**ICWA CHECKLIST**

1. Did the court ask each participant in the child custody proceeding[[1]](#endnote-1) to state on the record whether the participant knew or had reason to know or reason to believe that any child involved in the proceeding was an Indian child?

* Yes.
* No. The court did not ask the following participants:

The designated record contains the following inquiries and reports of potential tribal affiliation: \*Use initials to identify children and their relatives. C.A.R. 32(f)(2).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Participant Role | Name or Initials\* | Dates of Inquiry/Report | Record Citations | Heritage Indicated |
| Parents\* |  |  |  |  |
| Special Respondent\* |  |  |  |  |
| Department |  |  |  |  |
| GAL |  |  |  |  |
| Intervenor\* |  |  |  |  |

1. If applicable, did the court make a proper inquiry after a motion to terminate parental rights or allocate parental responsibilities to a nonparent was filed?

* Yes.
* No. The court did not ask the following participants:

1. Did the petitioning party send notices to the child(ren)’s parents, the child(ren)’s Indian custodian(s), the Bureau of Indian Affairs (BIA), or the child(ren)’s tribe(s) or potential tribe(s)?

* Yes.
* No. Notice was not required because
* No. The following entities were omitted:

1. Copies of ICWA notices and other communications intended to provide such notice appear in the designated record at the following locations:
2. Postal return receipts for ICWA notices appear in the designated record at the following locations:
3. Responses from the parent(s) or Indian custodian(s) of the child(ren), the BIA, and child(ren)’s tribe(s) or potential tribe(s) appear in the designated record at the following locations:
4. Copies of additional ICWA notices sent to non-responding tribe(s) or the BIA appear in the designated record at the following locations:
5. Did the court find that any child involved in the proceeding is an Indian child?

* Yes. The court found that is an/are Indian child(ren).
* No.

1. Dates and precise locations in the designated record of any ruling as to whether each child is or is not an Indian child:

1. “Child-custody proceeding” means and includes any action, other than an emergency proceeding, that may culminate in one of the following outcomes:

   Foster-care placement, which is any action removing an Indian child from his or her 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;

   Termination of parental rights, which is any action resulting in the termination of the parent-child relationship;

   Preadoptive placement, which is 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; or

   Adoptive placement, which is the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption.

   25 U.S.C. § 1903(1)(i) (2012).

   An action that may culminate in one of these four outcomes is considered a separate child-custody proceeding from an action that may culminate in a different one of these four outcomes. There may be several child-custody proceedings involving any given Indian child. 25 C.F.R. § 23.2. [↑](#endnote-ref-1)