurisdiction before filing. 06.91 <input type="checkbox"/> Inform birth parents/prospective adoptive parents of special requirements regarding relinquishment/adoption of Indian child. 06.93 <input type="checkbox"/> See above section regarding procedures for consent to foster care. <input type="checkbox"/> The parent(s) of an Indian may may withdraw consent to relinquishment/termination or adoption at any time before entry of the adoption decree. See 06.98 <p style="text-align: center;">LEGAL PROCEDURES (RELINQUISHMENT/VOLUNTARY TERMINATION OR ADOPTION)</p> <ul style="list-style-type: none"> <input type="checkbox"/> File petition in superior/juvenile court. 06.97 - 06.99 <input type="checkbox"/> Notify the parent(s) (if rights not previously terminated) and the tribe. Notice must be provided at least 20 working days prior to the hearing on the petition. 06.97 - 06.99 	<p style="text-align: center;">ADOPTION CHAPTER 08 (SEE CHAPTER 11 FOR PROCEDURES INVOLVING CANADIAN INDIANS AND UNENROLLED INDIAN CHILDREN)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Determine jurisdiction. 08.05 <input type="checkbox"/> Consult with child's tribe or LICWAC, if tribe is unavailable, regarding placement resources. 08.35 <input type="checkbox"/> All adoptive applicants complete DSHS 15-128 (X), Verification of American Indian Ancestry 08.15 <input type="checkbox"/> Foster parent adoptions. See 08.20. <input type="checkbox"/> Placement in compliance with preferences. 08.25 - 08.40 <input type="checkbox"/> Notify extended family. 08.40 See 07.20 - 07.25. <input type="checkbox"/> Advise prospective adoptive parents per 08.75. <input type="checkbox"/> Document placement determination. 08.60 <input type="checkbox"/> Provide tribe a copy of service record documentation PRIOR to placement. 08.60 <input type="checkbox"/> Review placement within 30 days after placement and thereafter every 90 days until termination of placement or entry of final adoption decree. Notify tribe or LICWAC, if tribe unavailable. 08.65 <input type="checkbox"/> Post-placement services. See 08.80 <input type="checkbox"/> Invite tribal designee and, when possible, a qualified expert to participate in preparation of pre and post-placement reports. Provide copy of reports to tribe (obtain release or court order if needed). 08.85 <input type="checkbox"/> Involve tribe in deliberations regarding agency consent to adoption. 08.90 <input type="checkbox"/> Request court to send adoption information to BIA. 08.95 <input type="checkbox"/> Release birth record and adoption information to the tribe (obtain release or court order if needed). 08.100 <p style="text-align: center;">PETITION TO VACATE ADOPTION DECREE</p> <ul style="list-style-type: none"> <input type="checkbox"/> Consult with tribe and seek concurrence about consent. 08.130(A)(1) <input type="checkbox"/> Notify tribe of all hearings and send copy of petition to tribe. 08.130(A) <input type="checkbox"/> If child returned to parent provide services in cooperation with child's tribe. 08.130(B) <p style="text-align: center;">TERMINATION OF ADOPTION</p> <ul style="list-style-type: none"> <input type="checkbox"/> Notify tribe and parents/custodian of termination within 5 days of entry of order. See 08.135(A) <input type="checkbox"/> Complete investigation within 90 days of termination: involve tribe, or LICWAC, if tribe unavailable, and a qualified expert. Develop service plan. 08.135 						
<p style="text-align: center;">PLACEMENT ACTIVITIES CHAPTER 07 (SEE CHAPTER 11 FOR PROCEDURES REGARDING CANADIAN INDIAN AND UNENROLLED INDIAN CHILDREN)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Placement in compliance with preferences. 07.05 - 07.15 <input type="checkbox"/> Notify extended family (see 07.23) of out of home placement. 07.20 <input type="checkbox"/> Review placement decision with child's tribe or LICWAC if tribe is unavailable. 07.30 <input type="checkbox"/> Document placement determination. 07.45 <input type="checkbox"/> Provide tribe a copy of service record documentation. 07.45 <input type="checkbox"/> Notify parent/custodian and tribes of any change in placement. 07.50 <input type="checkbox"/> Involve tribe or qualified expert in preparation of ISP/social study. 07.55 <input type="checkbox"/> Provide copies of ISP's and updates to child's tribe, as well as notices as required in 06.53 & 54 07.55 <input type="checkbox"/> Post-placement services. See 07.70 - 07.74 <p style="text-align: center;">ADMINISTRATIVE REVIEW</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide notice to the child's tribe and parent(s)/custodian (unless legal rights terminated). 07.60 <p style="text-align: center;">INDIAN TRUST INCOME</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide notice of trust fund withholding to BIA that serves child's tribe. 07.80(A) <input type="checkbox"/> Notify BIA of child's return home. 07.80(B) <input type="checkbox"/> Boarding school placement. See 07.80(C) 	<p style="text-align: center;">LOCAL INDIAN CHILD WELFARE ADVISORY COMMITTEE (LICWAC CHAPTER 10)</p> <p style="text-align: center;">STAFFING PROTOCOL LICWAC</p> <ul style="list-style-type: none"> <input type="checkbox"/> Case meets criteria for LICWAC involvement. 10.02 and 10.35 <input type="checkbox"/> Complete ISP, obtain supervisor's signature and present to liaison five days in advance of staffing (make at least 3 copies). 10.55(B) and (C) <input type="checkbox"/> Review LICWAC recommendations. Implement recommendations or discuss any disagreements. <p style="text-align: center;">SEE 10.60 FOR IMPASSE PROCEDURES WHEN CASEWORKER AND LICWAC CANNOT MEDIATE DISAGREEMENT</p> <p style="text-align: center;">CANADIAN AND UNENROLLED INDIAN CHILDREN CHAPTER 11</p> <ul style="list-style-type: none"> <input type="checkbox"/> Identify child's Indian status per 03.20 and 03.25 (11.10 - 11.14). See above section regarding verification of Indian status. <p style="text-align: center;">SERVICES FOR INDIAN FAMILIES AND COURT ACTIVITIES</p> <ul style="list-style-type: none"> <input type="checkbox"/> Notify tribe/band of court involvement. <input type="checkbox"/> Consult with tribe/band regarding caseplanning activities. <input type="checkbox"/> Staff case with LICWAC if tribe is unavailable. <input type="checkbox"/> Follow placement preferences. <input type="checkbox"/> Notify extended family prior to placement. 						
<p>SIGNATURES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">WORKER'S SIGNATURE</td> <td style="width: 30%;">DATE</td> </tr> <tr> <td>WORKER'S SIGNATURE</td> <td>DATE</td> </tr> <tr> <td>WORKER'S SIGNATURE</td> <td>DATE</td> </tr> </table>		WORKER'S SIGNATURE	DATE	WORKER'S SIGNATURE	DATE	WORKER'S SIGNATURE	DATE
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THIS FORM IS TO BE USED AS A GUIDELINE ONLY. REFER TO THE MANUAL FOR DETAILED PROCEDURES AND REQUIREMENTS.

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DSHS 09-778 (REV. 8/91), INFORMATION TO PROSPECTIVE ADOPTIVE PARENTS OF INDIAN CHILD (Page 1 of 2)



Division of Children and Family Services
Olympia, Washington 98504

INFORMATION TO PROSPECTIVE ADOPTIVE PARENTS OF INDIAN CHILD

File No. _____

TO: PROSPECTIVE ADOPTIVE PARENTS OF AN INDIAN CHILD

The following information applies to you as the prospective adoptive parents of an Indian child. Please read the information carefully and contact me if you have any questions.

1. You are notified that:

- 1.1 If you adopt an Indian child, your name and address will be sent to the Secretary of the Interior to be placed in adoption records. Prior to entry of the adoption decree, you have the right to sign and file with the court a parental affidavit requesting your identity remain confidential. If requested, the court will send your affidavit to the Secretary of the Interior with the adoption information.
- 1.2 The child's Indian tribe has the right to review the preadoptive and adoptive home studies, as well as the information about the child maintained by this agency.
- 1.3 The child's Indian tribe may be involved with this agency in joint permanency planning for the child, including selection of placement for the child.
- 1.4 The child's tribe as well as the child's extended family members will be notified of the biological parent's voluntary consent to: foster care, relinquishment/termination of parental rights and adoption.
- 1.5 The child's tribe may be able to provide supportive social services to your family and the child during pre-adoptive placement and after entry of an adoption decree. You should contact the child's tribe if you would like additional information about the availability of services. The name, address, and telephone number of the tribe's contact person is provided below.
- 1.6 You may have the option of filing the adoption proceeding in the child's Tribal Court. You should contact the child's tribe if you would like additional information.

The tribal contact person is _____ located at
NAME

ADDRESS _____ telephone number _____

2. Please be aware that:

- 2.1 Tribal court law and procedures may differ from state law.
- 2.2 Tribal court adoption orders are entitled to full faith and credit in all the states.
- 2.3 The requirements of the Indian Child Welfare Act may not apply in tribal court proceedings, and this may facilitate completion of the adoption.
- 2.4 The State Registrar of Vital Statistics will issue an amended birth certificate in compliance with the order of the tribal court when an adoption decree is entered.

