

# Deprived 101



**Michael Flanagan**  
Cotton County  
Associate District  
Judge

**Rebecca Gore**  
Mayes County  
Associate District  
Judge

# GENERALLY...

- Principles of the Oklahoma Children's Code



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Parents have a natural, legal, and moral right to care for and support their children. **10A O.S. §1-1-102(A)1.**

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It is presumed that the best interests of a child are ordinarily served by leaving the child in the custody of the parents. **10A O.S. §1-1-102(A)1.**

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A child has the right to be raised by their mother and father, free from physical and emotional abuse or neglect. **10A O.S. §1-1-102(A)2.**

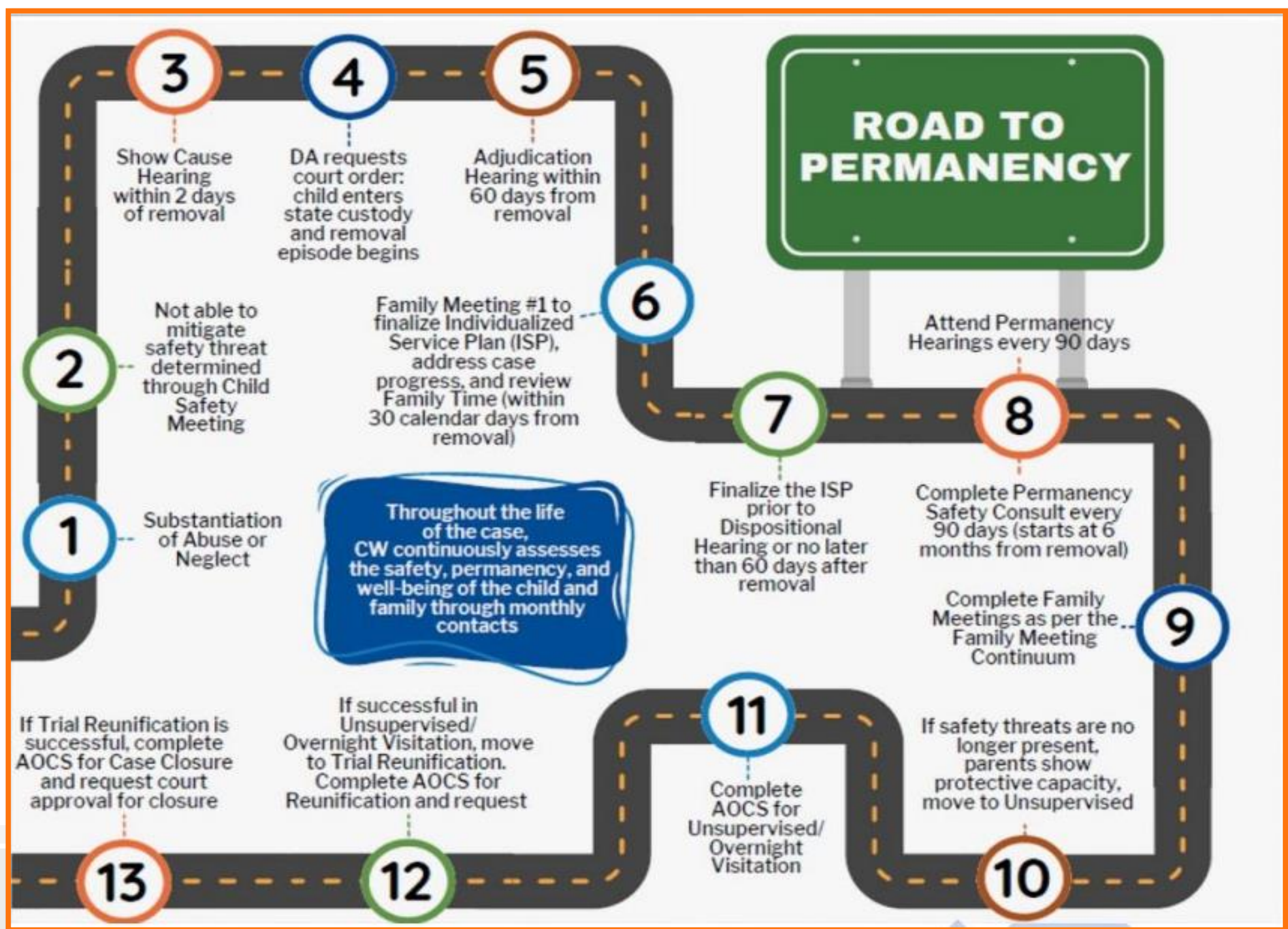
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The State has duty to protect those who, because of age, are unable to protect themselves. **10A O.S. §1-1-102(A)3.**

# OKLAHOMA CHILDREN'S CODE

- Legislatively created, separate Judicial procedure. **10A O.S. §1-1-102(B)(2)**
- The provisions of the **Oklahoma Discovery Code and Rules for the District Courts of Oklahoma** do **NOT** apply except as provided by this section. **10A O.S. §1-4-401**
- **Rules of Evidence** only apply in Adjudication & Termination Proceedings. **10A O.S. §1-4-503**
- Physician-Patient Privilege **exception** for reporting & records. **10A O.S. §1-4-507**





# Why use the Uniform Orders?





- SUPREME COURT CALENDAR
- SUPREME COURT ORDERS
- SUPREME COURT ORAL ARGUMENT VIDEOS
- APPELLATE OPINIONS NOTIFICATION
- JUDICIAL VACANCIES
- CAREER & JOB OPENINGS
- JUDICIAL PICTORIAL DIRECTORY

- COURT DOCKETS
- LEGAL RESEARCH
- FORMS**
- E-PAYMENTS
- E-FILING

RECENT APPELLATE OPINIONS & ORDERS

- Supreme Court and Court of Civil Appeals
  - Court of Criminal Appeals
  - Administrative Office of the Courts
  - Oklahoma Secretary of State
  - District Courts of Oklahoma
  - District Courts of Oklahoma Cover Sheets
  - Child Support
  - Workers' Compensation
  - Juvenile Courts**
  - Cares Verification Form
  - Legal Aid Self-Help Forms\*\*
  - Guardianship Materials for Guardians of Adult, Guardians of Children a
- \*\* This link will take you to a third-party website. The Oklahoma Suprem completeness, or adequacy of the materials found there. This link is provide

Location?

Juvenile Deprived Uniform Orders (Excel) 07/29/2020

Individual Juvenile Deprived Uniform Orders (Uploaded 03/09/2018, Updated 03/05/2019)

	Word	PDF
Application to take Minor Children into Emergency Custody	Word	PDF
Order to take Minor Children into Emergency Custody	Word	PDF
Emergency Custody Hearing Order	Word	PDF
Adjudication Order	Word	PDF
Disposition Order	Word	PDF
Order of Adjudication / Disposition	Word	PDF
Permanency-Review Order	Word	PDF
Final Permanency Order (Exit Order)	Word	PDF
Attachment D: Relocation Notification of Children	Word	PDF
Request to Consent to Termination of Parental Rights and Court's Findings and Order Terminating the Natural Parent's Rights	Word	PDF
ICWA Compliant Request Consent to Termination of Parental Rights and Court's Findings and Order Termination the Natural Parent's Rights	Word	PDF
Order Terminating Court's Jurisdiction Over Child(ren)	Word	PDF
Order for Continuance	Word	PDF
Order Terminating Parental Rights	Word	PDF
Word is the preferred format for use.		
Order Terminating Parental Rights (ICWA Compliant)	Word	PDF
Word is the preferred format for use.		

Oscn.net



# Protective/Emergency Custody

## 10A O.S. §1-4-202

- Contrary to Welfare of child
- Reasonable efforts
- Written Notice: (parents, legal guardian, or custodian)
  - That an emergency custody hearing will be held within 2 judicial days to determine custody;
  - The date, time, and place for the emergency custody hearing;
  - The nature of the allegation that led to placement of the child into protective or emergency custody;
  - The address and telephone number of the applicable law enforcement agency and the Department; and
  - The right to contact an attorney.
- "FAILURE TO RESPOND TO THIS NOTICE OR TO APPEAR AT THE EMERGENCY CUSTODY HEARING MEANS YOUR CHILD WILL REMAIN IN CUSTODY. YOUR FAILURE TO RESPOND OR COOPERATE MEANS YOU MAY LOSE CUSTODY OF THIS CHILD OR YOUR RIGHTS AS A PARENT MAY BE TERMINATED."
  - An ICWA finding should be made at the time of removal, if possible.



# Emergency Custody ORDER

IN THE DISTRICT COURT OF NOWHERE COUNTY  
STATE OF OKLAHOMA  
JUVENILE DIVISION

IN THE MATTER OF: )  
JOHNNY DOE ) DOB: 01/01/2018 ) ID-2023-123  
JANE DOE ) DOB: 01/01/2018 )  
 ) DOB: )  
 ) DOB: ) Judge: JAMIE JUSTICE  
 ) DOB: )  
 ) DOB: )

Alleged Deprived Child(ren).

**ORDER TO TAKE MINOR CHILD(REN) INTO EMERGENCY CUSTODY**

**NOW**, on the 16th day of September, 2023, the Court, upon consideration of the within and foregoing Application and attached Affidavit and/or the sworn testimony of William Worker, **FINDS, ORDERS, ADJUDGES AND DECREES:** 10 O.S. 40.3 (applicability) & 10 O.S. 40.2 (definitions)

I. **A.** The Indian Child Welfare Act  **does**  **does not** apply, or  **is unknown** as to  all named child(ren)/or  these specified child(ren): \_\_\_\_\_  
 An affidavit is attached containing the names, tribal affiliations, and addresses of the Indian child(ren), the parents of the Indian child(ren) and Indian custodians, if any; a specific and detailed account of the circumstances that lead the agency responsible for the removal of the child(ren) to take that action; and a statement of the specific actions that have been taken to assist the parents or Indian custodians so that the child(ren) may safely be returned to their custody. The name of the Tribe is: Cheyenne-Arapaho. 10 O.S. 40.5

**B.** Pursuant to 10A O.S. § 1-4-201(D) an imminent safety threat exists and the continuation of the child(ren) in the child(ren)'s home is contrary to the welfare of the child(ren), to wit: Mother actively using methamphetamine and domestic violence is occurring in the presence of the children. Father is not involved and not protecting.

**AND**  
 Reasonable efforts have been made to prevent the removal of the child(ren) from the home, and have failed, to wit: 10A 1-4-201(D)(2)  
Workers attempted to locate Father (non-custodial parent). Mother was offered and declined to participate in Family Centered Services. Worker attempted to identify safety plan options.

