



**INDIAN CHILD: STANDARD ORDER FORM**

Additional Persons present:

**G** Indian Custodian \_\_\_\_\_ **G** Attorney for Tribe \_\_\_\_\_**G** Others: \_\_\_\_\_**FINDINGS RE: INDIAN STATUS OF CHILD:**

1. **G** The child is Indian as determined by the \_\_\_\_\_ Tribe and confirmed in the documents dated \_\_\_\_\_ and filed on this date.
2. **G** The Indian child is **G** a ward of a tribal court or **G** resides or is domiciled on a reservation on which the tribe exercises exclusive Indian child custody and the child shall be transferred to the jurisdiction of the tribal court at (*reservation name, county, state*): \_\_\_\_\_
3. **G** The petition of the **G** parent **G** Indian custodian **G** child's tribe for transfer of the proceedings to the jurisdiction of the Tribe is **G** granted, subject to the right of the Tribe to decline transfer; **G** denied based on: **G** the objection of a parent to the transfer **G** the Court's finding of good cause for denial.
4. **G** The court has reason to believe the child is Indian:
  - a. **G** Indicated Tribe(s): \_\_\_\_\_
  - b. **G** The tribe with the most significant contacts is: \_\_\_\_\_
  - c. **G** Identity or location of the tribe is unknown.
  - d. **G** Whereabouts of Indian parent or Indian custodian is unknown.
5. **G** The court has reason to believe the child may be of Indian descent, but does not have reason to believe the child is a member or eligible for membership in an Indian tribe.
6. **G** The child is not Indian as confirmed by all tribes identified and by the Bureau of Indian Affairs in documents filed on this date.

**FINDINGS AND ORDERS RE NOTICE:**

7. **G** Notice of the proceedings and of the right to intervene has been provided by registered/certified mail, return receipt requested, to: (a) **G** mother (b) **G** presumed/legal father (c) **G** alleged/biological father (d) **G** Indian custodian (e) **G** Bureau of Indian Affairs (f) child's tribe(s) directed to: **G** Tribal Chairman or **G** agent designated for service.
8. **G** Return receipts have been filed with the Court at least 10 days prior to this hearing.
9. **G** The Court has reason to believe the child may be an Indian child, the County Welfare Department shall provide notice by registered or certified mail, return receipt requested, of all dependency hearings regarding this child to all tribes listed in section (*select one*) 4 (a) or (b) above or to the Bureau of Indian Affairs if 4 (c) or (d) applies.  
-OR-  
**G** The court has reason to believe the child may be of Indian descent, but does not have reason to believe the child is a member or eligible for membership in an Indian tribe. Notice of the proceedings to the Bureau of Indian Affairs and further inquiry regarding the possible Indian status of the child are the only requirements. (California Rules of Court, rule 1439 (e).)

**FINDINGS AND ORDERS RE REMOVAL OF THE CHILD FROM PARENT OR INDIAN CUSTODIAN:**

10. **G** The Court considered: **G** the social study report **G** documents submitted on behalf of \_\_\_\_\_.  
**G** the testimony of (*name*)\_\_\_\_\_, a qualified expert witness, who is ;  
**G** a tribal member with knowledge of the Indian family organization and child rearing;  
**G** a lay person with substantial experience in services to Indian children and families and extensive knowledge of the social and cultural standards and child rearing practices of Indian tribes;  
**G** a professional with substantial education and experience in the area of the witness' specialty.
11. **G** The **G** mother **G** presumed/legal father **G** alleged/biological father **G** Indian custodian **G** Indian Tribe knowingly, intelligently and voluntarily waived production of evidence to show the likelihood of serious damage to the child if continued in the custody of the parent or Indian custodian.
12. **G** The court finds by clear and convincing evidence that continued custody of the child with the parent or Indian custodian is likely to cause the child to suffer serious emotional or physical damage.
- a. **G** Active efforts to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family:  
**G** have been made, but were unsuccessful  
**G** have not been made.
- b. **G** Attempts to utilize the available resources of extended family members, the tribe, Indian social service agencies and individual Indian care givers:  
**G** were included.  
**G** were not included.
- c. **G** The court considered the prevailing social and cultural conditions of the Indian child's tribe.

**FINDINGS AND ORDERS RE PLACEMENT OF THE INDIAN CHILD.**

13. **G** A diligent search for a suitable Indian home was conducted in the statutory preference order.
14. **G** The child's tribe has, by resolution, established a different preference order for placement, and a diligent search was conducted on the preference order.
15. **G** A suitable Indian home has been identified, and the child shall be placed with (*name, relationship to child or Indian status, address*): \_\_\_\_\_
16. **G** The court has modified the preference order for good cause:
17. **G** A record of efforts to comply with the applicable preference order shall be filed with the court and made available on request to the child's tribe or Secretary of the Interior.

**FINDINGS AND ORDERS RE TERMINATION OF PARENTAL RIGHTS:**

18. **G** The **G** mother **G** presumed /legal father **G** alleged/ biological father **G** Indian custodian has relinquished parental rights or consented to the adoption of the child:  
**G** in writing, and recorded the writing before this court or another judicial officer of competent jurisdiction;  
and  
**G** the court explained and was satisfied that the parent or Indian custodian fully understood the terms and consequences of the relinquishment or consent.

19. **G** The court finds:

**G** Beyond a reasonable doubt that continued custody by the parent or Indian custodian **G** is **G** is not likely to result in serious emotional or physical damage to the child as supported by the testimony of a qualified expert witness as described in section 9 above; and,

**G** Active efforts to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family have been provided as described in section 11 above. -OR-

The **G** mother **G** presumed/legal father **G** alleged/biological father **G** Indian custodian **G** Indian Tribe knowingly, intelligently and voluntarily waived production of evidence to show **G** active efforts to provide remedial services or **G** the likelihood of serious damage to the child if continued in the custody of the parent or Indian custodian.