3. You are notified that the following provisions of the federal Indian Child Welfare Act apply to the adoption or adoptive placement of an Indian child:

- 3.1 25 U.S.C. 1913 (a) When any parent or Indian custodian voluntarily consents to a foster care placement or to termination of parental rights, such consent will not be valid unless it is done in writing and recorded before a judge of a court of competent jurisdiction and accompanied by a judge's certificate that the terms and consequences of the consent were fully explained in detail and were fully understood by the parent or Indian custodian. The judge will also certify that the parent or Indian custodian fully understood the explanation in English or that it was interpreted into a language that they understood. **ANY CONSENT GIVEN PRIOR TO, OR WITHIN TEN DAYS AFTER, BIRTH OF AN INDIAN CHILD IS NOT VALID.**

DISTRIBUTION: White - Prospective adoptive parents; Yellow - Service file

Information to Prospective Adoptive Parents of Indian Child
DSHS 09-778 (8/91)-21

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DSHS 09-778 (REV. 8/91), INFORMATION TO PROSPECTIVE ADOPTIVE PARENTS OF INDIAN CHILD (Page 2 of 2)

- 3.2 25 U.S.C. 1913 (b) Any parent or Indian custodian may withdraw consent to a foster care placement that was made under state law at any time and, upon such withdrawal, the child will be returned to the parent or Indian custodian.
 - 3.3 25 U.S.C. 1913 (c) In any voluntary proceeding for termination of parent rights to, or adoptive placement of, an Indian child, the consent of the parent may be withdrawn for any reason at any time prior to the entry of a final decree of adoption and the child will be returned to the parent.
 - 3.4 25 U.S.C. 1913 (d) After the entry of a final decree of adoption of an Indian child in state Superior Court, the parent may withdraw consent upon the grounds that the consent was obtained through fraud or duress and may petition the court to vacate the decree. Upon a finding that a consent was obtained through fraud or duress, the court will vacate the decree and return the child to the parent. No adoption which has been effective for at least two years may be invalidated by this provision.
 - 3.5 25 U.S.C. 1915 In any adoptive placement of an Indian child under state law, a preference will be given to placement with (1) a member of the child's extended family; (2) other members of the Indian child's Tribe; or (3) other Indian families.
 - 3.6 25 U.S.C. 1917 Upon application by an adopted Indian individual who has reached the age of 18, the court which entered the final adoption decree shall inform the individual of the tribal affiliation, if any, of the individual's biological parents and provide such other information as may be necessary to protect rights flowing from the individual's tribal relationship.
 - 3.7 25 U.S.C. 1951 Upon the request of an adopted individual over the age of 18, the adoptive or foster parents of an Indian child, or an Indian tribe, the Secretary of the Interior shall disclose such information as may be necessary for enrollment as a tribal member or for determining any rights associated with the membership.
5. You are notified that if the child is "hard to place" for adoption, you may be eligible for financial or other assistance under the Adoption Support Program administered by the Department of Social and Health Services (DSHS). If you would like to be considered for this program, ask the service worker for additional information about program eligibility requirements. **YOU CANNOT RECEIVE ADOPTION SUPPORT UNLESS YOU APPLY FOR SUPPORT AND DSHS AGREES TO PROVIDE SUPPORT PRIOR TO ENTRY OF THE ADOPTION DECREE.**

DATE _____

SERVICE WORKER

ADDRESS STREET

CITY STATE ZIP CODE

TELEPHONE NUMBER

DO NOT USE THIS FORM IN CASES INVOLVING CANADIAN INDIAN CHILDREN OR UNENROLLED INDIAN CHILDREN

DISTRIBUTION: White - Prospective adoptive parents; Yellow - Service file

Information to Prospective Adoptive Parents of Indian Child
DSHS 09-778(18-91)*13

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DSHS 15-128 (REV. 8/91), VERIFICATION OF INDIAN STATUS: FOSTER CARE AND ADOPTIVE APPLICANT

**VERIFICATION OF INDIAN STATUS:
FOSTER CARE AND ADOPTIVE APPLICANT**

NAME				TELEPHONE NUMBER
ADDRESS	STREET	CITY	STATE	ZIP CODE

I. TRIBAL MEMBER/ELIGIBLE FOR MEMBERSHIP

TRIBE	LOCATION	ENROLLMENT NUMBER(S)	TELEPHONE NUMBER OF TRIBE(S)
A.			
NAME	ENROLLMENT NUMBER	TRIBE	LOCATION
FATHER			
MOTHER			
B.			
C. Identify any other tribe of which you have blood degree but are not eligible for tribal membership:			
TRIBE	LOCATION		

II. RECOGNITION BY SECRETARY OF THE INTERIOR (Official documentation must be attached)
 Letter signed by Secretary, stating such recognition and providing all information regarding family ancestry and tribal affiliation:
 YES NO

III. ESKIMO, ALEUT, OTHER ALASKAN NATIVE (Official documentation must be attached)

VILLAGE	LOCATION	ENROLLMENT NUMBER(S)	TELEPHONE NUMBER OF TRIBE(S)
A.			
NAME	ENROLLMENT NUMBER	VILLAGE	LOCATION
FATHER			
MOTHER			
B.			
C. Letter of Recognition from Regional Alaskan Native Corporation: <input type="checkbox"/> YES <input type="checkbox"/> NO			
D. Letter of Recognition from an Alaskan Native Community Organization: <input type="checkbox"/> YES <input type="checkbox"/> NO			

IV. CANADIAN INDIANS (Official documentation must be attached)

TRIBE/BAND	LOCATION	ENROLLMENT NUMBER(S)	TELEPHONE NUMBER OF TRIBE/BAND(S)
A.			
NAME	ENROLLMENT NUMBER	TRIBE/BAND	LOCATION
FATHER			
MOTHER			
B.			
C.			
FATHER		MOTHER	
NAME	<input type="checkbox"/> STATUS <input type="checkbox"/> NON-STATUS	NAME	<input type="checkbox"/> STATUS <input type="checkbox"/> NON-STATUS
TRIBE/ORGANIZATION		TRIBE/ORGANIZATION	
LOCATION	TELEPHONE NUMBER OF TRIBE/BAND	LOCATION	TELEPHONE NUMBER OF TRIBE/BAND

V. Letter of Recognition from a federally or a non-federally recognized Indian tribe:
 YES NO

VI. Letter of Recognition from an off-reservation urban Indian Community Organization controlled and operated by Indians:
 YES NO

The following definitions are terms used in the Indian Child Welfare Manual.

1. Act - the Indian Child Welfare Act, 25 U.S.C. 1901 et seq.
2. Canadian Indian Child - An unmarried person age 18 or younger who is a member of a treaty tribe, metis community, or a nonstatus Indian community from Canada. See definitions of Indian Child and unenrolled Indian child.
3. Child custody proceeding means and includes:
 - a. Foster care placement - an action placing an Indian child in a foster home or institution or in the home of a guardian or conservator where the parent or Indian custodian cannot have the child returned upon demand, but where parental rights have not been terminated.
 - b. Termination of parental rights - an action resulting in the legal end to the parent-child relationship.
 - c. Foster care when the parental rights have been terminated - the temporary placement of an Indian child in a foster home or institution after the termination of parental rights, but prior to or in lieu of adoptive placement.
 - d. Adoptive placement - the permanent placement of an Indian child for adoption, including an action resulting in a final decree of adoption.

These terms do not include a placement based on an act which, if committed by an adult, would be deemed a crime or upon an award, in a divorce proceeding, of custody to one of the parents. However, the term or terms do apply to all other domestic relations proceedings in which an Indian child is placed in the custody of DSHS, or a child care agency, including a child placing agency or in which such placement has been requested.

4. Contact person - a person(s) designated by the child's tribe for initial contact.
5. Domicile - that place where a person has his permanent and principal home and to which place he/she has the intention of returning whenever he/she is temporarily absent. A person can have only one domicile.
6. Extended family member - as defined by the law or custom of the child's tribe or, should the child's tribe fail to identify such law or custom, the term means a person having reached the age of eighteen and who is the Indian child's grandparent, aunt, uncle, brother, sister, brother-in-law, sister-in-law, niece, nephew, first or second cousin, or step-parent.

7. **Indian child** - An unmarried person age 18 or younger and who is either:
- a. A member of a federally recognized Indian tribe, including Eskimo, Aleut, or other Alaska Native; or
 - b. Eligible for membership in a federally recognized tribe, including Eskimo, Aleut, or other Alaska Native, and is the biological child of a member of a federally recognized Indian tribe.

See definitions of Canadian Indian child and unenrolled Indian child.

8. **Indian child's tribe/band** - A federally or nonfederally recognized tribe in which a child is a member or eligible for membership or a tribe, Metis community, or nonstatus Indian community from Canada in which a child is a member.
9. **Indian custodian** - an Indian person having custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody and control has been transferred by the parent of such child.
10. **Indian interpreter** - any person recognized by the child's tribe or an Indian organization designated by the child's tribe as an interpreter of the culture, customs, child rearing practices and standards of the child's tribe.
11. **Indian organization** - any group, association, partnership, corporation or other legal entity owned or controlled by Indians, or a majority of whose members are Indians, and which provides social or child welfare services to Indian families.
12. **Parent** - any biological parent or parents of an Indian child or any person having lawfully adopted an Indian child, including adoptions under tribal law or custom. The term does not include the unwed father where paternity has not been acknowledged or establishment under state law or tribal law or custom.
13. **Qualified expert or qualified expert witness:**
- a. A professional person recognized and approved by the child's tribe and DSHS as having substantial education and experience in the area of his or her specialty, and extensive knowledge of the prevailing social and cultural standards, family organization and child rearing practices within the Indian community relevant to the Indian child who is the subject of the child custody proceeding or other action.

- b. A person recognized and approved by the child's tribe and DSHS as having substantial experience in the delivery of child and family services to Indians, and extensive knowledge of the prevailing social and cultural standards and child-rearing practices within the Indian community relevant to the child who is the subject of the child custody proceeding or other action.
 - c. A member of the child's Indian community who is recognized within the community as an expert in tribal customs and practices pertaining to family organization and child-rearing.
14. Qualified expert in the interracial placement of Indian children - a qualified expert with specific experience in helping minority children, and the families with which they have been interracially placed in foster care, preadoptive care or in adoptive placement, to cope with and adjust to social or psychological issues associated with such placements.
 15. Reservation - Indian country, as defined in 18 U.S.C. Sec. 11.51 and any lands, not covered under such section, title to which is either held by the United States in trust for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to a restriction by the United States against alienation.
 16. Residence - where a person lives. A person may have more than one residence, as in the city and country. Residence simply requires bodily presence as an inhabitant in a given place.
 17. Tribal court - the court or other administrative body of the and Indian tribe vested with authority over child custody proceedings unless the context includes other tribal courts, in which case the term shall mean a court with jurisdiction over child custody proceedings and which is a Court of Indian Offenses, a court established and operated under the code or custom of any Indian tribe, or any other administrative body of a tribe which is vested with authority over child custody proceedings. When a tribe designates the tribal court of another tribe to act on its behalf, the term shall also include the tribal court of another tribe.
 18. Tribe's social services program--the tribal program, however named, with responsibility for provision of social services to Indian children and families.
 19. Unenrolled Indian child - An unmarried person age 18 or younger who does not meet the definitions of Indian child, or Canadian Indian child but who is considered Indian by a federally or nonfederally recognized Indian tribe or off-reservation Indian/Alaska Native community organization. See definitions of Indian Child and Canadian Indian child.