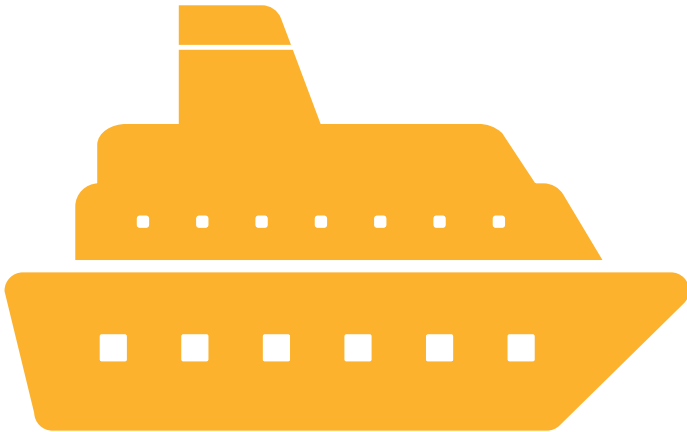
**OR**  
 An absence of efforts to prevent the removal of the child(ren) from the home of the child(ren) is reasonable because the removal is due to an emergency and is for the purpose of providing for the safety and welfare of the child(ren), to wit: 10A 1-4-201(D)(3)

**BUT- see** 42 U.S.C. 671(a)(15) & 45 C.F.R. 1356.21(b)

II. This Order applies to  all named child(ren)/or  these specified child(ren):  
 Child: Johhny Doe DOB: 01/01/2018  
 Child: Jane Doe DOB: 01/01/2018  
 Child: DOB: \_\_\_\_\_  
 Child: DOB: \_\_\_\_\_  
 Child: DOB: \_\_\_\_\_  
 Child: DOB: \_\_\_\_\_  
 Child: DOB: \_\_\_\_\_

- ICWA *requires* an Affidavit at the time of the written Order.
- Address “Reasonable Efforts to prevent removal” finding.
- **“Reasonable Efforts not required due to Emergency” finding should ONLY be made when there are truly no efforts to be made!**
  - This finding is permitted in Oklahoma law (10A O.S. §1-4-201(D)(3)) but may be inconsistent with Federal Code & regulations and could result in the case losing Federal foster care dollars. (42 U.S.C. §671 (a)(15) & 45 C.F.R. § 1356.21(b))
  - You ONLY make this finding once, but you will memorialize this finding in several Orders.

# VENUE OF DEPRIVED ACTION 10A O.S. §1-4-101(B)



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Where child resides;

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Alleged acts of deprivation occurred;

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Action Pending (Parent or sibling);

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County where child is found.

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If wrong venue, case is transferred –not dismissed

# Emergency Custody Hearing 10A O.S. §1-4-203



Hearing within 2 judicial days, all probative evidence

- Written notice of rights
- Custody
- Placement/birth certificate/parents' address
- Reasonable suspicion burden of proof
- When to file petition

# Emergency Custody Hearing

- Parents are entitled to WRITTEN NOTICE of removal and the date/time of Hearing. **10A O.S. §1-4-202.**

Consider setting the hearing during at time of removal. DHS workers are already usually on scene with the parents. This makes it MUCH easier to be sure the parents get Notice.

- Evidence Code DOES NOT apply at the Hearing. **10A O.S. §1-4-203(A)**
- You must make findings regarding “Reasonable Efforts to Prevent Removal.”
  - The Reasonable Efforts finding in this Order MUST be the same as the finding in the Order to Take Children into Custody.
- Discuss placement and sibling separation.

## FINDINGS AND ORDERS OF THE COURT

The Court has reviewed and considered the evidence, oral and written, submitted by the parties on this date including  the testimony of witnesses,  exhibits admitted into evidence,  statements and arguments of counsel,  reports of DHS and any previous orders of this Court **10A O.S. 1-4-203(A)**  
OR  the stipulation to the evidence and emergency custody by  Mother  Father  legal Guardian  
**AND HEREBY FINDS, ORDERS AND DECREES:**

- I. There  is  is not a reasonable suspicion that  all named child(ren) /  these specified child(ren) \_\_\_\_\_ is/are in need of immediate protection due to abuse or neglect or the circumstances or surroundings of the child(ren) are such that continuation of the child(ren) in the child(ren)'s home or in the care or custody of the parent or legal guardian would present an imminent danger to the child(ren). **10A O.S. 1-4-203(A)(1)**

### II. MANDATORY FINDINGS

- A. The continuation of  all named child(ren) /  these specified child(ren) \_\_\_\_\_ in the home  is /  is not contrary to the health, safety or welfare of the child(ren), to-wit: Mother is in active methamphetamine use and engaging in severe domestic violence incidents with boyfriend. Father has very little relationship with children and is allegedly homeless.

AND

- B.1.  Efforts to prevent the removal of  all named child(ren) /  these specified child(ren) \_\_\_\_\_ from the home were not made because removal was due to an emergency and was necessary for the purpose of providing for the health, safety and welfare of  all named child(ren) /  these specified child(ren) \_\_\_\_\_ such absence of efforts was reasonable under the circumstances, to-wit: \_\_\_\_\_; **10A O.S. 1-4-205(E)(1)**

- OR **10A O.S. 1-4-201(D)(3)** \*\*But see **42 U.S.C. 671(a)(15)** & **45 C.F.R. 1356.21(b)**  
B.2.  Reasonable efforts  have /  have not been made to prevent the need to remove  all named child(ren)/or  these specified child(ren) \_\_\_\_\_ from the home, to-wit: DHS has attempted to locate Father with no success. Worker spoke with multiple family members to create a safety plan and was unable to do so. Worker offered Mother a Family Centered Services plan and Mother refused; **10A O.S. 1-4-201(D)(2)**

OR

- B.3.  Reasonable efforts are not required pursuant to **10A O.S. §1-4-809** and a permanency hearing is set for \_\_\_\_\_, (no more than 30 days). **10A O.S. 1-4-205(E)(4)**

- C.1. If siblings have been removed, they  are placed together in the same placement /  are NOT placed together and reasonable efforts  have /  have not been made to place the siblings together, to-wit: \_\_\_\_\_ **10A O.S. 1-4-203(a)(6)**

AND

- C.2. If siblings are separated, reasonable efforts  have been made to provide for frequent visitation or other on-going interactions/  have not been made, as it is contrary to the safety or well-being of the child(ren) or sibling(s) because: \_\_\_\_\_ **10A O.S. 1-4-204(A)(2)**

# Emergency Custody Hearing (cont.)

VERIFY children's FULL LEGAL NAMES and dates of birth.

AN ICWA finding MUST be made in this Order. Address whether Active Efforts were made to prevent the breakup of the Indian Family.

Also, if ICWA, you MUST have testimony from a Qualified Expert Witness to establish that continued custody with a parent would result in serious physical damage to the children within **30 days of removal**. **10 O.S. §40.5(B) & 25 USC §1912(e)**. May be extended to 60 days for good cause.

- Make sure you are setting your next appearance within this time frame

D. The correct legal name(s) and date(s) of birth for the child(ren) are:

<input checked="" type="checkbox"/> Child: <u>Johnny Wayne Doe</u>	DOB: <u>01/01/2018</u>
<input checked="" type="checkbox"/> Child: <u>Jane Susan Doe</u>	DOB: <u>01/01/2018</u>
<input type="checkbox"/> Child:	DOB:
<input type="checkbox"/> Child:	DOB:
<input type="checkbox"/> Child:	DOB:
<input type="checkbox"/> Child:	DOB:
<input type="checkbox"/> Child:	DOB: Applicability <u>10 O.S. 40.3</u>

III. INDIAN CHILD WELFARE ACT and ACTIVE EFFORTS Definitions 10 O.S. 40.2

A.1 The Indian Child Welfare Act  does /  does not apply to  all named child(ren) /  these specified child(ren) \_\_\_\_\_.  
The name of the Tribe is: Cheyenne-Arapaho.  
The Tribe and BIA, if tribe unknown,  has been notified /  has not been notified.  
Other: \_\_\_\_\_ 10 O.S. 40.4 & 25 U.S.C. 1912(a)

OR

A.2.  All named child(ren) /  these specified child(ren) \_\_\_\_\_ may be subject to the Indian Child Welfare Act. Notice shall be given pursuant to law;

OR

A.3. There is insufficient information to determine whether or not  all named child(ren) /  these specified child(ren) \_\_\_\_\_ are Indian.

B. If ICWA applies, active efforts  have /  have not been made to maintain and prevent the breakup of the Indian child(ren)'s family. The active efforts made were: DHS has attempted to locate the Father (tribal member) and were unsuccessful. DHS has attempted FCS and Mother denied. DHS attempted to find a safety plan option and were unable to do so. 25 U.S.C. 1912(e)

IV. TEMPORARY CUSTODY 10A O.S. 1-4-203(A)(3)  
The custody of the child(ren) is granted as follows:

A.  All named child(ren) /  these specified child(ren) \_\_\_\_\_ is/are released to custody of \_\_\_\_\_ (the parent, legal guardian or custodian) from whom the child(ren) was/were removed under the following conditions:  
 with /  without DHS supervision; 10A O.S. 1-4-203(A)(3)(a)

OR

B.  All named child(ren) /  these specified child(ren) \_\_\_\_\_ is/are placed in the custody of \_\_\_\_\_ (non-custodial parent, relative, responsible adult or licensed child placing agency) under the following conditions:  
 with /  without DHS supervision; 10A O.S. 1-4-203(A)(3)(b)

OR

C.  All named child(ren) /  these specified child(ren) \_\_\_\_\_ is/are placed or continued in custody of DHS. 10A O.S. 1-4-203(A)(3)(c)

AND

The parties and participants are in agreement with the Court's determination of the custody and placement of  all named child(ren) /  these specified child(ren) \_\_\_\_\_; 10A O.S. 1-4-503(A)(3)

# Emergency Custody Hearing (cont.)

District Attorney has 7 days from date of removal to file Petition, but can ask for up to 15 days with “compelling reasons.” Provide a date certain

If the DA doesn't file within the allotted time, the emergency Order expires AND the DA shall file a written record specifying the reasons why the Petition was not filed and to whom the child(ren) were released. **10A O.S. §1-4-205(B)**

However, Court retains jurisdiction to protect the child(ren). I.E. Can take children back into custody if circumstances warrant.

OR

The parties' and participants' recommendations as to custody and placement are as follows:

OR

The Court has been advised that  the State /  the attorney for  all named child(ren) /  these specified child(ren) \_\_\_\_\_ believes releasing the child(ren) from DHS custody creates a serious risk of danger and intends to seek review of the Court's order. The Court therefore stays its order for a period not to exceed three (3) judicial days pending filing of an application for review, said stay to continue until completion of review if a written application for review is filed. In the event no application is filed, or written notice is given to the trial court withdrawing the objection, the stay shall be lifted and the child(ren) released in accordance with the Court's order. **10A O.S. 1-4-503(A)(3)**  
**10A O.S. 1-4-801**

## V. OTHER FINDINGS/ORDERS OF THE COURT

A. The District Attorney shall file a Petition in this matter  within 7 days from removal of the children / OR  up to 15 days upon the request of the State. **10A O.S. 1-4-205(B)(1)**  
Petition shall be filed no later than the 30th day of September, 2023. DHS to have Report to DA by September 27, 2023.

