

Lummi Child Welfare



Comprehensive Guide to Active Efforts

Developed, researched, and created by Lummi Child Welfare

Published 3/26/21

Table of Contents

Foreword	4
Introduction	5-10
Purpose	6-8
Statutes	9
Federal	9
State	9
Federal Guidelines	9
Washington State DCYF Policy	9
Other Entities’ Recognition of Active Efforts	9-10
1. Active Efforts Standards: Lummi Nation Expectations	11-67
a. Steps of Active Efforts.....	12-14
b. Assessing Safety and What Active Efforts are Needed.....	15-17
c. Finding/Locating Parents	18-19
d. Baseline Capacity Assessment	20-31
e. Service Referrals	32-34
f. Chemical Dependency	35-37
g. Mental Health	38-40
h. Housing	41-43
i. Violence/Domestic Violence/Anger Management	44-46
j. Criminal Issues	47-49
k. Parenting Skills.....	50-52
l. Relative/Placement Search.....	53-56
m. Trafficking & Exploitation	57-62
n. Missing Children.....	63-65
o. Visitation	66-67
2. Other Considerations: Lummi Nation Expectations	68-90
a. Imminent Risk.....	69-70
b. Timely Efforts	71-73
c. Documentation of Active Efforts.....	74-76
d. Tribal Consultation	77-79
e. Resource Shortages.....	80
f. How Many Active Efforts are Required?	81
g. When Have Active Efforts Proved Unsuccessful?	82-83
h. Culturally Appropriate Services.....	84-85
i. In-Home vs. Out of Home.....	86-87
j. Indian Custodians	88
k. Voluntary Cases.....	89

I. Terminating Parental Rights.....	90
3. Example Case Scenarios	91-96
4. Bibliography	97=102
5. Active Efforts Checklists	103-145
a. Baseline.....	104-116
b. Specialized	117-135
c. Other Considerations.....	136-145

FOREWORD

After 50+ years of illegal removals and the promised help of ICWA, the Lummi People, like the Native Nations across this continent, continue to watch our families suffer abnormally high rates of child removal, which leads to significant and reoccurring trauma for our children and their parents, poor education, unhealthy relationships, child trafficking, drug use, incarceration, suicide ideation, and untimely death. The Indian Child Welfare Act is a promise that the Federal government will require improved outcomes in our families' cases, but that effort needs support and guidance.

The Lummi Nation is grateful for the work of Robert Ludgate, Social Work Supervisor, on this significant document, and for the opportunity to share it with the many Native Nations across the continent who are trying to help their State partners live up to the requirements of the Indian Child Welfare Act. We believe that the service needs outlined here will change the outcomes in dependency cases involving our Native families and help avoid removals during CPS investigations. Full Active Efforts activities can help ensure the families, culture and traditions of our People survive and thrive into the 22nd century.

In preparation for this work, we read too many appellate cases where courts referred to "Active Efforts" as something lacking a legal definition, but they would recognize when they see it. Those courts too often went on to agree little more than a "Reasonable Effort" qualified as "Active Efforts". Some Courts, like Washington State, even ruled that enrolled members were not actually an Indian family deserving of the protections ICWA offered. That deprivation is being corrected, thanks to our current Supreme Court's recent decisions.

While we started this effort to help Lummi's State child welfare partners and the State Courts have a well-researched and footnoted standard to refer to, there is also a greater goal to strive for. Robert has also agreed to provide several mini-trainings through well-known national groups, in an effort to help Lummi promote an effort to create a national standard that all of our State partners might measure themselves against and Courts reviewing ICWA cases may use to determine when "Active Efforts" actually have occurred. A 90 minute or 2 hour seminar cannot possibly cover all the information necessary to make full use of this document, so we encourage you to reach out for additional training if you believe this could help your team provide a better service to the families your agency serves.

Finally, we are sharing this extensive work freely, for the benefit of all the People, and encourage its use in your own work, so ask only that you credit appropriately in your writings.

Hy'shqe Siam (Thank You)

Ts' Sum Ten (Ralph Jefferson)
Lummi Kwenangets Dept Director

INTRODUCTION:

INTRODUCTION

PURPOSE

The primary purpose of this document is to provide a comprehensive user-friendly guide for State Agencies (in particular Washington State DCYF as the most common State Agency which Lummi Nation interacts with) and courts regarding Active Efforts required under the Indian Child Welfare Act (ICWA), and this guide is structured from this perspective.

As parents are the most common case clients needing Active Efforts, this guide is predominantly written from that perspective. However, children¹, Indian Custodians², and relative caregivers³ are also to be recipients of Active Efforts. In instances where a case factor in this guide applies to such non-parent, the applicable Active Effort which is written to be provided to the parent should be provided to the child, Indian Custodian, caregiver, etc.