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UNITED STATES CODE TITLE 25, § 1901 - 1963

§ 1901. Congressional findings

Recognizing the special relationship between the United States and the Indian tribes and their members and the Federal responsibility to Indian people, the Congress finds--

- (1) that clause 3, section 8, article 1 of the United States Constitution provides that "The Congress shall have Power . . . To regulate commerce . . . with Indian tribes . . . To regulate Commerce . . . with Indian tribes" and, through this and other constitutional authority, Congress has plenary power over Indian affairs;
- (2) that Congress, through statutes, treaties and the general course of dealing with Indian tribes, has assumed the responsibility for the protection and preservation of Indian tribes and their resources;
- (3) that there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children and that the United States has a direct interest, as trustee, in protecting Indian children who are members of or are eligible for membership in an Indian tribe;
- (4) that an alarmingly high percentage of Indian families are broken up by the removal, often unwarranted, of their children from them by nontribal public and private agencies and that an alarmingly high percentage of such children are placed in non-Indian foster and adoptive homes and institutions; and
- (5) that the States, exercising their recognized jurisdiction over Indian child custody proceedings through administrative and judicial bodies, have often failed to recognize the essential tribal relations of Indian people and the cultural and social standards prevailing in Indian communities and families.

§ 1902. Congressional declaration of policy

The Congress hereby declares that it is the policy of this Nation to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs.

§ 1901. Definitions

For the purpose of this chapter, except as may be specifically provided otherwise, the term--

- (1) "child custody proceeding" shall mean and include--
 - (i) "Foster care placement" which shall mean any action removing an Indian child from its parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator where the parent or Indian custodian cannot have the child returned upon demand, but where parental rights have not been terminated;
 - (ii) "termination of parental rights" which shall mean any action resulting in the termination of the parent-child relationship;
 - (iii) "preadoptive placement" which shall mean the temporary placement of an Indian child in a foster home or institution after the termination of parental rights, but prior to or in lieu of adoptive placement; and
 - (iv) "adoptive placement" which shall mean the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption.

Such term or terms shall not include a placement based upon an act which, if committed by an adult, would be deemed a crime or upon an award, in a divorce proceeding, of custody to one of the parents.

- (2) "extended family member" shall be as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, shall be a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent.
- (3) "Indian" means any person who is a member of an Indian tribe, or who is an Alaska Native and a member of a Regional Corporation as defined in section 1606 of Title 43;
- (4) "Indian child" means any unmarried person who is under age eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe;
- (5) "Indian child's tribe" means (a) the Indian tribe in which an Indian child is a member or eligible for membership or (b), in the case of an Indian child who is a member of or eligible for membership in more than one tribe, the Indian tribe with which the Indian child has the more significant contacts;

- (6) "Indian custodian" means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child;
- (7) "Indian organization" means any group, association, partnership, corporation, or other legal entity owned or controlled by Indians, or a majority of whose members are Indians;
- (8) "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the Secretary because of their status as Indians, including any Alaska Native village as defined in section 1602(c) or Title 43;
- (9) "parent" means any biological parent or parents of an Indian child or any Indian person who has lawfully adopted an Indian child, including adoptions under tribal law or custom. It does not include the unwed father where paternity has not been acknowledged or established;
- (10) "reservation" means Indian country as defined in section 1151 of Title 18 and any lands, not covered under such section, title to which is either held by the United States in trust for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to a restriction by the United States against alienation;
- (11) "Secretary" means the Secretary of the interior; and
- (12) "tribal court" means a court with jurisdiction over child custody proceedings and which is either a Court of Indian Offenses, a court established and operated under the code or custom of any Indian tribe, or any other administrative body of a tribe which is vested with authority over child custody proceedings.

**§ 1911. Indian tribe jurisdiction over Indian child custody proceedings--
Exclusive jurisdiction**

- (a) An Indian tribe shall have jurisdiction exclusive as to any State over any child custody proceeding involving an Indian child who resides or is domiciled within the reservation of such tribe, except where such jurisdiction is otherwise vested in the State by existing Federal law. Where an Indian child is a ward of a tribal court, the Indian tribe shall retain exclusive jurisdiction, notwithstanding the residence or domicile of the child.

Transfer of proceedings: declination by tribal court

- (b) In any State court proceeding for the foster care placement of, or termination of parental rights to, an Indian child not domiciled or residing within the reservation of the Indian child's tribe, the court, in the absence of good cause to the contrary, shall transfer such proceeding to the jurisdiction of the tribe, absent objection by either

parent, upon the petition of either parent or the Indian custodian or the Indian child's tribe: *Provided*, That such transfer shall be subject to declination by the tribal court of such tribe.

State court proceedings; intervention

- (c) In any State court proceeding for the foster care placement of, or termination of parental rights to, an Indian child, the Indian custodian of the child and the Indian child's tribe shall have a right to intervene at any point in the proceeding.

Full faith and credit to public acts, records and judicial proceedings of Indian tribes

- (d) The United States, every State, every territory or possession of the United States, and every Indian tribe shall give full faith and credit to the public acts, records, and judicial proceedings of any Indian tribe applicable to Indian child custody proceedings to the same extent that such entities give full faith and credit to the public acts, records, and judicial proceedings of any other entity.

§ 1912. Pending court proceedings--Notice; time for commencement of proceedings; additional time for preparation

- (a) In any involuntary proceeding in a State court, where the court knows or has reason to know that an Indian child is involved, the party seeking the foster care placement of, or termination of parental rights to, an Indian child shall notify the parent or Indian custodian and the Indian child's tribe, by registered mail with return receipt requested, of the pending proceedings and of their right of intervention. If the identity or location of the parent or Indian custodian and the tribe cannot be determined, such notice shall be given to the Secretary in like manner, who shall have fifteen days after receipt to provide the requisite notice to the parent or Indian custodian and the tribe. No foster care placement or termination of parental rights proceeding shall be held until at least ten days after receipt of notice by the parent or Indian custodian and the tribe or the Secretary: *Provided*, That the parent or Indian custodian or the tribe shall upon request, be granted up to twenty additional days to prepare for such proceeding.

Appointment of Counsel

- (b) In any case in which the court determines indigency, the parent or Indian custodian shall have the right to court-appointed counsel in any removal, placement, or termination proceeding. The court may, in its discretion, appoint counsel for the child upon a finding that such appointment is in the best interest of the child. Where State law makes no provision for appointment of counsel in such proceedings, the court shall promptly notify the Secretary upon appointment of counsel, and the Secretary, upon certification of the presiding judge, shall pay reasonable fees and expenses out of funds which may be appropriated pursuant to section 13 of this title.

Examination of reports or other documents

- (c) Each party to a foster care placement or termination of parental rights proceeding under State law involving an Indian child shall have the right to examine all reports or other documents filed with the court upon which any decision with respect to such action may be based.

Remedial services and rehabilitative programs; preventive measures

- (d) Any party seeking to effect a foster care placement of, or termination of parental rights to, an Indian child under State law shall satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have proved unsuccessful.

Foster care placement orders; evidence; determination of damage to child

- (e) No foster care placement may be ordered in such proceeding in the absence of a determination, supported by clear and convincing evidence, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

Parental rights termination orders; evidence; determination of damage to child

- (f) No termination of parental rights may be ordered in such proceeding in the absence of a determination, supported by evidence beyond a reasonable doubt, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

§ 1913. Parental rights, voluntary termination--Consent; record; certification matters; invalid consents

- (a) Where any parent or Indian custodian voluntarily consents to a foster care placement or to termination of parental rights, such consent shall not be valid unless executed in writing and recorded before a judge of a court of competent jurisdiction and accompanied by the presiding judge's certificate that the terms and consequences of the consent were fully explained in detail and were fully understood by the parent or Indian custodian. The court shall also certify that either the parent or Indian custodian fully understood the explanation in English or that it was interpreted into a language that the parent or Indian custodian understood. Any consent given prior to, or within ten days after, birth of the Indian child shall not be valid.

Foster care placement; withdrawal of consent

- (b) Any parent or Indian custodian may withdraw consent to a foster care placement under State law at any time and, upon such withdrawal, the child shall be returned to the parent or Indian custodian.

Voluntary termination of parental rights or adoptive placement; withdrawal of consent; return of custody

- (c) In any voluntary proceeding for termination of parental rights to, or adoptive placement of, an Indian child, the consent of the parent may be withdrawn for any reason at any time prior to the entry of a final decree of termination or adoption, as the case may be, and the child shall be returned to the parent.

Collateral attack; vacation of decree and return of custody; limitations

- (d) After the entry of a final decree of adoption of an Indian child in any State court, the parent may withdraw consent thereto upon the grounds that consent was obtained through fraud or duress and may petition the court to vacate such decree. Upon a finding that such consent was obtained through fraud or duress, the court shall vacate such decree and return the child to the parent. No adoption which has been effective for at least two years may be invalidated under the provisions of this subsection unless otherwise permitted under State law.

§ 1914. Petition to court of competent jurisdiction to invalidate action upon showing of certain violations

Any Indian child who is the subject of any action for foster care placement or termination of parental rights under State law, any parent or Indian custodian from whose custody such child was removed, and the Indian child's tribe may petition any court of competent jurisdiction to invalidate such action upon a showing that such action violated any provision of sections 1911, 1912, and 1913 of this title.

§ 1915. Placement of Indian children--Adoptive placements; preferences

- (a) In any adoptive placement of an Indian child under State law, a preference shall be given, in the absence of good cause to the contrary, to a placement with (1) a member of the child's extended family; (2) other members of the Indian child's tribe; or (3) other Indian families.

Foster care or preadoptive placements; criteria; preferences

- (b) Any child accepted for foster care or preadoptive placement shall be placed in the least restrictive setting which most approximates a family and in which his special needs, if any, may be met. The child shall also be placed within reasonable proximity to his or her home, taking into account any special needs of the child. In any foster care or preadoptive placement, a preference shall be given, in the absence of good cause to the contrary, to a placement with--
- (i) a member of the indian child's extended family;
 - (ii) a foster home licensed, approved, or specified by the Indian child's tribe;

- (iii) an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or
- (iv) an institution for children approved by an Indian tribe or operated by an Indian organization which has a program suitable to meet the Indian child's needs.

Tribal resolution for different order of preference; personal preference considered; anonymity in application of preferences

- (c) In the case of a placement under subsection (a) or (b) of this section, if the Indian child's tribe shall establish a different order of preference by resolution, the agency or court effecting the placement shall follow such order so long as the placement is the least restrictive setting appropriate to the particular needs of the child, as provided in subsection (b) of this section. Where appropriate, the preference of the Indian child or parent shall be considered: *Provided*, That where a consenting parent evidences a desire for anonymity, the court or agency shall give weight to such desire in applying the preferences.