B.  The parents have been ordered to complete an affidavit listing parents, relatives and other persons with their contact information and comments concerning the appropriateness of the potential placement of the child(ren) with such relative pursuant to **10A O.S. 1-4-203(A)(4)**  
AND

The parents have been ordered to furnish DHS with a copy of  all named child(ren)'s /  these specified child(ren)'s \_\_\_\_\_ birth certificate within 15 days from this hearing or on \_\_\_\_\_, 20\_\_\_\_. **10A O.S. 1-4-203(A)(5)**

C.  Notice of Rights pursuant to statute has been given to the  Mother /  Father /  legal guardian /  custodian of the child(ren) /  other: \_\_\_\_\_ **10A O.S. 2-4-203(A)(2)**

D. Family Time with the  Mother /  Father /  legal guardian \_\_\_\_\_  is /  is not adequate. The family time schedule is as follows:  
Mother is to receive one 2-hour supervised visit per week.

## VI. FUTURE HEARINGS:

A. This case is set for Initial Appearance hearing the 13th day of October, 2023 at 9:00 o'clock A.M. before Judge Justice and all parties present are ordered to appear on that date. (If ICWA applies, a hearing on continued out-of-home custody shall be conducted within 30 Days of the emergency removal pursuant to 10 O.S. § 40.5(B) unless qualified expert witness testimony has already been received).

Other: ICWA expert testimony to be heard on 10/13/2023 at 9:00 AM. **10 O.S. 40.5(B)** & **25 U.S.C. 1912(e)**

\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT



# REASONABLE EFFORTS

- Adoption Assistance and Child Welfare Act (AACWA) (Pub. Law 96-272) {1980}
- Must make finding of reasonable efforts to prevent removal and reasonable efforts for safe return, or when not reunifying, reasonable efforts to finalize permanency.
- Must make finding of reasonable efforts to keep siblings together.

# ICWA Application

## 25 U.S.C. §1903(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”

- **Ask whether the child is of Native heritage?** Make sure a final determination has been made. Continue to ask until a definitive answer is given. Follow up with tribal and state workers.
- **Ask whether the CHILD OR PARENT is enrolled or eligible for enrollment in a Federally recognized Tribe?** Continue to ask state and tribal agencies to make a determination about the child’s enrollment status.



# ICWA Notice to O.S. §40.4



- Notice to parents/Indian custodians, tribe (and BIA) by certified mail return receipt requested:
  - Name and tribal affiliation of child;
  - A copy of the petition (motion);
  - A statement of the rights of parents or Indian custodians, and the tribe:
    - To intervene in the proceeding; To petition the court to transfer to tribal court of the Indian child; and To request additional 20 days from receipt of notice to prepare for the proceeding.
  - A statement of the potential legal consequences of adjudication on the future custodial rights of parents or Indian custodians;
  - A statement that if the parents or Indian custodians are unable to afford counsel that counsel will be appointed to represent them; and
  - A statement that tribal officials should keep confidential the information contained in the notice.
- Review hearings: notice may be sent via regular mail to Tribe



## Notice

- Voluntary appearance
- Summons
  - Personal
  - Certified mail
  - Publication
- Time for service
- ***FAILURE TO APPEAR AT THIS HEARING CONSTITUTES CONSENT TO THE ADJUDICATION OF THIS CHILD AS A DEPRIVED CHILD AND MAY ULTIMATELY RESULT IN LOSS OF CUSTODY OF THIS CHILD OR THE TERMINATION OF PARENTAL RIGHTS TO THIS CHILD. (1-4-303)***



# Adjudication (cont.)

## Ways to adjudicate:

- Stipulation that facts alleged in Petition are true and correct. **10A O.S. §1-4-601(D)(1)**
- Stipulation to State's Offer of Proof. **10A O.S. §1-4-601(D)(2)**
- Non jury trial **10A O.S. §1-4-601(D)(3)**
- Consent- **10A O.S. §1-4-305** failure to appear after service and without reasonable cause. BUT, the Court should still hold a hearing and receive testimony about parents' failure to appear and to support allegations in Petition.

Must also find that Adjudication is in the best interest of the child(ren). **10A O.S. §1-4-601(D)**

## II. ADJUDICATION

The State moved to amend the allegations of the Petition as follows: \_\_\_\_\_ which request was  granted /  denied. **10A O.S. 1-4-302(B)**

**A1. Stipulation** **10A O.S. 1-4-601(D)(1) and 10A O.S. 1-4-601(D)(2)**  
The  Mother Sally Doe /  Father \_\_\_\_\_ /  Other \_\_\_\_\_ stipulate(s) to the allegations of the  Petition /  Petition as amended /  Post Adjudication Petition /  State's offer of proof.

OR

**A2. Bench Trial** **10A O.S. 1-4-301(D)(3)**  
On this date a bench trial was had before this Court and based on sworn testimony and evidence, **the Court Finds**  
 All allegations of the  Petition /  Petition as amended /  Post-adjudication Petition are supported by the evidence and the Petition is sustained.

OR

The Petition is not supported by the evidence. Further, this matter is dismissed and all previous orders of the Court in this matter are dismissed or set aside.

OR

The Court finds that the following allegations are supported by the evidence and the Petition or Post-adjudication Petition is sustained as to only those allegations \_\_\_\_\_.

OR

**A3. Failure to Appear** **10A O.S. 1-4-305**  
The  Mother \_\_\_\_\_ /  Father \_\_\_\_\_ failed to appear after having received notice of the hearing date and time either at the last hearing, or by personal service or certified mail.

OR **10A O.S. 1-4-304(B)(3)**

The whereabouts of the  Mother \_\_\_\_\_ /  Father \_\_\_\_\_ are unknown and the Court has conducted a judicial inquiry into the Petitioner's search to determine the names and whereabouts of respondents to be served herein by publication, and based on the evidence adduced, including the affidavit of due diligence filed in the Court, the Court finds that Petitioner has exercised due diligence and has conducted a meaningful search of all reasonably available sources at hand. The Court, having examined the notice and affidavit filed herein showing publication one time at least twenty-five (25) days prior to the date of the adjudication, approves the publication service given herein as meeting both statutory requirements and the minimum standards of state and federal due process. That the halls were called three times with no response.

AND

The Court finds that the parent's failure to appear constitutes consent to the adjudication of  all named child(ren) /  these specified child(ren) \_\_\_\_\_ as deprived child(ren).

**10A 1-4-305**

# Adjudication (cont.)

## B. Condition(s) causing child(ren) to be deprived

<input checked="" type="checkbox"/> possessing/using illegal drugs/addiction	<input type="checkbox"/> mental health instability
<input type="checkbox"/> abusive consumption of alcohol/addiction	<input type="checkbox"/> intellectual disability
<input checked="" type="checkbox"/> exposure to domestic abuse	<input type="checkbox"/> incarceration due to criminal activity
<input type="checkbox"/> physical abuse of child(ren) or failure to protect from physical abuse	<input type="checkbox"/> failure to properly supervise child(ren)
<input type="checkbox"/> sexual abuse of child(ren) or failure to protect from sexual abuse	<input type="checkbox"/> placing child(ren) with inappropriate caregiver(s)
<input type="checkbox"/> mental/emotional abuse of child(ren) or failure to protect from mental/emotional abuse	<input type="checkbox"/> failure to maintain safe and/or sanitary home
<input type="checkbox"/> failure to protect	<input type="checkbox"/> homelessness/failure to maintain adequate housing
<input checked="" type="checkbox"/> medical, dental, mental health care of child(ren) neglect	<input type="checkbox"/> failure to maintain a substantial relationship with child(ren)
<input type="checkbox"/> nutritional neglect of child(ren)	<input type="checkbox"/> failure to provide financial support per Court order
<input type="checkbox"/> personal hygiene neglect of child(ren)	<input type="checkbox"/> lack of proper parental care and guardianship
<input type="checkbox"/> educational neglect of child(ren)	<input type="checkbox"/> threat of harm
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/>	

## C. Best Interests of the Child

The Court further finds that it is in the best interests of  all named child(ren) /  these specified child(ren) \_\_\_\_\_, that they be adjudicated deprived children and made wards of the Court. **10A 1-4-601(D)**

## III. TEMPORARY CUSTODY

The temporary custody of the child(ren) is granted as follows:

- A.  All named child(ren)/  these specified child(ren) \_\_\_\_\_ is/are released to custody of \_\_\_\_\_ (the parent, legal guardian or custodian from whom the child was removed) under the following conditions:
- with /  without DHS supervision; **10A O.S. 1-4-203(A)(3)(a)**
- OR
- B.  All named child(ren) /  these specified child(ren) \_\_\_\_\_ is/are placed in the custody of \_\_\_\_\_ (non-custodial parent, relative, responsible adult or licensed child placing agency) under the following conditions:
- with /  without DHS supervision; **10A O.S. 1-4-203(A)(3)(b)**
- OR
- C.  All named child(ren)/  these specified child(ren) \_\_\_\_\_ is/are placed or continued in custody of DHS. **10A O.S. 1-4-203(A)(3)(c)**

The Court **MUST** always make **specific findings** of fact regarding which **conditions** alleged in the State's Petition are supported by the evidence. This is a **Notice** issue and will constitute **reversible error** if you fail to do so.

The Uniform Adjudication Order provides check boxes for most common grounds for adjudication. If you are going to check "Other" you **MUST** specify.

Specify which **parent** the findings are applicable.

# Active Efforts

For foster care placement, or termination of parental rights to an Indian child.

Active Efforts:

- Must be detailed in court record (25 USC §1912(d))

- Must be affirmative, active, thorough and timely (25 CFR §§23.2; 23.120)

- Are tailored to the facts/circumstances of the case (25 CFR §23.2)





# Qualified Expert Witness 25 CFR §23.122

Have specific knowledge of the Indian Tribe's culture and customs.

Persons with following characteristics are most likely to meet requirements for qualified expert witness:

- Member of the Indian child's tribe, recognized by the tribal community as knowledgeable in tribal customs as they pertain to family organization and childrearing practices.
- A lay expert having substantial experience in the delivery of child and family services to Indians, and extensive knowledge of prevailing social and cultural standards and childrearing practices within the Indian child's tribe.
- A professional person having substantial education and experience in the area of his or her specialty.

Member of another Tribe who is recognized to be qualified expert.



# Disposition

- ISP furnished within 30 days. **10A O.S. §1-4-704(B)**
- Hearing and order entered within 40 days. **10A O.S. §1-4-706(A)**
- Must include a statement to the parent about the consequences of non-compliance with court's order including termination of parental rights.



# Dispositional Hearings

ISP is based on a comprehensive assessment and evaluation of the child and family. **10A O.S. §1-4-704(C)(1)**

ISPs are to be individualized and specific to each child and the family of the child (**10A O.S. §1-4-704(D)(1)**), written in simple and clear English (**10A O.S. §1-4-704(D)(2)**), and should be measurable, realistic and consistent with other Court Orders (**10A O.S. §1-4-704(D)(4)**).

