

Superior Court of Washington
County of _____
Juvenile Court

In Re the Welfare of:

D.O.B.:

No:

**Order on Review of Out-of-Home
Placement
(OROHC)**

**[] Clerk's Action Required:
Paragraphs 4.1, 4.7.**

The court will hear [] dependency review [] permanency planning [] _____
on [date] _____ at _____ a.m./p.m.at: _____ Court,
Room/Department: _____, located at: _____

I. Hearing

- 1.1 A petition was filed requesting the court to make a determination that continued out-of-home placement is in the best interests of the child, and a hearing was held on _____ [date].
- 1.2 The following persons appeared:
- | | |
|---|--|
| [] Child | [] Child's Lawyer |
| [] Mother | [] Mother's Lawyer |
| [] Father | [] Father's Lawyer |
| [] Guardian or Legal Custodian | [] Guardian's or Legal Custodian's Lawyer |
| [] Child's GAL | [] GAL's Lawyer |
| [] DSHS | [] DSHS's Lawyer |
| [] Interpreter for [] mother [] father | [] Other _____ |
| [] other _____ | |
- 1.3 The court heard testimony.

II. Findings

- 2.1 Child's Indian status: [] On this date [] On _____, the court asked each participant on the record whether the participant knows or has reason to know the child is an Indian child.

The petitioner ☐ has ☐ has not made a good faith effort to determine whether the child is an Indian Child.

☐ Based upon the following, there is not a reason to know the child is not an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts do not apply to this proceeding:

☐ Based upon the following, there is reason to know the child is an Indian child as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and Federal and Washington State Indian Child Welfare Acts apply to this proceeding, unless and until it is determined on the record that the child does not meet the definition of an Indian child:

☐ Based on the following summary, the petitioner used due diligence to identify and work with the tribes of which there is reason to know the child may be a member or eligible for membership, to verify whether the child is in fact a member (or the biological parent is a member and the child is eligible for membership).

☐ The facts establish by clear, cogent and convincing evidence, including the testimony of a qualified expert witness that continued custody of the child by the ☐ mother ☐ father ☐ Indian custodian is likely to result in serious emotional or physical damage to the child.

☐ DSHS made active efforts by actively working with the parent, parents, or Indian Custodian to engage them in remedial services and rehabilitative programs to prevent the breakup of the Indian family beyond simply providing referrals to such services, but those efforts have been unsuccessful.

☐ The petitioner ☐ has ☐ has not provided notice of this proceeding as required by RCW 13.38.070 and 25 U.S.C. § 1912(a) to all tribes to which the petitioner or court knows or has reason to know the child is may be **(1)** a member or **(2)** eligible for membership if the biological parent is also a member.

2.2 Jurisdiction:

- ☐ The child resides in this county.
☐ The child has a developmental disability, as defined in RCW 71A.10.020.
☐ The child has been placed in out-of-home care pursuant to RCW 74.13.350.

2.3 ☐ Facts establishing that continued out-of-home placement is in the best interest of the child have not been proved.

2.4 ☐ The following facts establishing that continued out-of-home placement is in the best interest of the child have been proved:

III. Conclusions of Law

- 3.1 The court has jurisdiction over:
[] the child [] the mother
[] the father [] the legal guardian
- 3.2 The [] mother [] father [] legal guardian received timely and proper notice.
- 3.3 [] The Department of Social and Health Services made reasonable attempts to notify the parent, whose identity and location is known, who is not a party to the placement agreement.
- 3.4 [] It is not in the best interest of the child to remain in out-of-home placement.
- 3.5 [] It is in the best interest of the child to remain in out-of-home placement.

IV. Order

- 4.1 [] The child's best interests are not served by continued out-of-home placement. The child is returned to his or her parents or legal guardians and the petition is dismissed.
- 4.2 [] The child's best interests are served by continued out-of-home placement.
- 4.3 The child shall be placed or remain:
[] at a facility to be determined by the Department of Social and Health Services.
[] at _____, a licensed facility approved by the Department of Social and Health Services.
- 4.4 The placement set forth above shall be under the supervision of the Department of Social and Health Services.
- 4.5 The legal status of the child, and the rights and obligations of the parents or legal guardians, the child, and the Department of Social and Health Services while the child is in placement, shall be as specified in the out-of-home placement agreement.
- 4.6 [] The agency report for the next [] review [] permanency hearing shall be submitted to the court at least _____ days, and to all parties at least _____ days, prior to the hearing.
- 4.7 All parties shall appear at the next scheduled hearing (see page one).

Dated: _____

Judge/Commissioner

Presented by:

Signature

Type or Print Name/Title WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of **Child**

[] Signature of Child's Lawyer

Print Name

WSBA No.

[] Signature of **Mother**

[] Signature of Mother's Lawyer

Print Name WSBA No.

[] Signature of **Father**

[] Signature of Father's Lawyer

Print Name WSBA No.

[] Signature of **Guardian or Legal Custodian**

[] Signature of Guardian or Legal Custodian's Lawyer

Print Name WSBA No.

[] Signature of Child's **GAL**

[] Signature of Lawyer for the Child's GAL

Print Name

Print Name WSBA No.

[] Signature of **DSHS Representative**

[] Signature of DSHS Representative's Lawyer

Print Name

Print Name WSBA No.

Other