Social and cultural standards applicable

- (d) The standards to be applied in meeting the preference requirements of this section shall be the prevailing social and cultural standards of the Indian community in which the parent or extended family resides or with which the parent or extended family members maintain social and cultural ties.

Record of placement; availability

- (e) A record of each such placement, under State law, of an Indian child shall be maintained by the State in which the placement was made, evidencing the efforts to comply with the order of preference specified in this section. Such record shall be made available at any time upon the request of the Secretary or the Indian child's tribe.

§ 1916. Return of custody--Petition; best interests of child

- (a) Notwithstanding State law to the contrary, whenever a final decree of adoption of an Indian child has been vacated or set aside or the adoptive parents voluntarily consent to the termination of their parental rights to the child, a biological parent or prior Indian custodian may petition for return of custody and the court shall grant such petition unless there is a showing, in a proceeding subject to the provision of section 1912 of this title, that such return or custody is not in the best interests of the child.

Removal from foster care home; placement procedure

- (b) Whenever an Indian child is removed from a foster care home or institution for the purpose of further foster care, preadoptive, or adoptive placement, such placement shall be in accordance with the provisions of this chapter, except in the case where an Indian child is being returned to the parent or Indian custodian from whose custody the child was originally removed.

§ 1917. Tribal affiliation information and other information for protection of rights from tribal relationship; application of subject of adoptive placement; disclosure by court

Upon application by an Indian individual who has reached the age of eighteen and who was the subject of an adoptive placement, the court which entered the final decree shall inform such individual of the tribal affiliation, if any, of the individual's biological parents and provide such other information as may be necessary to protect any rights flowing from the individual's tribal relationship.

§ 1918. Reassumption jurisdiction over child custody proceedings--Petition; suitable plan; approval by Secretary

- (a) Any Indian tribe which became subject to State jurisdiction pursuant to the provisions of the Act of August 15, 1953 (67 Stat. 588), as amended by sub-chapter III of chapter 15 of this title, or pursuant to any other Federal law, may reassume jurisdiction over child custody proceedings. Before any Indian tribe may reassume jurisdiction over Indian child custody proceedings, such tribe shall present to the Secretary for approval a petition to reassume such jurisdiction which includes a suitable plan to exercise such jurisdiction.

Criteria applicable to consideration by Secretary; partial retrocession

- (b) (1) In considering the petition and feasibility of the plan of a tribe under subsection (a) of this section, the Secretary may consider, among other things:
- (i) whether or not the tribe maintains a membership roll or alternative provision for clearly identifying the persons who will be affected by the reassumption of jurisdiction by the tribe;
 - (ii) the size of the reservation or former reservation area which will be affected by retrocession and reassumption of jurisdiction by the tribe;
 - (iii) the population base of the tribe, or distribution of the population in homogeneous communities or geographic areas; and

- (iv) the feasibility of the plan in cases of multitribal occupation of a single reservation or geographic area.
- (2) In those cases where the Secretary determines that the jurisdictional provisions of section 1911(a) of this title are not feasible, he is authorized to accept partial retrocession which will enable tribes to exercise referral jurisdiction as provided in section 1911(b) of this title, or, where appropriate, will allow them to exercise exclusive jurisdiction as provided in section 1911(a) of this title over limited community or geographic areas without regard for the reservation status of the area affected.

Approval of petition; publication in Federal Register; notice; reassumption period; correction of causes for disapproval

- (c) If the Secretary approves any petition under subsection (a) of this section, the Secretary shall publish notice of such approval in the Federal Register and shall notify the affected State or States of such approval. The Indian tribe concerned shall reassume jurisdiction sixty days after publication in the Federal Register of notice of approval. If the Secretary disapproves any petition under subsection (a) of this section, the Secretary shall provide such technical assistance as may be necessary to enable the tribe to correct any deficiency which the Secretary identified as a cause for disapproval.

Pending actions or proceedings unaffected

- (d) Assumption of jurisdiction under this section shall not affect any action or proceeding over which a court has already assumed jurisdiction, except as may be provided pursuant to any agreement under section 1919 of this title.

§ 1919. Agreements between States and Indian tribes--Subject coverage

- (a) States and Indian tribes are authorized to enter into agreements with each other respecting care and custody of Indian children and jurisdiction over child custody proceedings, including agreements which may provide for orderly transfer of jurisdiction on a case-by-case basis and agreements which provide for concurrent jurisdiction between States and Indian tribes.

Revocation; notice; actions or proceedings unaffected

- (b) Such agreements may be revoked by either party upon one hundred and eighty days' written notice to the other party. Such revocation shall not affect any action or proceeding over which a court has already assumed jurisdiction, unless the agreement provides otherwise.

§ 1920. Improper removal of child from custody; declination of jurisdiction; forthwith return of child: danger exception

Where any petitioner in an Indian child custody proceeding before a State court has improperly removed the child from custody of the parent or Indian custodian or has improperly retained custody after a visit or other temporary relinquishment of custody, the court shall decline jurisdiction over such petition and shall forthwith return the child to his parent or Indian custodian unless returning the child to his parent or Indian custodian would subject the child to a substantial and immediate danger or threat of such danger.

§ 1921. Higher State or Federal standard applicable to protect rights of parent or Indian custodian of Indian child

In any case where State or Federal law applicable to a child custody proceeding under State or Federal law provides a higher standard of protection to the rights of the parent or Indian custodian of an Indian child than the rights provided under this subchapter, the State or Federal court shall apply the State or Federal standard.

§ 1922. Emergency removal or placement of child; termination; appropriate action

Nothing in this subchapter shall be construed to prevent the emergency removal of an Indian child who is a resident of or is domiciled on a reservation, but temporarily located off the reservation, from his parent or Indian custodian or the emergency placement of such child in a foster home or institution, under applicable State law, in order to prevent imminent physical damage or harm to the child. The State authority, official, or agency involved shall insure that the emergency removal or placement terminates immediately when such removal or placement is no longer necessary to prevent imminent physical damage or harm to the child and shall expeditiously initiate a child custody proceeding subject to the provisions of this subchapter, transfer the child to the jurisdiction of the appropriate Indian tribe, or restore the child to the parent or Indian custodian, as may be appropriate.

§ 1923. Effective date

None of the provisions of this subchapter, except sections 1911(a), 1918, and 1919 of this title, shall affect a proceeding under State law for foster care placement, termination of parental rights, preadoptive placement, or adoptive placement which was initiated or completed prior to one hundred and eighty days after November 8, 1978, but shall apply to any subsequent proceeding in the same matter or subsequent proceedings affecting the custody or placement of the same child.

SUBCHAPTER II--INDIAN CHILD AND FAMILY PROGRAMS

**§ 1931. Grants for on or near reservation programs and child welfare codes--
Statement of purpose; scope of programs**

- (a) The Secretary is authorized to make grants to Indian tribes and organizations in the establishment and operation of Indian child and family service programs on or near reservations and in the preparation and implementation of child welfare codes. The objective of every Indian child and family service program shall be to prevent the breakup of Indian families and, in particular, to insure that the permanent removal of an Indian child from the custody of his parent or Indian custodian shall be a last resort. Such child and family service programs may include, but are not limited to--
- (1) a system for licensing or otherwise regulating Indian foster and adoptive homes;
 - (2) the operation and maintenance of facilities for the counseling and treatment of Indian families and for the temporary custody of Indian children;
 - (3) family assistance, including homemaker and home counselors, day care, afterschool care, and employment, recreational activities, and respite care;
 - (4) home improvement programs;
 - (5) the employment of professional and other trained personnel to assist the tribal court in the disposition of domestic relations and child welfare matters;
 - (6) education and training of Indians, including tribal court judges and staff, in skills relating to child and family assistance and service programs;
 - (7) a subsidy program under which Indian adoptive children may be provided support comparable to that for which they would be eligible as foster children, taking into account the appropriate State standards of support for maintenance and medical needs; and
 - (8) guidance, legal representation, and advice to Indian families involved in tribal, State, or Federal child custody proceedings.

Non-Federal matching funds for related Social Security or other Federal financial assistance programs; assistance for such programs unaffected; State licensing or approval for qualification for assistance under federally assisted program

- (b) Funds appropriated for use by the Secretary in accordance with this section may be utilized as non-Federal matching share in connection with funds provided under titles IV-B and XX of the Social Security Act or

under any other Federal financial assistance programs which contribute to the purpose for which such funds are authorized to be appropriated for use under this chapter. The provision or possibility of assistance under this chapter shall not be a basis for the denial or reduction of any assistance otherwise authorized under titles IV-B and XX of the Social Security Act or any other federally assisted program. For purposes of qualifying for assistance under a federally assisted program, licensing or approval of foster or adoptive homes or institutions by an Indian tribe shall be deemed equivalent to licensing or approval by a State.

§ 1932. Grants for off-reservation programs for additional services

The Secretary is also authorized to make grants to Indian organizations to establish and operate off-reservation Indian child and family service programs which may include, but are not limited to--

- (1) a system for regulating, maintaining, and supporting Indian foster and adoptive homes, including a subsidy program under which Indian adoptive children may be provided support comparable to that for which they would be eligible as Indian foster children, taking into account the appropriate State standards of support for maintenance and medical needs;
- (2) the operation and maintenance of facilities and services for counseling and treatment of Indian families and Indian foster and adoptive children;
- (3) family assistance, including homemaker and home counselors, day care, afterschool care, and employment, recreational activities, and respite care; and
- (4) guidance, legal representation, and advice to Indian families involved in child custody proceedings.

§ 1933. Funds for on and off reservation programs--Appropriated funds for similar programs of Department of Health, Education, and Welfare; appropriation in advance for payments

- (a) In the establishment, operation, and funding of Indian child and family service programs, both on and off reservation, the Secretary may enter into agreements with the Secretary of Health, Education, and Welfare, and the latter Secretary is hereby authorized for such purposes to use funds appropriated for similar programs of the Department of Health, Education and Welfare: *Provided*, That authority to make payments pursuant to such agreements shall be effective only to the extent and in such amounts as may be provided in advance by appropriation Acts.

Appropriation authorization under section 13 of this title

- (b) Funds for the purposes of this chapter may be appropriated pursuant to the provisions of section 13 of this title.

§ 1934. "Indian" defined for certain purposes

For the purposes of sections 1932 and 1933 of this title, the term "Indian" shall include persons defined in section 1603(c) of this title.