Parties should have a reasonable opportunity to examine documents prior to Dispositional Hearing and to controvert them. **10A O.S. §1-4-706(A)(2)**

If ISP is not agreed to, parties are entitled to an evidentiary hearing and the Court determines the content of the ISP. **10A O.S. §1-4-704(C)(2)**

D. **INDIAN CHILD WELFARE ACT and ACTIVE EFFORTS:** applicability 10 O.S. 40.3 defn 10 O.S. 40.2

D1. The Indian Child Welfare Act  **does** /  **does not** apply  
The name of the Tribe is: Cheyenne-Arapaho.  
The Tribe and BIA, if tribe unknown,  **has been notified** /  **has not** been notified.  
Other: \_\_\_\_\_

D2. If ICWA applies, active efforts to provide remedial services and rehabilitative programs to prevent the breakup of the Indian Family  **have been made** and  **have proven unsuccessful, to wit:** /  **have not** been made. 10 O.S. 40.4 & 25 U.S.C. 1912(a)  
25 U.S.C. 1912(d)

AND

D3. Placement  **has** /  **has not** been made in accordance with the placement preferences set forth in 25 U.S.C. § 1915  
**OR**  
If applicable,  good cause exists to deviate from the placement preferences, to wit: \_\_\_\_\_  
 No ICWA compliant placement exists.

II. INDIVIDUALIZED SERVICE PLAN (ISP) 10A O.S. 1-4-707

AS TO  MOTHER Sally Doe /  MOTHER \_\_\_\_\_ /  
 FATHER \_\_\_\_\_ /  FATHER \_\_\_\_\_ /  FATHER \_\_\_\_\_ /  
 LEGAL GUARDIAN \_\_\_\_\_ /  CHILD(REN) \_\_\_\_\_:

A. An ISP  is adopted instanter /  was adopted on \_\_\_\_\_.

B. The ISP  **was** /  **was not** developed with the participation of the parent and/or child(ren) (if appropriate). 10A O.S. 1-4-704(C)(1)

C.  The proposed ISP was reviewed in open Court with the parent(s) or legal custodian who acknowledged that he/she understood the conditions to be corrected, the plan requirements and that failure to correct the conditions that led to the deprived adjudication and/or failure to follow the orders of the Court and/or failure to appear in Court could result in the termination of their parental rights to the child(ren).

D.  ISP is agreed to by the all the parties /  Objections were posed, to-wit: Mother objected to a BIP assessment as she is the victim, not the perpetrator of DV.

E.  ISP is modified in the following manner: \_\_\_\_\_  
**OR**  
 by interlineation. 10A O.S. 1-4-704(D)(3)

The ISP is incorporated herein and made a part of the dispositional order of the Court and all parties are hereby ordered to fully comply with its provisions.

Order of Disposition  
OK-J-UO-0004 (2024 Version)

Page 3 of 7  
OCIS Docket Code: ODISP or DOIISP

# Dispositional Hearing (cont.)

V. **CHILD SUPPORT** **10A O.S. 1-4-702** & **43 O.S. 118**  
 Child support shall be established by separate order  
**OR**  
 Pursuant to the attached child support guideline  
**OR**  
 By stipulation; see attached guidelines  
**OR**  
 Is deferred to Child Support Services  
**OR**  
 Is not ordered for the following reasons: reserved for future hearing to allow Mother to continue to engage in services.

VI. **FUTURE HEARINGS**  
This case is set for Permanency/Review on the 10th day of April, 2024 at 9:00 o'clock A.M. before Judge Justice and all parties present are ordered to appear.  
  
A hearing is set on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_ o'clock \_\_\_\_M. before Judge \_\_\_\_\_ for a \_\_\_\_\_ hearing.

VII. **OTHER FINDINGS/ORDERS OF THE COURT**  
 Mother \_\_\_\_\_ /  Father \_\_\_\_\_ are advised, pursuant to Title 10A O.S. § 1-4-603(B), "FAILURE TO APPEAR AT A SUBSEQUENT HEARING OR COMPLY WITH ANY REQUIREMENTS OF THE COURT MAY RESULT IN THE TERMINATION OF PARENTAL RIGHTS TO THE CHILD(REN)."  
**10A O.S. 1-4-603(B)**  
 Mother \_\_\_\_\_ /  Father \_\_\_\_\_ is ordered to pay Court costs in the amount of \$ \_\_\_\_\_ prior to dismissal of the case or by the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, or as ordered by the Court.  
 Mother \_\_\_\_\_ /  Father \_\_\_\_\_ is ordered to pay costs for attorney's fees in the amount of \$ \_\_\_\_\_ to the clerk's office within  90 days of today's date /  by the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, /  as ordered by the Court.  
Family Time with the  Mother /  Father /  legal guardian \_\_\_\_\_  
 is /  is not adequate. The family time schedule is as follows: Mother will now have unsupervised parenting time once a week for 4 hours at the Treatment facility. DHS has discretion to increase this to overnights as permitted by the facility.  
**10A O.S. 1-4-704(E)(9)(g)**  
**Notice to Parents, or other Legal Custodian**  
In the event of a change of address or place where the parent or legal custodian may be served a summons during the course of the litigation, the parent or other legal custodian shall have the obligation of filing a change of address form with the clerk. In the event that an amended petition or motion is filed, the address listed on the form of the Court clerk shall constitute the last-known address of the parent or other legal custodian unless the state has actual knowledge of the parent or other legal custodian's location.  
**10A O.S. 1-4-603(D)**

**Child Support** SHALL be addressed within 6 months of the filing of a Deprived Petition.

You can address support in the Deprived matter or defer to OCSS.

Child support is to be set per guidelines (**43 O.S. §§118-119**) BUT the Court may deviate when necessary to meet requirement of the ISP.

**Family Time (visitation)**- ISP shall include a plan and schedule for regular and frequent visitation unless the Court has determined that visitation, even supervised, would be harmful to the child. **10A O.S. §1-4-704(E)(9)(g)**

# Permanency Plan 10A O.S. §1-4-811(E)

- At least one of the following:
  - 1. Reunification with parent/legal guardian when can occur within certain time frame and child can be safeguarded;
  - 2. Adoption after termination of parental rights or filing of a termination petition;
  - 3. Permanent guardianship for the child;
  - 4. Planned alternative permanent placement (if child is over 16 and the court has inquired about the permanency outcome);





# Review Hearings 10A O.S. §1-4-807



- Case reviewed by court no later than 6 months from the date of removal and at least every 6 months thereafter until permanency is achieved or jurisdiction terminated.
- Purpose to review status of case and determine whether conditions have been corrected. (May be held concurrently with a permanency hearing)
- Report to include efforts of parents to correct conditions, and any recommendations (10A O.S. § 1-4-808), including:
  - Services needed in future;
  - Description of placements of child with entry and exit dates;
  - Compliance by the Department and parents with court orders;
  - Timetable for permanency;
  - Appropriateness of current placement, distance from home and whether it is least restrictive; and
  - Any trial reunification recommendation and reasons it should be approved by the court.

# Permanency Hearing

10A O.S. 1-4-811

- Conducted no later than:
  - (1) 6 months after out-of-home placement and every 6 months thereafter,
  - (2) 30 days after determination that reasonable efforts are not required and every 6 months thereafter; and
  - (3) 30 days after parental rights are NOT terminated at trial.
- Purpose: determine best permanency plan for the child based upon child's individual needs.
- Report submitted not less than 3 judicial days prior to hearing.
- Contents: (1) efforts and progress demonstrated by parent to complete ISP, (2) status of child, including their emotional, behavioral, and physical health, (3) recommendation for permanency plan for the child, and (4) recommendation regarding placement and reasons.
- A transcript shall be made at each hearing OR the hearings shall be memorialized with written findings of fact.
- Written findings: (1) Reasonable/active efforts to finalize the permanency plan, (2) appropriateness of current placement and projected timetable for permanency; (3) Reasonable efforts to place removed sibling together, and if not placed together, to provide for frequent visitation.



# ICWA Placement Preferences

25 USC §1915, 10 O.S. §40.6



- **Foster Care/Preadoptive Placement:**
  - (1) A member of Indian child's extended family;
  - (2) A foster home licensed, approved or specified by child's tribe;
  - (3) An Indian foster home licensed or approved by other licensing authority; or
  - (4) An institution for children approved by tribe or operated by Indian organization.
- **Adoptive Placement:**
  - (1) Member of Indian child's extended family;
  - (2) Other members of child's tribe; or
  - (3) Other Indian Families.
- **Good cause to deviate (burden of proponent by clear and convincing evidence):**
  - (1) Request of one or both Indian child's parents (after reviewing complying placements); (2) Request of child, if able to understand; (3) Extraordinary physical, mental, or emotional needs of child (not including ordinary bonding/attachment when placed contrary to ICWA); (4) Unavailability of suitable placement after court determines due diligences has been made.

# JUDICIAL BENCH CARD



## THE OKLAHOMA SUCCESSFUL ADULTHOOD PROGRAM SEEKS TO SERVE YOUTH:

- Ages 14-17 who are in legal custody of the Oklahoma Human Services (OKDHS) or a federally recognized tribe and in out-of-home placement;
- Ages 16-22 who were in OKDHS or tribal custody and living in an out-of-home placement on their 16th birthday and achieved permanence through a permanent guardianship, adoption or reunification, and who have not reached their 23rd birthday; and
- Ages 18-26 who participate in the Education and Training Voucher (ETV) program.

### ELIGIBILITY AGES 14-15

- OKSA Assessment
- OKSA Plan
- Tutoring
- Youth Development Funds to support youth's OKSA Goal Setting Plan
- Monitoring of credit report annually

### ELIGIBILITY AGES 16-17

- OKSA Assessment
- OKSA Plan
- Tutoring
- Youth Development Funds to support youth's OKSA Goal Setting Plan
- Monitoring of credit report annually
- Assistance with transition planning

### ELIGIBILITY AGES 18+

- *Voluntary Care: Youth may request placement and services from OKDHS on a voluntary basis as long as they are participating in an approved educational program to obtain a high school diploma or GED or need out-of-home care during the months following graduation prior to the youth entering college or a vocational program.*
- *If youth exited OKDHS or tribal custody and out-of-home placement on or after their 16th birthday, they may qualify for extended services, including OKSA aftercare services.*
- Youth Development Funds to support the youth's transition to adulthood
- Educational assistance, such as scholarships and tutoring

### ADDITIONAL OPPORTUNITIES FOR YOUTH

- Attend teen-specific events such as summer Teen Conferences, Page Week and various life skill groups
- Participate in the Oklahoma Youth and Young Adult Network

Regarding young people in custody with an undocumented status, OKSA resources and Youth Development Funds can only be issued to youth who have a status of Citizen or Qualified Alien, and meet the above criteria for eligibility.