SUBCHAPTER III--RECORDKEEPING INFORMATION AVAILABILITY, AND TIMETABLES**§ 1951. Information availability to and disclosure by Secretary--Copy of final decree or order; other information; anonymity affidavit; exemption from Freedom of Information Act**

- (a) Any State court entering a final decree or order in any Indian child adoptive placement after November 8, 1978, shall provide the Secretary with a copy of such decree or order together with such other information as may be necessary to show--
- (1) the name and tribal affiliation of the child;
 - (2) the names and addresses of the biological parents;
 - (3) the names and addresses of the adoptive parents; and
 - (4) the identity of any agency having files or information relating to such adoptive placement.

Where the court records contain an affidavit of the biological parent or parents that their identity remain confidential, the court shall include such affidavit with the other information. The Secretary shall ensure that the confidentiality of such information is maintained and such information shall not be subject to the Freedom of Information Act, as amended.

Disclosure of information for enrollment of Indian child in tribe or for determination of member rights or benefits; certification of entitlement to enrollment

- (b) Upon the request of the adopted Indian child over the age of eighteen, the adoptive or foster parents of an Indian child, or an Indian tribe, the Secretary shall disclose such information as may be necessary for the enrollment of an Indian child in the tribe in which the child may be eligible for enrollment or for determining any rights or benefits associated with that membership. Where the documents relating to such child contain an affidavit from the biological parent or parents requesting anonymity, the Secretary shall certify to the Indian child's tribe, where the information warrants, that the child's parentage and other circumstances of birth entitle the child to enrollment under the criteria established by such tribe.

§ 1952. Rules and regulations

Within one hundred and eighty days after November 8, 1978, the Secretary shall promulgate such rules and regulations as may be necessary to carry out the provisions of this chapter.

SUBCHAPTER IV--MISCELLANEOUS PROVISIONS**§ 1961. Education; day schools; report to congressional committees; particular consideration of elementary grade facilities**

- (a) It is the sense of Congress that the absence of locally convenient day schools may contribute to the breakup of Indian families.
- (b) The Secretary is authorized and directed to prepare, in consultation with appropriate agencies in the Department of Health, Education and Welfare, a report on the feasibility of providing Indian child with schools located near their homes, and to submit such report to the Select Committee on Indian Affairs of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives within two years from November 8, 1978. In developing this report the Secretary shall give particular consideration to the provision of educational facilities for children in the elementary grades.

§ 1962. Copies to the States

Within sixty days after November 8, 1978, the Secretary shall send to the Governor, chief justice of the highest court of appeal, and the attorney general of each State a copy of this chapter, together with committee reports and an explanation of the provisions of this chapter.

§ 1963. Severability of provisions

If any provision of this chapter or the applicability thereof is held invalid, the remaining provisions of this chapter shall not be affected thereby.

WASHINGTON LAWS, 1987, CHAPTER 170 [Second Substitute House Bill No. 480]**INDIAN CHILD WELFARE**

Be it enacted by the Legislature of the state of Washington:

Sec. 1. Section 2, chapter 160, Laws of 1913 as last amended by section 29, chapter 354, Laws of 1985 and RCW 13.04.030 are each amended to read as follows:

The juvenile courts in the several counties of this state, shall have exclusive original jurisdiction over all proceedings:

- (1) Under the interstate compact on placement of children as provided in chapter 26.34 RCW;
- (2) Relating to children alleged or found to be dependent as provided in chapter 26.44 RCW and in RCW 13.34.030 through 13.34.170, as now or hereafter amended;
- (3) Relating to the termination of a parent and child relationship as provided in RCW 13.34.180 through 13.34.210, as now or thereafter amended;
- (4) To approve or disapprove alternative residential placement as provided in RCW 13.32A.170;
- (5) Relating to juveniles alleged or found to have committed offenses, traffic infractions, or violations as provided in RCW 13.40.020 through 13.40.230, as now or hereafter amended, unless:
 - (a) The juvenile court transfer jurisdiction of a particular juvenile to adult criminal court pursuant to RCW 13.40.110, as now or hereafter amended; or
 - (b) The statute of limitations applicable to adult prosecution for the offense, traffic infraction, or violation has expired; or
 - (c) The alleged offense or infraction is a traffic, fish, boating, or game offense or traffic infraction committed by a juvenile sixteen years of age or older and would, if committed by an adult, be tried or heard in a court of limited jurisdiction, in which instance the appropriate court of limited jurisdiction shall have jurisdiction over the alleged offense or infraction: PROVIDED, That if such an alleged offense or infraction and an alleged offense or infraction subject to juvenile court jurisdiction arise out of the same event or incident, the juvenile court may have jurisdiction of both matters: PROVIDED FURTHER, That the jurisdiction under this subsection does not constitute "transfer" or a "decline" for purposes of RCW 13.40.110(1) or subsection (5)(a) of this section: PROVIDED FURTHER, That courts of limited jurisdiction which confine juveniles for an alleged offense or

infraction may place juveniles in juvenile detention facilities under an agreement with the officials responsible for the administration of the juvenile detention facility in RCW 13.04.035 and 13.20.060;

- (6) Under the interstate compact on juveniles as provided in chapter 13.24 RCW;
- (7) Relating to termination of a diversion agreement under RCW 13.40.080 as now or hereafter amended, including a proceeding in which the diverted has attained eighteen years of age; and
- (8) Relating to court validation of a voluntary consent to foster care placement under chapter 13.34 RCW or relinquishment or consent to adoption under chapter 26.33 RCW, by the parent or Indian custodian of an Indian child, except if the parent or Indian custodian and child are residents of or domiciled within the boundaries of a federally recognized Indian reservation over which the tribe exercises exclusive jurisdiction.

NEW SECTION. Sec. 2. A new section is added to chapter 13.34 RCW to read as follows:

- (1) Where any parent or Indian custodian voluntarily consents to foster care placement of an Indian child and a petition for dependency has not been filed regarding the child, such consent shall not be valid unless executed in writing before the court and filed with the court. The consent shall be accompanied by the written certification of the court that the terms and consequences of the consent were fully explained in detail to the parent or Indian custodian during the court proceeding and were fully understood by the parent or Indian custodian. The court shall also certify in writing either that the parent or Indian custodian fully understood the explanation in English or that it was interpreted into a language that the parent or Indian custodian understood. Any consent given prior to, or within ten days after, the birth of the Indian child shall not be valid.
- (2) To obtain court validation of a voluntary consent to foster care placement, any person may file a petition for validation alleging that there is located or residing within the county an Indian child whose parent or Indian custodian wishes to voluntarily consent to foster care placement of the child and requesting that the court validate the consent as provided in this section. The petition shall contain the name, date of birth, and residence of the child, the names and residences of the consenting parent or Indian custodian, and the name and location of the Indian tribe in which the child is a member or eligible for membership. The petition shall state whether the placement preference of 25 W.S.C. Sec. 1915 (b) or (c) will be followed.

- Reasonable attempts shall be made by the petitioner to ascertain and set forth in the petition the identity, location, and custodial status of any parent or Indian custodian who has not consented to foster care placement and why that parent or Indian custodian cannot assume custody of the child.
- (3) Upon filing of the petition for validation, the clerk of the court shall schedule the petition for a hearing on the court validation of the voluntary consent no later than forty-eight hours after the petition has been filed, excluding Saturdays, Sundays, and holidays. Notification of time, date, location, and purpose of the validation hearing shall be provided as soon as possible to the consenting parent or Indian custodian, the department or other child-placing agency which is to assume custody of the child pursuant to the consent to foster care placement, and the Indian tribe in which the child is enrolled or eligible for enrollment as a member. If the identity and location of any nonconsenting parent or Indian custodian is known, reasonable attempts shall be made to notify the parent or Indian custodian of the consent to placement and the validation hearing. Notification under this subsection may be given by the most expedient means, including, but not limited to, mail, personal service, telephone, and telegraph.
- (4) Any parent or Indian custodian may withdraw consent to a voluntary foster care placement, made under this section, at any time. Unless the Indian child has been taken in custody pursuant to RCW 13.34.050 or 26.44.050, placed in shelter care pursuant to RCW 13.34.060, or placed in foster care pursuant to RCW 13.34.130, the Indian child shall be returned to the parent or Indian custodian upon withdrawal of consent to foster care placement of the child.
- (5) Upon termination of the voluntary foster care placement and return of the child to the parent or Indian custodian, the department or other child placing agency which had assumed custody of the child pursuant to the consent to foster care placement shall file with the court written notification of the child's return and shall also send such notification to the Indian tribe in which the child is enrolled or eligible for enrollment as a member and to any other party to the validation proceeding including any noncustodial parent.
- Sec. 3. Section 8, chapter 155, Laws of 1984 as amended by section 1, chapter 421, Laws of 1985 and RCW 26.33.080 are each amended to read as follows:**
- (1) A parent, an alleged father, the department, or an agency may file with the court a petition to relinquish a child to the department or an agency. The parent's or alleged father's written consent to adoption shall accompany the petition. The written consent of the department or the agency to assume custody shall be filed with the petition.

- (2) A parent, alleged, father, or prospective adoptive parent may file with the court a petition to relinquish a child to the prospective adoptive parent. The parent's or alleged father's written consent to adoption shall accompany the petition. The written consent of the prospective adoptive parent to assume custody shall be filed with the petition. The identity of the prospective adoptive parent need not be disclosed to the petitioner.
- (3) A petition for relinquishment, together with the written consent to adoption, may be filed before the child's birth. If the child is an Indian child as defined in 25 U.S.C. Sec. 1903(4), the petition and consent shall not be signed until at least ten days after the child's birth and shall be recorded before a court of competent jurisdiction pursuant to 25 U.S.C. Sec. 1913(a).

Sec. 4. Section 9, chapter 155, Laws of 1984 as amended by section 2, chapter 421, Laws of 1985 and RCW 26.33.090 are each amended to read as follows:

- (1) The court shall set a time and place for a hearing on the petition for relinquishment. The hearing may not be held sooner than forth-eight hours after the child's birth or the signing of all necessary consents to adoption, whichever is later. However, if the child is an Indian child, the hearing shall not be held sooner than ten days after the child's birth, and no consent shall be valid unless signed at least ten days after the child's birth and recorded before a court of competent jurisdiction pursuant to 25 U.S.C. Sec. 1913(a). Except where the child is an Indian child, the court may enter a temporary order giving custody of the child to the prospective adoptive parent, if a preplacement report has been filed, or to the department or agency to whom the child will be relinquished pending the court's hearing on the petition. If the child is an Indian child, the court may enter a temporary custody order under this subsection only if the requirements of 25 U.S.C. Sec. 1913(a) regarding voluntary foster care placement have been satisfied.
- (2) Notice of the hearing shall be served on any relinquishing parent or alleged father, and the department or agency in the manner prescribed by RCW 26.33.310. If the child is an Indian child, notice of the hearing shall also be served on the child's tribe in the manner prescribed by RCW 26.33.310.
- (3) The court may require the parent to appear personally and enter his or her consent to adoption on the record. However, if the child is an Indian child, the court shall require the consenting parent to appear personally before a court of competent jurisdiction to enter on the record his or her consent to the relinquishment or adoption. The court shall determine that any written consent has been validly executed, and if the child is an Indian child, such court shall further certify that the requirements of 25 U.S.C. Sec. 1913(a) have been satisfied. If the court determines it is in the best interests of the child, the court shall approve the petition for relinquishment.