OKLAHOMA SUCCESSFUL ADULTHOOD PROGRAM

## SAMPLE QUESTIONS FOR YOUTH 14-17:

- Is the youth or OKDHS in possession of their **essential documents** (original certified birth certificate, original Social Security Card, state ID, tribal membership documents)?
- Has the youth accessed **OKSA funding**? If so, what for? If not, what are the barriers to accessing these funds?
- Are there monthly discussions with the youth surrounding **relational permanency** and identification of their permanent connections? Who are the youth's supportive connections, not including OKDHS staff?
- Is a **referral** to any of the following services needed for this youth: Mental Health Consultants, Social Security Income, Developmental Disability Services or other behavioral health services? Has a referral been made?
- Has the youth completed the **OKSA Hope Assessment**?
- Has the youth's **OKSA Goal Setting Plan** been created with the youth and their support system?
- Is the **OKSA Goal Setting Plan** updated at every visit and attached to each court report? Is OKSA involved?
- What are the youth's **educational goals**? Are they on track for their goals?
- Are there monthly discussions with the youth surrounding **legal permanency**? What does that look like?
- If the case plan goal (CPG) of the youth is **Planned Alternative Permanent Placement (PAPP)**, what other permanency options are being explored?
- Has the youth signed the **Foster Youth Bill of Rights** and been provided the grievance process information? (*The basic rights of youth in the custody of the State of Oklahoma per Section 1-6-103(c)*)

## ADDITIONAL QUESTIONS FOR YOUTH 17 YEARS OF AGE:

- Is the youth or OKDHS in possession of their **essential documents** (original certified birth certificate, original Social Security Card, state ID, tribal membership documents)? If not, what are the barriers to obtaining these documents? (*Oklahoma Statute §10A-1-9-107, Item F requires youth exiting foster care at 18 years of age be provided with certain documents.*) What is the plan to ensure the youth receives these documents before exiting care?
- Has **OKSA transition planning** been initiated, to include the youth, their supportive connections, and OKSA? Has the Transition Plan been completed as directed per policy and submitted to the court 90 days prior to the youth's 18th birthday? When is the next follow-up meeting with the youth and OKSA?
- What is the youth's **housing plan** after turning 18? What is their alternate housing plan?
- Has the youth been provided contact information for the **OKSA Helpline** to open their aftercare case?

For additional assistance, please contact: **OKSA Helpline** at **1-800-397-2945** (call or text) or by e-mail at [oksa@ou.edu](mailto:oksa@ou.edu). The Oklahoma Successful Adulthood Program website is located at [www.OKSA.ou.edu](http://www.OKSA.ou.edu) and is a valuable resource accessible to young people in and out of care, child welfare specialists and staff, foster and adoptive parents, as well as other supportive adults.



Funded by Oklahoma Human Services, Child Welfare Services, Oklahoma Successful Adulthood Program  
Coordinated by The University of Oklahoma Outreach, National Resource Center for Youth Services (9/24)

# Reunification

## Trial Reunification 10A O.S. §1-4-806

- Up to 6 months - review at least at end of 6 month time period
  - Can be extended (set a new Review date)
  - Total TR- no more than 12 months
  - Requires background checks on all adults in home (not parents).
- Reunification (and dismissal) can occur anytime during Trial Reunification
- DHS has the right to visit the child in the home, school, etc., as they deem necessary
- DHS continues to provide services to parent and child
- DHS can terminate TR without a Court Order if necessary to protect health, safety and welfare
  - If TR is terminated without a Court Order, DHS is to notify the Court and parties within 3 judicial days and a Hearing is held within 15 days.

A.  REUNIFICATION with a parent, legal guardian or custodian for  all named child(ren)/  
 these specified child(ren) \_\_\_\_\_ if: 10A O.S. 1-4-811(E)(1)

a. The parent(s) has/have made marked progress toward reunification;


b. The parent(s) has/have complied with the terms of the treatment plan, and corrected one or more of the conditions which caused the child(ren) to be adjudicated deprived, to wit: Mom has completed inpatient treatment and testing negative, Mom is working on domestic violence education but not yet completed. Father has made no progress;

c. The following conditions remain to be corrected:

<input checked="" type="checkbox"/> possessing/using illegal drugs/addiction	<input type="checkbox"/> mental health instability
<input type="checkbox"/> abusive consumption of alcohol/addiction	<input type="checkbox"/> intellectual disability
<input checked="" type="checkbox"/> exposure to domestic abuse	<input type="checkbox"/> incarceration due to criminal activity
<input type="checkbox"/> physical abuse of child(ren) or failure to protect from physical abuse	<input type="checkbox"/> failure to properly supervise child(ren)
<input type="checkbox"/> sexual abuse of child(ren) or failure to protect from sexual abuse	<input type="checkbox"/> placing child(ren) with inappropriate caregiver(s)
<input type="checkbox"/> mental/emotional abuse of child(ren) or failure to protect from mental/emotional abuse	<input type="checkbox"/> failure to maintain safe and/or sanitary home
<input checked="" type="checkbox"/> failure to protect	<input checked="" type="checkbox"/> homelessness/failure to maintain adequate housing
<input type="checkbox"/> medical, dental, mental health care of child(ren) neglect	<input type="checkbox"/> failure to maintain a substantial relationship with child(ren)
<input type="checkbox"/> nutritional neglect of child(ren)	<input type="checkbox"/> failure to provide financial support per Court order
<input type="checkbox"/> personal hygiene neglect of child(ren)	<input type="checkbox"/> lack of proper parental care and guardianship
<input type="checkbox"/> educational neglect of child(ren)	<input type="checkbox"/> threat of harm
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

d. The parent(s) has/have maintained a close and positive relationship with the child(ren), and;

e. The child(ren) is/are likely to be returned home in the near future.

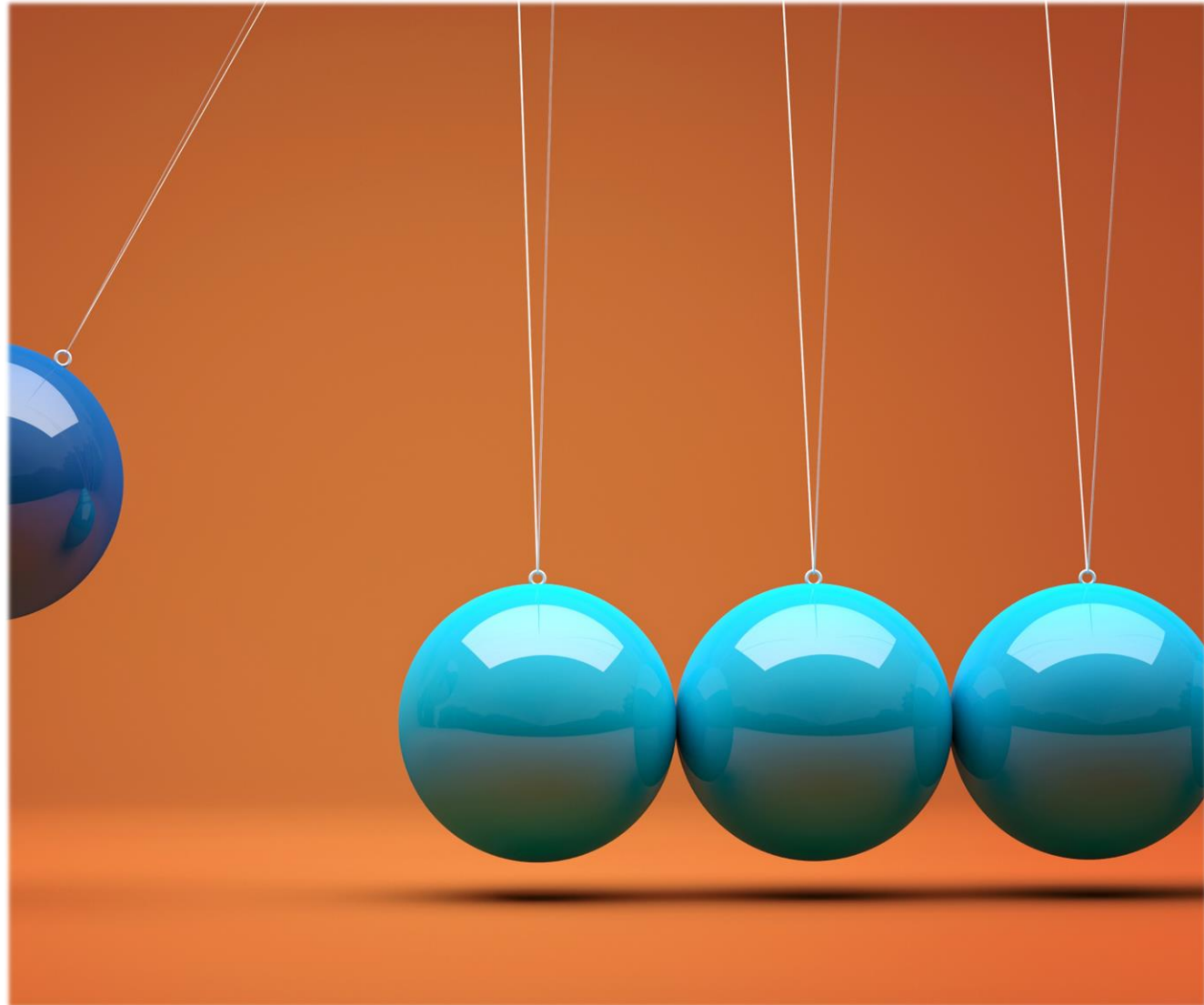
 f. The health and safety of the child(ren) can be adequately safeguarded if returned home.

g. With expected date to achieve permanency goal of 10/1/2024. 10A O.S. 811(D)

h. Trial reunification started with Sally Doe (parent(s)/legal guardian) for  all named child(ren)/  these specified child(ren) \_\_\_\_\_ on the 10th day of April, 2024.

# Purpose of Termination

- Decide whether to break the parental bond. Separate interests:
  - 1. The parent's right to custody and control of a child.
  - 2. The State's responsibility to protect a child under 18 years.
  - 3. The child's right to a wholesome place to live, free from abuse and neglect.
  - 4. The right of the Indian child's tribe to stability and security.
- The parent's right to the child is a fundamental right protected by the Federal and State Constitutions.
- However, the parents' rights must be balanced against the child's rights.
- Where they conflict, the child's rights should be protected. (Juvenile OUJI 1-1)





# Termination of Parental Rights

## Who may file? 10A O.S. §1-4-901

- **Child's attorney**
- **Assistant District Attorney**

## When mandated? 10A O.S. §1-4-902

- 1. Child in foster care 15 of the most recent 22 months;
- 2. Not later than 60 days after judicially determined to be abandoned infant;
- 3. Not later than 60 days after reasonable efforts to reunite not required due to parent's felony conviction for: child pornography; rape, or rape by instrumentation; lewd molestation; child abuse or neglect or enabling; causing the death of a child (or sibling) from abuse, chronic abuse, chronic neglect; or murder (aiding, abetting, attempting, conspiring, soliciting murder of any child/sibling/parent); voluntary manslaughter (any child/parent); serious bodily injury to child/sibling; or
- 4. Not later than 90 days after ISP and parent has made no measurable progress.
- 5. After a period of 15 months if a parent has not corrected the conditions which led to the adjudication and if the court makes a finding pursuant to 10A O.S. § 1-4-904 (B)(16).