- (4) If the court approves the petition, it shall award custody of the child to the department, agency, or prospective adoptive parent, who shall be appointed legal guardian. The legal guardian shall be financially responsible for support of the child until further order of the court. The court shall also enter an order pursuant to RCW 26.33.130 terminating the parent-child relationship of the parent and the child.
- (5) An order of relinquishment to an agency or the department shall include an order authorizing the agency to place the child with a prospective adoptive parent.

Sec. 5. Section 11, chapter 155, Laws of 1984 as amended by section 4, chapter 421, Laws of 1985 and RCW 26.33.110 are each amended to read as follows:

- (1) The court shall set a time and place for a hearing on the petition for termination of the parent-child relationship, which shall not be held sooner than forty-eight hours after the child's birth. However, if the child is an Indian child, the hearing shall not be held sooner than ten days after the child's birth and the time of the hearing shall be extended up to twenty additional days from the date of the scheduled hearing upon the motion of the parent, Indian custodian, or the child's tribe.
- (2) Notice of the hearing shall be served on the petitioner, the nonconsenting parent or alleged father, the legal guardian of a party, and the guardian ad litem of a party, in the manner prescribed by RCW 26.33.310. If the child is an Indian child, notice of the hearing shall also be served on the child's tribe in the manner prescribed by 25 U.S.C. Sec. 1912(a).
- (3) Except as otherwise provided in this section, the notice of the petition shall:
 - (a) State the date and place of birth. If the petition is filed prior to birth, the notice shall state the approximate date and location of conception of the child and the expected date of birth, and shall identify the mother;
 - (b) Inform the nonconsenting parent or alleged father that: (i) He or she has a right to be represented by counsel and that counsel will be appointed for an indigent person who requests counsel; and (ii) failure to respond to the termination action within twenty days of service will result in the termination of his or her parent-child relationship with respect to the child;
 - (c) Inform an alleged father that failure to file a claim of paternity under chapter 26.26 RCW or to respond to the petition, within twenty days of the date of service of the petition is grounds to terminate his parent-child relationship with respect to the child;

(d) Inform an alleged father of an Indian child that if he acknowledges paternity of the child or if his paternity of the child is established prior to the termination of the parent-child relationship, that his parental rights may not be terminated unless he: (i) Gives valid consent to termination, or (ii) his parent-child relationship is terminated involuntarily pursuant to chapter 26.33 or 13.34 RCW.

Sec. 6. Section 12, chapter 155, Laws of 1984 and RCW 26.33.120 are each amended to read as follows:

- (1) Except in the case of an Indian child and his or her parent, the parent child relationship of a parent may be terminated upon a showing by clear, cogent, and convincing evidence that it is in the best interest of the child to terminate the relationship and that the parent has failed to perform parental duties under circumstances showing a substantial lack of regard for his or her parental obligations and is withholding consent to adoption contrary to the best interest of the child.
- (2) Except in the case of an Indian child and his or her alleged father, the parent-child relationship of an alleged father who appears and claims paternity may be terminated upon a showing by clear, cogent, and convincing evidence that it is in the best interest of the child to terminate the relationship and that:
 - (a) The alleged father has failed to perform parental duties under circumstances showing a substantial lack of regard for his parental obligations and is withholding consent to adoption contrary to the best interest of the child; or
 - (b) He is not the father.
- (3) The parent-child relationship of a parent or an alleged father may be terminated if the parent or alleged father fails to appear after being notified of the hearing in the manner prescribed by RCW 26.33.310.
- (4) The parent-child relationship of an Indian child and his or her parent or alleged father where paternity has been claimed or established, may be terminated only pursuant to the standards set forth in 25 U.S.C. Sec. 1912(f).

Sec. 7. Section 16, chapter 155, Laws of 1984 as amended by section 5, chapter 421, Laws of 1985 and RCW 26.33.160 are each amended to read as follows:

- (1) Except as otherwise provided in RCW 26.33.170, consent to an adoption shall be required of the following if applicable:
 - (a) The adoptee, if fourteen years of age or older;
 - (b) The parents and any alleged father of an adoptee under eighteen years of age;

- (c) An agency or the department to whom the adoptee has been relinquished pursuant to RCW 26.33.080; and
 - (d) The legal guardian of the adoptee.
- (2) Except as otherwise provided in subsection (4)(g) of this section, consent to adoption is revocable by the consenting party at any time before the consent is approved by the court. The revocation may be made in either of the following ways:
- (a) Written revocation may be delivered or mailed to the clerk of the court before approval; or
 - (b) Written revocation may be delivered or mailed to the clerk of the court after approval, but only if it is delivered or mailed within forty-eight hours after a prior notice of revocation that was given within forty-eight hours after the birth of the child. The prior notice of revocation shall be given to the agency or person who sought the consent and may be either oral or written.
- (3) Except as provided in subsection (2)(b) and (4)(g) of this section and in this subsection, a consent to adoption may not be revoked after it has been approved by the court. Within one year after approval, a consent may be revoked for fraud or duress practiced by the person, department, or agency requesting the consent, or for lack of mental competency on the part of the person giving the consent at the time the consent was given. A written consent to adoption may not be revoked more than one year after it is approved by the court.
- (4) Except as provided in (g) of this subsection, the written consent to adoption shall be signed under penalty of perjury and shall state that:
- (a) It is given subject to approval of the court;
 - (b) It has no force or effect until approved by the court;
 - (c) The consent will not be presented to the court until forty-eight hours after it is signed or forty-eight hours after the birth of the child, whichever occurs later;
 - (d) It is revocable by the consenting party at any time before its approval by the court. It may be revoked in either of the following ways:
 - (i) Written revocation may be delivered or mailed to the clerk of the court before approval of the consent by the court; or

- (ii) Written revocation may be delivered or mailed to the clerk of the court after approval, but only if it is delivered or mailed within forty-eight hours after a prior notice of revocation that was given within forty-eight hours after the birth of the child. The prior notice of revocation shall be given to the agency or person who sought the consent and may be either oral or written;
- (e) The address of the clerk of court where the consent will be presented is included;
- (f) Except as provided in (g) of this subsection, after it has been approved by the court, the consent is not revocable except for fraud or duress practiced by the person, department, or agency requesting the consent or for lack of mental competency on the part of the person giving the consent at the time the consent was given. A written consent to adoption may not be revoked more than one year after it is approved by the court; and
- (g) In the case of a consent to an adoption of an Indian child, no consent shall be valid unless the consent is executed in writing more than ten days after the birth of the child and unless the consent is recorded before a court of competent jurisdiction pursuant to 25 U.S.C. Sec. 1913(a). Consent may be withdrawn for any reason at any time prior to the entry of the final decree of adoption. Consent may be withdrawn for fraud or duress within two years of the entry of the final decree of adoption. Revocation of the consent prior to a final decree of adoption, may be delivered or mailed to the clerk of the court or made orally to the court which shall certify such revocation. Revocation of the consent is effective if received by the clerk of the court prior to the entry of the final decree of adoption or made orally to the court at any time prior to the entry of the final decree of adoption. Upon withdrawal of consent, the court shall return the child to the parent unless the child has been taken into custody pursuant to RCW 13.34.050 or 26.44.050, placed in shelter care pursuant to RCW 13.34.060, or placed in foster care pursuant to RCW 13.34.130.
- (5) A written consent to adoption which meets all the requirements of this chapter but which does not name or otherwise identify the adoption parent is valid if it contains a statement that it is voluntarily executed without disclosure of the name or other identification of the adopting parent.

Sec. 8. Section 23, chapter 155, Laws of 1984 and RCW 26.33.240 are each amended to read as follows:

- (1) After the reports required by RCW 26.33.190 and 26.33.200 have been filed, the court shall schedule a hearing on the petition for adoption upon request of the petitioner for adoption. Notice of the date, time, and place of hearing shall be given to the petitioner and any person or agency whose consent to adoption is required under RCW 26.33.160, unless

the person or agency has waived in writing the right to receive notice of the hearing. If the child is an Indian child, notice shall also be given to the child's tribe. Notice shall be given in the manner prescribed by RCW 26.33.310.

- (2) Notice of the adoption hearing shall also be given to any person who or agency which has prepared preplacement report. The notice shall be given in the manner prescribed by RCW 26.33.230.
- (3) If the court determines, after review of the petition, preplacement and post-placement reports, and other evidence introduced at the hearing, that all necessary consents to adoption are valid or have been dispensed with pursuant to RCW 26.33.170 and that the adoption is in the best interest of the adoptee, and, in the case of an adoption of Indian child, that the adoptive parents are within the placement preferences of 25 U.S.C. Sec. 1915 or good cause to the contrary has been shown on the record, the court shall enter a decree of adoption pursuant to RCW 26.33.250.
- (4) If the court determines the petition should not be granted because the adoption is not in the best interest of the child, the court shall make appropriate provision of the case and custody of the child.

Sec. 9. Section 31, chapter 155, Laws of 1984 as amended by section 6, chapter 421, Laws of 1985 and RCW 26.33.310 are each amended to read as follows:

- (1) Petitions governed by this chapter shall be served in the same manner as a complaint in a civil action under the superior court civil rules. Subsequent notice, papers, and pleadings may be served in the manner provided in superior court civil rules.
- (2) If personal service on the parent or any alleged father, either within or without this state, cannot be given, notice shall be given: (a) By registered mail, mailed at least twenty days before the hearing to the person's last known address; and (b) by publication at least once a week for three consecutive weeks with the first publication date at least twenty-five days before the hearing. Publication shall be in a legal newspaper in the city or town of the last known address within the United States and its territories of the parent or alleged father, whether within or without this state, or, if no address is known or the last known address is not within the United States and its territories, in the city or town where the proceeding has been commenced.
- (3) Notice and appearance may be waived by the department, an agency, a parent, or an alleged father before the court or in a writing signed under penalty of perjury. The waiver shall contain the current address of the department, agency, parent, or alleged father. The face of the waiver for a hearing on termination of the parent-child relationship shall contain language explaining the meaning and consequences of the

waiver and the meaning and consequences of termination of the parent-child relationship. A person or agency who has executed a waiver shall not be required to appear except in the case of an Indian child where consent to termination or adoption must be certified before a court of competent jurisdiction pursuant to 25 U.S.C. Sec. 1913(a).