## Exceptions?

- Cared for by relative
- DHS documents compelling reason NOT to terminate
- State has not provided necessary services to safely return child

# REASONS FOR TERMINATION 10A O.S. §4-904

No termination unless:  
(1) Adjudicated deprived,  
and  
(2) In best interest

1. Written Consent;
2. Parent entitled to custody has abandoned the child

3. An abandoned infant;
4. Voluntary placement of child out of home;

5. Failure to correct conditions after at least 3 months to correct;
6. Rights terminated to another child and conditions leading to previous termination not corrected;

7. Noncustodial parent failed to support for at least 6 out of 12 months before filing termination;
8. Parent's conviction for certain crimes

9. Parent abused/neglected any child or failed to protect any child from heinous/shocking abuse/neglect;

10. Parent previously abused/neglected child/sibling or failed to protect child/sibling and child/sibling was subsequently abuse;
11. Child was conceived from rape;

12. Parent incarcerated and continuation of rights would harm child;
13. Parent's diagnosis rendering parent incapable of adequately or appropriately exercising rights and custody would cause actual harm;

14. Previous adjudication and failed to correct condition;
15. Substantial erosion of parent/child relationship;

16. Foster care 15 out of recent 22 months and parent has not corrected conditions (exceptions); and
17. Child under age 4 at placement, and in foster care 6 of 12 months before filing termination.

# Notice 10A O.S. §1-4-905

- New notice required:
  - 1. Date, time, and place of the hearing; copy of the petition or motion served by personal delivery, certified mail, publication.
  - 2. Substantially similar language:
    - ***"FAILURE TO PERSONALLY APPEAR AT THIS HEARING CONSTITUTES CONSENT TO THE TERMINATION OF YOUR PARENTAL RIGHTS TO THIS CHILD OR THESE CHILDREN. IF YOU FAIL TO APPEAR ON THE DATE AND TIME SPECIFIED, YOU MAY LOSE ALL LEGAL RIGHTS AS A PARENT TO THE CHILD OR CHILDREN NAMED IN THE PETITION OR MOTION ATTACHED TO THIS NOTICE."***
  - 3. Not less than 15 calendar days prior (publication notice one time 25 days prior).
  - 4. Any actual notice must state that parent's duty to support will not be terminated except when adopted.





# Failure to Appear

- Constitutes consent to termination (SORT OF). Appellate courts seem to be construing this as a stipulation that grounds for termination may exist. Must still put on evidence to support the grounds for termination. If jury has been demanded, Court must give notice that failure to appear will be deemed waiver of jury trial and court will proceed with nonjury termination. 10A O.S. §1-4-904(A)(5)
- Court can vacate an order within 30 days after the order is filed upon application of the parent. 10A O.S. §1-4-904(B)(1)
- Notice to vacate given to all parties and attorneys and set for hearing expeditiously. 10A O.S. §1-4-904(B)(3)
- The burden of proof is on the defaulting parent to show no actual notice of hearing, or due to unavoidable casualty or misfortune, parent was prevented from either contacting attorney, if any, or from attending hearing or trial. 10A O.S. §1-4-904(B)(3)

- Right to demand jury trial **10A O.S. §1-4-502**
  - Parent entitled to service of summons, the State or a child may demand jury.
  - Upon **demand**, jury trial shall be granted unless waived, or the court on its own motion may call. (Scheduling order within 30 days of demand, jury trial within 6 months of order)
  - 6 person jury (5 must agree).
  - If requesting party fails to appear in person, after proper notice and without good cause, the court may deem jury right waived, then termination shall be by nonjury trial.
- Nonjury trial-
  - Trial before Judge. Burdens of proof are the **SAME**. This is the default trial type unless a parent **DEMANDS** a Jury Trial after being advised of the right. If jury waived, must have scheduling order within 30 days and trial within 90 days of order. 10A O.S. §1-4-502(C)

## Termination Trial



# Termination Findings

## Burden of Proof on Termination:

- **Clear and Convincing** evidence as to all elements of each ground for TPR alleged.

## ICWA cases

- **Beyond a Reasonable Doubt** that continued custody by the parent is likely to result in serious emotional or physical damage to the child.
  - THIS finding (only) must be supported by the testimony of a qualified expert witness.
  - ALL OTHER elements for the grounds for TRP are still **Clear and Convincing**.
- **Active efforts** to provide remedial services/rehabilitative programs designed to prevent the breakup of the Indian family and are unsuccessful.
  - This is a finding made by the Court, NOT by the Jury.
  - Consider conducting a separate Active Efforts hearing prior to the start of a Termination jury trial because:
    - all evidence of efforts made in the case can be presented to the court directly
    - Questioning on efforts made does not confuse the jury
    - Standard: Clear and Convincing evidence
    - Recommended: Using an Active Efforts Affidavit that is filed into the case as an exhibit – this affidavit is completed by the case worker

## FINDINGS OF THE COURT

### I. MANDATORY FINDINGS

The Court has jurisdiction over the parties and the subject matter. The Uniform Child Custody Jurisdiction and Enforcement Act has been fully complied with under the facts and circumstances of this case and no other Court has exercised jurisdiction over the child(ren) who are subject of this case. The State and the Federal Indian Child Welfare Acts apply to these proceedings.

#### A. CHILD(REN)'S NAMES and BIRTHDATES

The Court finds that JOHN DOE is the  Mother /  Father of  all named child(ren) /  these specified child(ren) \_\_\_\_\_ and the child(ren)'s true name(s) and date(s) of birth is/are: JOHNNY WAYNE DOE (1/1/2018) AND JANE SUSAN DOE (1/1/2018).

#### B. ADJUDICATION

The Court finds that  all named child(ren) /  these specified child(ren) \_\_\_\_\_ was/were adjudicated deprived on the 25TH day of OCTOBER, 2023.

#### C. INDIAN CHILD WELFARE ACT and ACTIVE EFFORTS:

C1. The Indian Child Welfare Act **does** apply to these proceedings.

The name of the Tribe is: CHEYENNE-ARAPAHO.

The Tribe and BIA, if tribe unknown,  **has been notified** /  **has not been notified.**  
Other: \_\_\_\_\_

C2. Active efforts to provide remedial services and rehabilitative programs to prevent the breakup of the Indian family have been made and have proven unsuccessful. Active efforts provided are: DHS AND ICW HAVE OFFERED NUMROUS SERVICES TO BOTH PARENTS. MOTHER HAS CHILDREN IN TRIAL REUNIFICATION AND IS REGAINING FULL CUSTODY TODAY. FATHER HAS BEEN ABSENT AND HAS CHOSEN NOT TO PARTICIPATE.

C3. Placement  **has** /  **has not** been made in accordance with the placement preferences set forth in 25 U.S.C. § 1915.

If applicable, good cause exists to deviate from the placement preferences to wit: \_\_\_\_\_

#### C4. Indian Child Welfare Act - Expert Testimony:

The Court finds, by beyond a reasonable doubt, that continued custody of the child(ren) by the parent or Indian custodian is likely to result in serious emotional or physical damage or harm to the child(ren) by either:

the testimony of at least one qualified expert witness: Tina Tribe

OR

Stipulation of the  Mother,  Father,  Legal Custodian.

# Order Terminating Parental Rights

## Findings:

- Ensure names and DOBs of children and parents are correct.
- Note how and when the parent(s) were served with the Petition to Terminate.
- Document how rights were terminated (Default, Jury Trial, Non-Jury Trial)
- Document ground(s) for Termination
  - As many as the DA pled and are supported by the evidence- this is insurance in an appeal
  - Include specific findings of which ground for Adjudication the parent failed to correct
- Make a Best Interest finding.
- Make a permanent custody finding.

**B. GROUNDS FOR TERMINATION. The Court finds by clear and convincing evidence that: (check all that apply)**

**B1. Consent 10A O.S. § 1-4-904(B)(1)**  Mother \_\_\_\_\_ /  Father JOHN DOE has executed a duly acknowledged written consent, voluntarily agreeing to the termination of her/his parental rights in and to  all named child(ren) /  these specified child(ren) \_\_\_\_\_;

**B2. Abandonment 10A O.S. § 1-4-904(B)(2)**  Mother \_\_\_\_\_ /  Father \_\_\_\_\_ has willfully intended by words, actions, or omissions not to return for  all named child(ren) /  these specified child(ren) \_\_\_\_\_, **OR**  has failed to maintain a significant parental relationship with  all named child(ren) /  these specified child(ren) \_\_\_\_\_ through visitation or communication, despite an opportunity to do so **OR**  failed to respond to notice of deprived proceedings: to-wit: (describe circumstances) \_\_\_\_\_;

**B3. Abandoned Infant 10A O.S. § 1-4-904(B)(3)**  Mother \_\_\_\_\_ /  Father \_\_\_\_\_ has willfully intended by words, actions, or omissions not to return for the infant named \_\_\_\_\_, **OR**  has failed to maintain a significant parental relationship with the infant named \_\_\_\_\_, through visitation or communication, despite an opportunity to do so **OR**  failed to respond to notice of deprived proceedings to-wit: (describe circumstances) \_\_\_\_\_.

**B4. Noncompliance with Placement Agreement 10A O.S. § 1-4-904(B)(4)**  Mother \_\_\_\_\_ /  Father \_\_\_\_\_ has voluntarily placed physical custody of  all named child(ren) /  these specified child(ren) \_\_\_\_\_ with the Department of Human Services or with a child-placing agency for out-of-home placement, has not complied with the placement agreement, and has not demonstrated during such period a firm intention to resume physical custody of or to make permanent legal arrangements for the care of  all named child(ren) /  these specified child(ren) \_\_\_\_\_ **AND** allowing  Mother \_\_\_\_\_ /  Father \_\_\_\_\_ to have custody of  all named child(ren) /  these specified child(ren) \_\_\_\_\_ would result in actual or potential harm to the child(ren), to-wit: (describe circumstances) \_\_\_\_\_.