- (4) If a person entitled to notice is known to the petitioner to be unable to read or understand English, all notices, if practicable, shall be given in that person's native language or through an interpreter.
- (5) Where notice to an Indian tribe is to be provided pursuant to this chapter and the department is not a party to the proceeding, notice shall be given to the tribe at least ten business days prior to the hearing by registered mail return receipt requested.

Sec. 10. Section 17, chapter 172, Laws of 1967 as last amended by section 4, chapter 246, Laws of 1983 and RCW 74.13.031 are each amended to read as follows:

The department shall have the duty to provide child welfare services as defined in RCW 74.13.020, and shall:

- (1) Develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of homeless, runaway, dependent, or neglected children.
- (2) Develop a recruiting plan for recruiting an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e., homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, and annually submit the plan for review to the house and senate committees on social and health services. The plan shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."
- (3) Investigate complaints of neglect, abuse, or abandonment of children, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency: PROVIDED, That no investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime may have been committed, the department shall notify the appropriate law enforcement agency.
- (4) Offer, on a voluntary basis, family reconciliation services to families who are in conflict.

- (5) Monitor out-of-home placements, on a timely and routine basis, to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010, and annually submit a report delineating the results to the house and senate committees on social and health services.
- (6) Have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide children welfare services including placement for adoption, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.
- (7) Have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.
- (8) Have authority to purchase care for children; and shall follow in general the policy of using properly approved private agency services for the actual care and supervision of such children insofar as they are available, paying for care of such children as are accepted by the department as eligible for support at reasonable rates established by the department.
- (9) Establish a children's services advisory committee which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, day care, licensing of child care agencies, and services related thereto. At least one-third of the membership shall be composed of child care providers.
- (10) Have authority to provide continued foster care or group care for individuals from eighteen through twenty years of age to enable them to complete their high school or vocational school program.
- (11) Have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and RCW 74.13.032 through 74.13.036, or of this section all services to be provided by the department of social and health services under subsections (4), (6), and (7) of this section, subject to the limitations of these subsections, may

be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974 (P.L. No. 93-415; 42 U.S.C. 5634 et seq.; and 42 U.S.C. 5701 note as amended by P.L. 94-273, 94-503, and 95-115).

Sec. 11. Section 2, chapter 118, Laws of 1982 and RCW 74.13.080 are each amended to read as follows:

The department shall not make payment for any child in group care placement unless the group home is licensed and the department has the custody of the child and the authority to remove the child in a cooperative manner after at least seventy-two hours notice to the child care provider; such notice may be waived in emergency situations. However, this requirement shall not be construed to prohibit the department from making or mandate the department to make payment for Indian children placed in facilities licensed by federally recognized Indian tribes pursuant to chapter 74.15 RCW.

Sec. 12. Section 2, chapter 172, Laws of 1967 as last amended by section 5, chapter 118, Laws of 1982 and RCW 74.15.020 are each amended to read as follows:

For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless otherwise clearly indicated by the context thereof, the following terms shall mean:

- (1) "Department" means the state department of social and health services;
- (2) "Secretary" means the secretary of social and health services;
- (3) "Agency" means any person, firm, partnership, association, corporation, or facility which receives children, expectant mothers, or developmentally disabled persons for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or developmentally disabled persons for foster care or placement of children for adoption, and shall include the following irrespective of whether there is compensation to the agency or to the children, expectant mothers or developmentally disabled persons for services rendered:
 - (a) "Group-care facility" means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis;
 - (b) "Child-placing agency" means an agency which places a child or children for temporary care, continued care, or for adoption;
 - (c) "Maternity service" means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

- (d) "Day-care center" means an agency which regularly provides care for a group of children for periods of less than twenty-four hours;
 - (e) "Foster-family home" means an agency which regularly provides care on twenty-four hour basis to one or more children, expectant mothers or developmentally disabled persons in the family abode of the person or persons under whose direct care and supervision the child, expectant mother or developmentally disabled person is placed;
 - (f) "Crisis residential center" means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 74.13.032 through 74.13.036.
- (4) "Agency" shall not include the following:
- (a) Persons related by blood or marriage to the child, expectant mother or developmentally disabled persons in the following degrees: Parent, grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, and/or first cousin;
 - (b) Persons who are legal guardians of the child, expectant mother or developmentally disabled persons;
 - (c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person does not engage in such activity on a regular basis, or where parents on a mutually cooperative basis exchange care of one another's children, or persons who have the care of an exchange student in their own home;
 - (d) Nursery schools or kindergartens which are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;
 - (e) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;
 - (f) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;
 - (g) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and boarding homes licensed under chapter 18.20 RCW;
 - (h) Licensed physicians or lawyers;

- (i) Facilities providing care to children for periods of less than twenty-four hours whose parents remain on the premises to participate in activities other than employment;
 - (j) Facilities approved and certified under RCW 72.33.810;
 - (k) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;
 - (l) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a preplacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;
 - (m) An agency operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;
 - (n) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter.
- (5) "Requirement" means any rule, regulation or standard of care to be maintained by an agency.

NEW SECTION. Sec. 13. A new section is added to chapter 74.15 RCW to read as follows:

The state of Washington recognizes the authority of Indian tribes within the state to license agencies, located within the boundaries of a federally recognized Indian reservation, to receive children for control, care, and maintenance outside their own homes, or to place, receive, arrange the placement of, or assist in the placement of children for foster care or adoption. The department and state licensed child-placing agencies may place children in tribally licensed facilities if the requirements of RCW 74.15.030(2)(b) and (3) and supporting rules are satisfied before placing the children in such facilities by the department or any state licensed child-placing agency.

Sec. 14. Section 9, chapter 172, Laws of 1967 as last amended by section 10, chapter 118, Laws of 1982 and RCW 74.15.090 are each amended to read as follows:

Except as provided in section 13 of this 1987 act, it shall hereafter be unlawful for any agency to receive children, expectant mothers or developmentally disabled persons for supervision or care, or arrange for the placement of such persons, unless such agency is licensed as provided in chapter 74.15 RCW.

WAC 388-70-091 Foster Care Planning For Indian Children--Definitions

For the purposes of these rules, the term "Indian" includes the following groups:

- (1) An enrolled Indian:
 - (a) Any person who is enrolled or eligible for enrollment in a recognized tribe.
 - (b) Any person determined, or eligible to be found, to be an Indian by the Secretary of the Interior.
 - (c) An Eskimo, Aleut or other Alaskan native.
- (2) A Canadian Indian: Any person who is a member of a treaty tribe, Metis community or nonstatus Indian community from Canada.
- (3) An unenrolled Indian: A person considered to be an Indian by a federally or nonfederally recognized Indian tribe or urban Indian/Alaskan native community organization.

WAC 388-70-092 Foster Care For Indian Children--Tribal Sovereignty

Neither the licensing of Indian foster homes nor the placement and supervision of Indian children within the exterior boundaries of an Indian reservation, shall in any way abridge the sovereignty of an Indian nation or tribe nor shall compliance with these rules and regulations be deemed a relinquishment of sovereign authority by an Indian nation or tribe or by the state of Washington.

WAC 388-70-093 Foster Care For Indian Children--Services

Documented efforts shall be made to avoid separating the Indian child from his parents, relatives, tribe or cultural heritage. Consequently:

- (1) In the case of Indian children being placed in foster care by the department or for whom the department has supervisory responsibility, the local Indian child welfare advisory committee, predesignated by a tribal council, or appropriate urban Indian organization shall be contacted. Members of that committee will serve as resource persons for the purposes of cooperative planning and aid in placement.
- (2) The resources of the tribal government, department and the Indian community shall be used to locate the child's parents and relatives to assist in locating possible placement resources, and to assist in the development of a plan to overcome the problem that brought the child to the attention of the authorities and/or the department.

- (3) In planning foster care placements for Indian children, demonstrable consideration shall be given to tribal membership, tribal culture and Indian religions. The case record shall document the reasons and circumstances of casework decisions and consideration in those regards.
- (4) The following resources for foster home placement of Indian children will be explored and followed in the following order: Relatives' homes, homes of other Indian families of same tribe, other Indian foster parents and non-Indian foster homes specifically recruited and trained in cooperation with the local Indian child welfare advisory committee to meet the special needs of Indian foster children and in the geographic proximity that will insure continuation of the parent-child relationship. The training of non-Indian foster parents shall be designed and delivered in cooperation with the above committee and/or persons designated by the committee.
- (5) For each Indian child who will be in care for more than 30 days, including those for whom adoption is planned, the ESSO shall make documented effort to complete two copies of the "family ancestry chart" (except in those cases where parents specifically indicate in writing they do not want the child enrolled). One copy will be retained in the child's file; the other will be forwarded to the bureau of Indian affairs office or the department of Indian affairs agency in Canada serving that child's tribe or band. The BIA of the department of Indian affairs agency will review the chart for possible enrollment eligibility in conjunction with the enrollment committee of the appropriate tribe or urban Indian community.
- (6) The ESSO shall develop its social resources and staff training programs designed to meet the special needs of Indian children through coordination with tribal, Indian health service, bureau of Indian affairs social service staff, appropriate urban Indian and Alaskan native consultants, national, state and local Indian welfare organizations and ESSO child welfare advisory committees.
- (7) The ESSO shall make diligent and demonstrable efforts to recruit facilities and/or homes particularly capable of meeting the special needs of Indian children with the assistance of the local Indian child welfare advisory committees.

WAC 388-70-095 Foster Care For Indian Children--Serious Injury, Death, Abandonment, Child Abuse, Neglect, Incarceration

When an Indian child in foster care dies, is seriously injured, abandoned or incarcerated, in addition to other appropriate notifications, the department shall promptly advise the ESSO Indian child welfare advisory committee and appropriate tribal council. WAC 388-15-131(4) provides for notification about child abuse/neglect incidents.