# Permanent Guardianships 10A O.S. §1-4-709, 710, 711

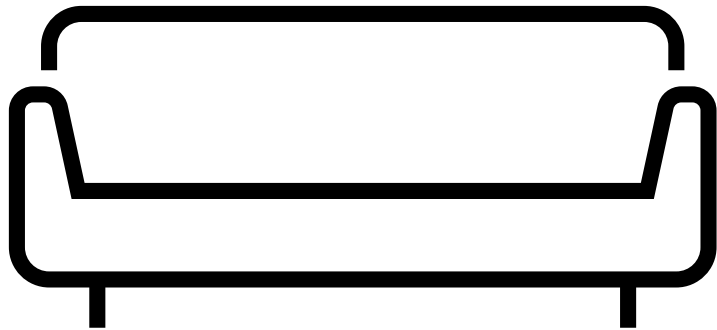


- Only DA, or child's attorney may petition; but DA, guardian, or child's attorney may seek to Modify or Terminate (NOT PARENT).
- Adoption not the permanency plan, and termination not legally possible or not in best interest of child;
- Parent has consented, rights have been terminated, failed to substantially correct conditions, adjudicated incompetent/incapacitated, abandoned the child, failed to be identified with diligent efforts made, or died;
- Proposed guardian will not return child to care of parent/person from who child was removed or allow visitation without court approval;
- The child must have been placed with the proposed guardian for at least six (6) months, UNLESS the proposed guardian is a relative.
- If granted, must order the parents to pay child support pursuant to child-support guidelines.
- May enter following orders, if in the best interest of child: Visitation with parents/siblings/relatives and any other provision or condition necessary to provide for the child's continuing safety and well-being.
- Must be reviewed within 1 year after order approving the permanent guardianship.



# Planned Permanent Living Arrangement

10A O.S. §1-4-811(E)(4)



- Placement in the legal custody of DHS, provided the child is 16 or older and there are compelling reasons documented by DHS and presented to the court at each permanency hearing that include the intensive, ongoing and, as of the date of the hearing, unsuccessful efforts made to:
  - (1) return child home, or
  - (2) place child with a fit and willing relative, and
  - (3) find biological family members of the child
- At each permanency hearing, the court shall:
  - (1) ask child about the permanency outcome he/she desires, and
  - (2) make a judicial determination why a planned alternative permanent placement is the best permanency plan and provide compelling reasons why it continues to NOT be in the best interests of child to return home or be placed for adoption with a guardian or relative.

# Reinstatement of Rights 10A O.S. §1-4-909

- Upon application by child, if:
  - (1) Child previously deprived and parent's rights terminated; (2) At least 3 years passed since final order and: no permanency, or permanency failed, and (3) Child is at least 14 when application is filed.
- Child shall be represented during the proceeding.
- Child and attorney sign the application.
- After preliminary hearing to consider the parent's fitness and interest, the court finds by a preponderance of the evidence that the best interests of the child may be served by reinstatement, the court shall order that a hearing on the merits be held.
- The court shall conditionally grant the application if it finds by clear and convincing evidence that the child has not and is not likely to imminently achieve his permanency plan and that reinstatement of parental rights is in the child's best interest. The case is continued for 6 months and a temporary order of reinstatement entered.
- The child is placed with parent and DHS develops a permanency plan for the child reflecting reunification and shall provide appropriate transition services to the family.
- If the child must be removed due to abuse or neglect, the application is dismissed if allegations are proved by a preponderance of the evidence.
- If the placement with the parent (6 months) is successful, the court shall enter a final order of reinstatement.

## Notice of hearing to:

- DHS, the child, and child's attorney and:
- The former parent whose rights are the subject of the application;
- The current foster parent or relative guardian of the child;
- The guardian ad litem of the child, if any; and
- The child's tribe, if applicable.

The application shall be dismissed if the parent cannot be located.

# Exit Order

## FINDINGS OF THE COURT

The Court, upon review of the record and documentary evidence submitted and upon hearing of the statements of counsel and others present as well as the testimony offered, and being otherwise fully advised in the premises, **FINDS** and **ORDERS** as follows:

### I. JURISDICTION:

- (a) This Court has jurisdiction over the parties and subject matter of this action pursuant to the applicable provisions of the Oklahoma Children's Code, 10A O.S. § 1-1-101 et seq., the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), the Parental Kidnapping Prevention Act (PKPA), and the Uniform Interstate Family Support Act (UIFSA).
- (b) The federal and state Indian Child Welfare Acts do / do not apply to these proceedings.
- (c) Venue is proper per 10A O.S. § 1-4-101 (B)
- (d) **THIS ORDER SUPERSEDES ANY OTHER ORDER.**

II. **PRIOR EXISTING CASE:** An order concerning legal custody and/or child support of the child(ren) named below was previously entered in another administrative or district Court proceeding in \_\_\_\_\_ County, Oklahoma and the case is styled as follows:

III. **EVIDENCE:** The following documentary evidence was submitted:

- A report from Department of Human Services (DHS) recommending  dismissal/  other \_\_\_\_\_.
- A report from CASA or the Guardian Ad Litem recommending  dismissal  other \_\_\_\_\_.
- The stated preference and recommendation of the child(ren) provided to the Court this date reflecting the following: recommending  dismissal /  other \_\_\_\_\_.
- The State of Oklahoma's recommendation as announced in open Court by, Paige Prosecutor, Assistant District Attorney, to-wit: recommending  dismissal /  other \_\_\_\_\_.

### IV. LEGAL CUSTODY AND VISITATION:

The parents' names are:  
 Mother (name): Sally Doe  
 Father (name): John Doe

A. Custody of the minor child(ren) is/are ordered as follows:

Child's Initials	Year of Birth	Legal Custody To	Physical Custody To
<u>I.W.D.</u>	<u>2018</u>	<u>SALLY DOE</u>	<u>SALLY DOE</u>
<u>I.S.D.</u>	<u>2018</u>	<u>SALLY DOE</u>	<u>SALLY DOE</u>
_____	_____	_____	_____
_____	_____	_____	_____

The purpose of the Exit Order is to provide a non-confidential Order that can be used by the parties to enforce continuing Orders beyond the closure of the Deprived case.

The Exit Order will be filed in a non-confidential family law case

- existing divorce or paternity action, OR
- New FMI case

When and why is this helpful?

- One parent has regained custody but the other has not participated or corrected conditions. The Exit Order can be used to give the successful parent sole custody and provide that the other parent shall have no contact until they petition the Court and prove they have completed their ISP.

# Exit Order (cont.)

The Exit Order form includes a directive to the Court Clerk in the Court where the deprived case is/was filed.

The Clerk (or parent given custody or parent's attorney) must

- If a divorce or paternity case already exists regarding these parties, transmit a copy of the Exit Order within 10 calendar days to the Clerk of the Court of that County (Note: the existence of this case has been noted on Page 2 and the case number for the existing case has been included in the caption.)
  - The Clerk of the receiving Court is ordered to file the Exit Order into that case.
- If no divorce or paternity case exists, transmit a copy of the Exit Order to the Clerk of the Court where the person receiving custody lives
  - The Clerk of the receiving Court shall open a new case (FD / FP / FMI) and file the Exit Order in that case (no fees shall be assessed).
- The Clerk of the receiving Court shall send a copy of the now-filed Exit Order (including the new case number if applicable) to parents, children's attorney, and the originating Court. (Contact information is to be provided by the originating Court.
- The Clerk of the receiving Court has a Certificate of Finding and Mailing documenting what they did.

## VI. DIRECTIVE TO THE COURT CLERK:

- A. The  clerk of the juvenile Court,  parent/party given custody,  parent's attorney must transmit this order within 10 calendar days to the clerk of the Court of any county in which a custody proceeding involving the child is pending or, if such case does not exist, to the clerk of the Court of the county in which the parent given custody resides. The clerk of the receiving Court must, immediately upon receipt of this order, file the order in the pending case or, if no such case exists, open a file without a filing fee and assign a case number.
- B. The clerk of the receiving Court must, immediately upon receipt of this order, file the order in the prior existing or pending case or, if no such case exists, open a new FD/FP file without a filing fee and assign a new FD/FP case number.
- C. The clerk of the receiving Court shall send by first-class mail an endorsed filed copy of this order, showing the case number of the receiving Court to:
- Mother (name and address):
  - Father (name and address):
  - Child(ren)'s attorney (name and address):
  - Other (name and address): \_\_\_\_\_

And to the originating juvenile Court with a completed clerk's certificate of mailing.

## VII. OTHER FINDINGS/ORDERS:

\_\_\_\_\_  
\_\_\_\_\_

Costs are assessed to  mother /  father /  both parties as follows:

IT IS SO ORDERED this 8th day of September, 2024.

\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

# Transfer to Tribal Court

25 USC §1911 (b); 25 CFR §§23.115 – 23.119

- Request can be by parent, Indian custodian or child's tribe
  - Made orally or in writing
  - At any time
  - At any stage
- Must transfer unless: Either parent objects, tribal court declines, or good cause to deny.
- Good cause must be on the record or in writing, by clear and convincing evidence.



# PATERNITY

Paternity is governed by the Uniform Parentage Act. **10 O.S. §7700 et. seq.**

Paternity finding is **REQUIRED** within 6 months of the filing of a Deprived Petition. **10A O.S. §1-4-702(A)**

Paternity should be addressed **AS EARLY AS POSSIBLE!** Why?

- Notice requirements
- ICWA
- Placement Options
- Decreased time to permanency
- Fairness

The Supreme Court has approved an Order Determining Parentage. Use it! Paternity is also incorporated into the Initial Appearance & Adjudication Orders!

**IN THE DISTRICT COURT OF NOWHERE COUNTY  
STATE OF OKLAHOMA  
JUVENILE DIVISION**

IN THE MATTER OF:		)	
JOHNNY WAYNE DOE	DOB: 01/01/2018	)	<b>JD-2023-123</b>
JANE SUSAN DOE	DOB: 01/01/2018	)	
	DOB:	)	
	DOB:	)	<b>Judge: JAMIE JUSTICE</b>
	DOB:	)	
	DOB:	)	
Alleged Deprived Child(ren).		)	

**ORDER DETERMINING PARENTAGE**

NOW on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the following proceedings held:

**APPEARANCES:**

<input type="checkbox"/> State	PAIGE PROSECUTOR	<input type="checkbox"/> DH
<input type="checkbox"/> Mother	SALLY DOE	<input type="checkbox"/> Att
<input type="checkbox"/> Mother		<input type="checkbox"/> Att
<input type="checkbox"/> Father	JOHN DOE	<input type="checkbox"/> Att
<input type="checkbox"/> Father		<input type="checkbox"/> Att
<input type="checkbox"/> Father		<input type="checkbox"/> Att
<input type="checkbox"/> Father		<input type="checkbox"/> Att
<input type="checkbox"/> Legal Guardian		<input type="checkbox"/> Att
<input type="checkbox"/> Child	JOHNNY WAYNE DOE	<input type="checkbox"/> Att
<input type="checkbox"/> Child	JANE SUSAN DOE	<input type="checkbox"/> Att
<input type="checkbox"/> Child		<input type="checkbox"/> Att
<input type="checkbox"/> Child		<input type="checkbox"/> Att
<input type="checkbox"/> Child		<input type="checkbox"/> Att
<input type="checkbox"/> Child		<input type="checkbox"/> Att
<input type="checkbox"/> Tribal Representative	TINA TRIBE	<input type="checkbox"/> Att
<input type="checkbox"/> GAL/CASA	VICKI VOLUNTEER	<input type="checkbox"/> Oth
<input type="checkbox"/> Foster Parent or Placement	MR. AND MRS. FOSTER	<input type="checkbox"/> Att
<input type="checkbox"/> Interpreter for <input type="checkbox"/> Mother Father <input type="checkbox"/> Other		<input type="checkbox"/> Inte Mother Other
<input type="checkbox"/> Court Reporter	RITA REPORTER	<input type="checkbox"/> Oth
<input type="checkbox"/> Other		<input type="checkbox"/> Oth

**FINDINGS AND ORDERS OF THE COURT**

The Court, being informed by evidence presented and hearing from the parties, finds that it has jurisdiction over the parties and the subject matter of this action. The Court, therefore, **FINDS, ORDERS AND DECREES AS FOLLOWS:**

The child(ren) who is/are the subject of this action are:

NAME	DOB	GENDER
Johnny Wayne Doe	01/01/2018	M
Jane Susan Does	01/01/2018	F

2. Sally Doe is the natural mother of  all named child(ren)/  these specified child(ren) \_\_\_\_\_.

3. John Doe is the father of  all named child(ren)/  these specified child(ren) \_\_\_\_\_, based on:

- an un rebutted presumption under 10 O.S. § 7700-204 (marriage of the parties);
- genetic testing;
- a properly executed Acknowledgment of Paternity;
- testimony heard and evidence received;
- father's voluntary acknowledgment of paternity;
- being in default;
- prior order or acknowledgment of paternity.