WAC 388-70-450 Adoptive Planning For Indian Children by Department Staff

- (1) **Definitions:** For the purposes of these rules the term "Indian" includes the following groups:
 - (a) **Enrolled Indian**
 - (i) Any person who is enrolled or eligible for enrollment in a recognized tribe.
 - (ii) Any person determined, or eligible to be found, to be an Indian by the secretary of the interior.
 - (iii) An Eskimo, Aleut or other Alaskan native.
 - (b) **Canadian Indian:** A person who is a member of a treaty tribe, Metis community or nonstatus Indian community from Canada.
 - (c) **Unenrolled Indian:** A person considered to be an Indian by a federally or nonfederally recognized tribe or urban Indian/Alaskan native community organization.
- (2) An adoptive family shall be considered Indian if one or both parents are Indian by the above definitions.
- (3) In adoptive planning for Indian children, the unique tribal, cultural and religious sovereignty of Indian nations, tribes and communities shall be recognized. When consistent with the wishes of the biological parents and/or the child, the adoption of Indian children by Indian families is the primary goal.
- (4) **Standards implementing the policy are:**
 - (a) **Adoption exchange.** In the referrals for an Indian child, adoptive homes having the following characteristics shall be given preference in the following order, each category being allowed 30 days before proceeding to the next.
 - (i) An Indian family of the same tribe as the child.
 - (ii) A Washington Indian family considering tribal cultural differences.
 - (iii) An Indian family from elsewhere in the United States or Canada through the adoption resource exchange of North America. Attention shall be given to matching the child's tribal culture to that of the adoptive family.
 - (iv) Any other family which can provide a suitable home to an Indian child, as well as instill pride and understanding in the child's tribal and cultural heritage.

- (b) Foster parent adoptions: As a part of the total evaluation for approving a foster parent adoption of an Indian child, ESSO service staff shall document the foster family's past performance and future commitment in exposing the child to its Indian tribal and cultural heritage. The child's wish to be involved in his Indian culture shall be considered.
 - (c) When an Indian child, in the custody of an out of state agency, is referred for potential adoptive parents residing in Washington, documentation shall be obtained that assures the department's standards for planning for Indian children have been complied with.
- (5) Local staff shall consult with an Indian child welfare committee in planning for placement of Indian children.

WAC 388-70-600 Local Indian Child Welfare Advisory Committee--Purpose

The intent of WAC 388-70-096, 388-70-450, and 388-70-600 through 388-70-640 is to ensure protection of the Indian identity of Indian children, their rights as Indian children, and the maximum utilization of available Indian resources for Indian children. To ensure the realization of this intent, information about each current and future case involving Indian children for whom the department of social and health services has a responsibility shall be referred to a local Indian child welfare advisory committee on an ongoing basis according to procedures which recognize the privacy rights of the families.

The purposes of local Indian child welfare advisory committees are:

- (1) To promote relevant social service planning for Indian children.
- (2) To encourage the preservation of the Indian family, tribe, heritage, and identity of each Indian child served by the department of social and health services.
- (3) To assist in obtaining participation by representatives of tribal governments and Indian organizations in departmental planning for Indian children for whom the department has a responsibility.

WAC 388-70-610 Local Indian Child Welfare Advisory Committee--Membership

Local Indian child welfare committees shall be established within each region. The number and locations of the local committees shall be mutually determined by the Indian tribal governments and urban Indian organizations served by that region and the DSHS regional administrator.

- (1) The committee shall consist of representatives designated by tribal government and urban Indian organizations. The regional administrator shall appoint committee members from among those individuals designated

by Indian authorities. These members should be familiar with and knowledgeable about the needs of children in general as well as the particular needs of Indian children residing in the service area.

- (2) The committee may also include bureau of Indian affairs and/or Indian health service staff if approved by participating tribal councils and urban Indian organizations.
- (3) The DSHS regional administrator and/or the ESSO administrator shall appoint a member of his child welfare supervisory staff as a liaison member of the committee.
- (4) The local Indian child welfare advisory committee is an ad hoc advisory committee not specifically authorized by statute. As such its members are not entitled to per diem and travel expenses for the performance of advisory committee functions. This rule shall not be construed, however, to prohibit expense payments to members who are otherwise qualified for and perform services compensable under other programs such as the volunteer programs.

WAC 388-70-615 Local Indian Child Welfare Advisory Committee--Subcommittees

Each committee may appoint a subcommittee of permanent members to participate in reviewing the situation of an individual child or children for the purpose of recommending future planning actions.

WAC 388-70-620 Local Indian Child Welfare Advisory Committee--Functions

- (1) The functions of the local Indian child welfare advisory committee are:
 - (a) Assistance to DSHS staff in cooperative planning for Indian children.
 - (b) Consultation to DSHS staff regarding the provision of adoption, foster care and child protective services on behalf of Indian children.
 - (c) Reviewing the situations of Indian children.
 - (d) Assisting in the implementation of recommended plans.
 - (e) Assisting in the recruitment of and making recommendations regarding the licensing of foster and adoptive homes for Indian children and providing culturally relevant services to Indian children.
 - (f) Requests the ESSO administrator to initiate reviews of casework decisions that the committee believes to be detrimental to the best interests of Indian children.

- (g) Acts in an advisory capacity to the regional administrator and ESSO administrator regarding the department's implementation and monitoring of the rules related to foster care, child protection, and adoption services to Indian children and their families.

WAC 388-70-630 Local Indian Child Welfare Advisory Committee--Meetings

Each committee and the regional administrator and/or ESSO administrator will mutually agree as to time, place and frequency and conduct of official committee meetings.

WAC 388-70-640 Local Indian Child Welfare Advisory Committee--Confidentiality

The members of the local child welfare advisory committee shall agree to abide by RCW 74.04.060 and the rules of confidentiality binding the DSHS staff.

WAC 388-73-044 Special Requirements Regarding American Indians

- (1) Implementation of the licensing statute will recognize the unique tribal, cultural and religious sovereignty of Indian nations, tribes and communities. The licensing of a child care agency on sovereign Indian soil shall in no way abridge the sovereignty of an Indian nation nor shall compliance with these rules and regulations be deemed to be a relinquishment of sovereign authority.
- (2) For the purposes of these rules, the term "Indian" includes the following groups:
 - (a) An enrolled Indian:
 - (i) Any person who is enrolled or eligible for enrollment in a recognized tribe.
 - (ii) Any person determined, or eligible to be found, to be an Indian by the secretary of the interior.
 - (iii) An Eskimo, Aleut or other Alaskan native.
 - (b) A Canadian Indian: Any person who is a member of a treaty tribe, Metis community or nonstatus Indian community from Canada.
 - (c) An unenrolled Indian: A person considered to be an Indian by a federally or nonfederally recognized Indian tribe or urban Indian/Alaskan native community organization.
- (3) Prior to planning, development, and delivery of social services to Indian children and families, agencies shall obtain a written statement from the parent or Indian custodian regarding the preference of child placement.

- (4) When an agency has an Indian child in its caseload, the agency shall develop social service resources and staff training programs designed to meet the special needs of such children through coordination with tribal, Indian Health Service and Bureau of Indian Affairs social service staff and appropriate urban Indian and Alaskan native consultants.
- (5) In addition to reports required by WAC 388-73-056, an agency shall report to a child's tribal council the serious injury or death or abandonment of an enrolled Indian child or an Indian child eligible for enrollment.
- (6) In planning foster care and adoptive placements for Indian children, agencies shall give consideration in the following order:
 - (a) Relatives;
 - (b) An Indian family of the same tribe as the child;
 - (c) An Indian family of a Washington Indian tribe of a similar culture to that tribe;
 - (d) Any other family which can provide a suitable home for an Indian child, such suitability to be determined through consultation with a local Indian child welfare advisory committee.
- (7) When foster care or adoptive placement of a nonenrolled Indian child is planned, agencies shall compile the Portland area office of the bureau of Indian affairs' form "family ancestry chart," or appropriate equivalent. Agencies shall take appropriate steps to enroll eligible children in their respective tribes.
- (8) Agencies serving Indian children shall make efforts to recruit facilities and/or homes particularly capable of meeting the special needs of such children. Indian children shall be placed preferentially in Indian foster homes. Indian children can be placed in non-Indian foster homes specifically recruited and trained to meet the special needs of Indian foster children only with the consent of the LICWAC or the child's tribe for a four-month period in a particular non-Indian home. Each such placement shall only be extended by the consent of the LICWAC or the child's tribe on a month-by-month basis.
- (9) When an agency has an Indian child in its caseload, the agency shall have a written policy and procedures statement on legal practices which shall reflect the rights of Indian children and families based upon their unique social-legal status guaranteed by treaty and federal law.

- (10) If not contrary to the wishes of a child and/or his parent(s), in the adoptive placement of Indian children adoptive homes having the following characteristics agencies shall give preference in the following order:
- (a) An Indian family of the same tribe as the child within thirty days from the time the child is determined to be legally and otherwise ready for adoptive planning.
 - (b) Within an additional thirty days, a Washington Indian family; considering first a family of similar cultural background, for example, eastern or western Washington.
 - (c) Within an additional thirty days, an Indian family from elsewhere in the United States or Canada, through the Adoption Resource Exchange of North America, or other recognized adoption agency outside of Washington state. Attention shall be given to matching the child to an Indian family whose culture is similar to that of his natural parents, such as, Coastal, Plateau, Plains, Southwest, Woodland.
 - (d) Any other family who can provide a suitable home to an Indian child, as well as instill pride and understanding in the child's tribal and cultural heritage. Such placements shall only be made with the consent of the LICWAC or the child's tribe. Each such placement shall be reviewed by the LICWAC or the child's tribe at the end of one year to assess the suitability of the non-Indian home. No other reviews shall take place after this.
- (11) All agencies shall:
- (a) Consult with the LICWAC on case planning, development and service delivery;
 - (b) Utilize the LICWAC to assist in the recruitment of appropriate tribal and urban Indian foster care and adoptive homes for Indian children;
 - (c) Utilize the LICWAC in the development and provision of staff training;
 - (d) Complete a "Verification of American Indian status" form for each family applying for foster care or adoptive care of Indian children. The verification form shall be complete and on file, with review and approval by the LICWAC, prior to placement. When Indian homes are not available, agencies shall place Indian children with the consent of LICWAC or the child's tribe and for a four-month period in a particular non-Indian home specifically recruited and trained to meet the special needs of Indian children. Each such placement shall only be extended by the consent of LICWAC or the child's tribe on a month-by-month basis; and

- (e) Comply with all requirements of the Federal Indian Child Welfare Act, 25USC1901, et. seq, and all requirements of state laws pertaining to foster care, guardianship, termination, or adoption proceedings involving Indian children.