Paternity is not determined at this time.

4. The Oklahoma Department of Health, Division of Vital Records is ordered to add the name of John Doe as the father on the child(ren)'s birth certificate(s). Father's date and state of birth are as follows: 12/25/1999; Oklahoma

By agreement of the parties and in the best interest of the child(ren), the child(ren)'s name(s) is/are hereby changed to \_\_\_\_\_. The Oklahoma Department of Health, Division of Vital Records is hereby ordered to change the child(ren)'s birth certificate(s) to reflect this change.

**CURRENT CHILD SUPPORT:**  
The issue of current child support is reserved for future determination.

**JUDGMENT FOR PAST SUPPORT:**  
The issue of past child support and/or TANF/AFDC reimbursement is specifically reserved, to be set before the Court upon proper application.

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

Human Services Department - OKDHS > Services > Child Support Services



The child support computation form is the legal document used to calculate the child support obligation for a noncustodial parent (obligor) as required pursuant to Section 120 of Title 43 of the Oklahoma Statutes. The form must be signed by the judge an orders which establish or modify a child support obligation. The form is used to compute the monthly health insurance premium for th insurance is reasonable in cost when the share of the premium fo coverage does not exceed 5% of that parent's gross monthly inco embedded in the Excel calculator and available below as a fillable

Oklahoma Statutes: [Title 43 Section 118](#); [118A](#); [118B](#); [118C](#); [118I](#); [118J](#); [Title 43 Section 119](#); [Title 43 Section 120](#)

Code of Federal Regulations: [45 C.F.R. Section 302.56](#); [45 C.F.R. Section 303.32](#)

Child Support Guidelines: Resources and Tools

Excel Calculator

- [Child Support Computation Download instructions](#)

For the Excel calculator to function correctly please save to your computer hard drive or location of your choice. If you need assistance with this calculator, call Child Support Services at (405) 522-2273.

Fillable Form and Instructions

- [Child Support Computation](#) - Use this form for manually calculating the monthly child support amount in the Child Support Computation form
- [Child Support Computation Instructions](#) - These instructions explain how to fill out each section of the form fillable Child Support Computation form.
- [Insurance Premium worksheet](#)

Problem Opening Forms?

# Child Support Guidelines

CS Guidelines (Accessible) 110121 modified 101421 (5).xslm - Excel

	Description of information or instruction	Info for calculation	Father	Mother	Other Custodian	Reset
1	CHILD SUPPORT COMPUTATION					
2	Press Reset button or Control-r to reset calculations					
3	Enter the number of children in this case	0				
4	Enter gross monthly income All sources, except income specifically excluded by 43 O.S. Section 118B(B)			\$0.00		
5	Enter the amount of self-employment income included in the gross monthly income			\$0.00		
6	Enter the amount of SSA Title II benefits or veterans disability benefits paid for the benefit of the children. Do NOT include SSI benefits. (Enter in the column for the disabled or retired parent.)		\$0.00	\$0.00		
9	Enter the court ordered support alimony actually paid in a prior case		\$0.00	\$0.00		
10	Enter the court ordered monthly adjustment for marital debt		\$0.00	\$0.00		

Child Support Comp Entry | Legal Styling | Names and Signature Lines | Insurance Premium Calculator | Cash Medical Table | Sheet2

# Child Testimony (Hearsay statements)

## 12 O.S. §2803.1 Out of Court statements admissible in Deprived Trials:

- Children under 16 yoa *at the time the statement was made*  
(or person with a disability /incapacitated person)
- Statement describing any act where the child is a **victim** of **OR** statements regarding **witnessing** the same conduct against another for:
  - physical abuse,
  - domestic abuse,
  - neglect,
  - enabling physical abuse or neglect,
  - any act of sexual contact, OR
  - any conduct proscribed by Title 21 §§ 741, 745, 748, 843.1, 843.2, 843.3, 843.4, 843.5 or 1111, 1111.1, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1123, 1125 (abuse, neglect, sexual abuse, rape, lewd acts, etc.)
  - Any act or omission resulting in great bodily injury to the child or incapacitated person.
- There is **NO** requirement that the child testify, be subject to cross-examination or declared unavailable in a Deprived matter.
- There is **NO** requirement to consider the “indicia of reliability” as previously required.

**10A O.S. §1-4-505** also contains provisions about recorded statements made by a child outside of court- still has “indicia of reliability” considerations. This has recently been found to be the more specific of the 2 statutes during a deprived Trial BUT this was under the old version of **12 O.S. §2803.1**. See In the **Matter of V.J.R.**, 2024 OK 66

# Resources

MISSION? ▾ CONFERENCES & TRAININGS ▾ **RESOURCES ▾** COLLABORATION ▾ FAQ

FOR JUDGES

FOR ATTORNEYS

JUVENILE COMPETENCY EVALUATORS

FOR PARENTS



EL MANUAL DE OKLAHOMA PARA PADRES Y TUTOROS EN CASOS DE ABUSO Y NEGLIGENCIA DE MENORES



## Parent Guardian Handbook

This handbook has been designed to assist those who have become involved in the dependency court system in Oklahoma. The court experience can be very intimidating and overwhelming for some, especially when it involves your children.

Having correct information can be very powerful and can lessen the confusion that can accompany this process. Please keep this handbook with you and use it to research terms you do not understand and to know who to contact to assist you with your questions.

## Parent Guardian Handbook (Spanish)

Este manual ha sido diseñado, para prestar ayuda a las personas implicadas en el Sistema Judicial de Dependencia en Oklahoma. La experiencia en el tribunal puede ser muy intimidante y abrumadora para algunos; especialmente, cuando afecta a sus hijos.

Contar con la información adecuada, resultará muy valioso y disminuirá la confusión que puede acompañar este proceso. Por favor mantenga este manual con usted y úselo para buscar términos que no entienda y sepa a quién contactar para ayudarlo a despejar sus preguntas.



## RESOURCES

### For Judges

(explanation of the purpose of each resource)

#### Children's Code Benchbook

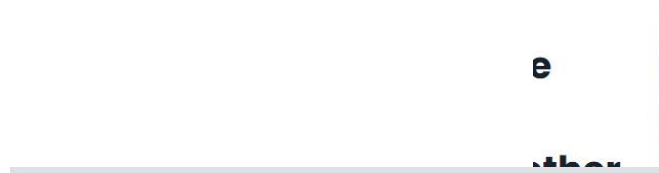
#### Juvenile Bench Book

The purpose of this bench book is to give judges and attorneys quick access to relevant information regarding the Oklahoma Children's Code in Oklahoma.

This book is divided into chapters. The chapters are listed in the left hand column. Clicking on the chapter will open up subsections of each chapter. Click on the subsection to display the contents.

#### Judges Handbook "Oklahoma Disability Law Center"

- [Tab One:](#) Understanding Authority of Judge of District Court Supervising Juveniles to Enforce Federal Rights
- [Tab Two:](#) Understanding Special Education
- [Tab Three:](#) Understanding Discrimination
- [Tab Four:](#) Understanding Medicaid
- [Tab Five:](#) Understanding how to locate Resources with case



Contar con la información adecuada, resultará muy valioso y disminuirá la confusión que puede acompañar este proceso. Por favor mantenga este manual con usted y úselo para buscar términos que no entienda y sepa a quién contactar para ayudarlo a despejar sus preguntas.

### For Attorneys

(explanation of the purpose of each resource) both Parent and Children's attorneys hosted on CIP Website as part of the task force



#### Standards of Practice for Parents Attorneys

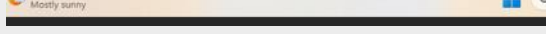
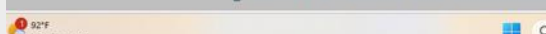
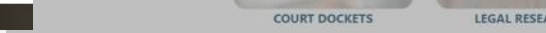
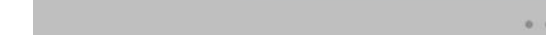
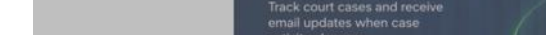
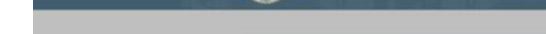
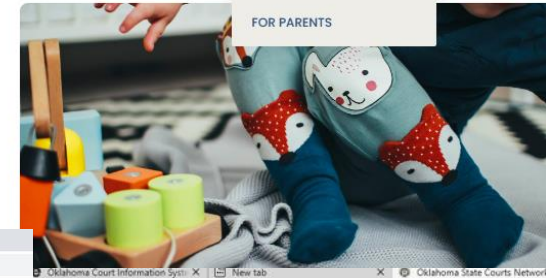
"Parents have a natural, legal, and moral right, as well as a duty, to care for and support their children and such rights are protected by state and federal laws as well as the Constitution. To that end, it is presumed that the best interests of a child are ordinarily served by leaving the child in the custody of the parents, who are expected to have the strongest bond of love and affection and to be best able to provide a child those needed qualities that make a child's life safe and secure..." 10A O.S. §1-1-102.

#### Standards of Practice for Children's Attorneys Oklahoma Bar Association Juvenile Law Section

<https://www.okbar.org/?s=JUVENILE+LAW+SECTION> or

Compendium of Measures & Data Sources: Understanding Judicial Decision Making and Hearing Quality in Child Welfare

The compendium describes research measures and data sources used in child welfare court research. It provides a valuable tool for legal professionals to understand



COURTS DOCKETS LEGAL RESEARCH ADMINISTRATIVE OFFICE OF THE COURTS

## Administrative Office of the Courts

AOC Director

ADR – Alternative Dispute

CIP – Children's Court Improvement

Courtroom Interpreters

CSR – Shorthand Reporters

JNC – Judicial Nomination Commission

Annual Reports

Careers

Judicial Complaints

# Thank You!

- Questions??