It is also hoped that this guide can be helpful to families dealing with the child welfare system; as well as tribal programs, attorneys, advocates, service providers, and community members. With this guide being Washington State-focused, we encourage readers in other states or with cases in other states to review those states' statutes and those states' child welfare agencies' policies and procedures in relation to Active Efforts.

This guide is not meant to cover other critical elements of ICWA such as placement preference order, specifics related to legal notice to tribes of dependency proceedings, or Indian Expert Witness Testimony. Due to the limited definition/explanation of Active Efforts in 25 C.F.R. § 23.2, this has resulted in misunderstandings in real world scenarios such as front-line social work and courtrooms.

ICWA was drafted in response to the alarming disproportionality rates of Native children in child welfare systems nation-wide. At the time of ICWA's drafting, 25-35% of all Native children were separated from their families into foster homes, adoptive homes, or institutions; 85% of all Native children in foster care were in Non-Native homes; and the number of Native children in foster care in Washington State was 10 times greater than Non-Native children.⁴

It is well known that the legislative intent of 1978's passage of ICWA was to address the pattern of unnecessary removal of Native children by State Agencies into dependency cases in state courts; address the disproportionate rate of Native children in state dependency cases; raise the quality of

¹ 25 CFR § 23.2

² 25 CFR § 23.2; RCW 13.38.040(1)

³ 25 CFR § 23.2; 42 USC § 1912(d); RCW 13.38.040(1)

⁴ "Establishing Standards for the Placement of Indian Children in Foster or Adoptive Homes, to Prevent the Breakup of Indian Families, and for Other Purposes", Tom Udall (1978)

social work practice by state child welfare agencies; and increase reunification rates for Native children and families.

Throughout this document, the term “State Agency” is used for the State Agency seeking removal of child into custody or with custody of child. ICWA puts the obligation/responsibility of provision of Active Efforts on State Agencies. ICWA does not put the obligation/responsibility to provide Active Efforts on tribes or tribal programs.

Despite ICWA’s mandate for Active Efforts, follow through by State Agencies to provide Active Efforts and state courts ensuring Active Efforts have occurred has continued to be problematic nationally. National studies have found Active Efforts documented in case records in only 66% of cases; documented in case record in only 67% of pretrial or adjudication hearings; and documented in case record in only 21% of disposition hearings.⁵

In Washington State, compliance with Active Efforts is extremely problematic and has actually lost ground over the last decade. Washington State DCYF and DSHS ICW Case Reviews found that between 2009 and 2019, ongoing Active Efforts provided to fathers or Indian custodians dropped from 48% to 44% of cases and as to mothers or Indian custodians dropped from 77% to 64% of cases. Ongoing efforts to consult and collaborate with the child’s tribe were found to have occurred in only 48% of cases in 2015 and 49% of cases in 2019.⁶

In state courtrooms, the Lummi Nation has routinely encountered State Agencies advising the court that Active Efforts have occurred when they have not and state judges accepting reasonable efforts below the level of Active Efforts as meeting ICWA’s Active Efforts requirements (even when the tribe has explained the differences in court). The Lummi Nation has found itself routinely in the position of state courts putting the burden on the tribe to prove that Active Efforts did not occur rather than putting the burden on State Agencies to prove that Active Efforts did occur.

Failure to provide Active Efforts has tangible real-world results for children and families. A primary result of Active Efforts not being provided is the continued overrepresentation of Native children in child welfare systems nation-wide. In Washington State, recent studies have shown that Native children are overrepresented in foster care in Washington State at rate of 4.3 times (even higher than the national overrepresentation rate of 2.7 times).⁷ Washington State DSHS has itself recognized that “Active efforts

⁵ “Indian Child Welfare Act: A pilot study of compliance in North Dakota”, Jones, Gillette, Painte, and Paulson (2000); “Measuring Compliance with the Indian Child Welfare Act: An Assessment Toolkit”, Summers & Wood (2014)

⁶ “Indian Child Welfare 2019 Case Review: 2019 Region 3 ICW Case Review Report”, Washington State Department of Children Youth & Families (Pgs.23-24); “Indian Child Welfare Case Review: 2015 Report, State and Regional Results”, Washington State Tribes and the Department of Social and Health Services Children’s Administration (Pgs.36-38); “Washington State Indian Child Welfare Case Review: 2012 Report, State and Regional Results”, Washington State Department of Social and Health Services Children’s Administration (Pg.9)

⁷ “Technical Assistance Bulletin: Disproportionality rates for children of color in foster care (Fiscal Year 2014)”, Woods & Summer, National Council of Juvenile and Family Court Judges: Reno, NV (2016)

impact disproportionality”.⁸ With studies showing Active Efforts are not consistently being made and Native children continuing to be overrepresented in the child welfare system, ICWA’s legislative intent remains unmet 40+ years later.

It is hoped that this guide will help better inform front line social workers and courts what Active Efforts actually entail and improve service delivery and court finding accuracy. It is also hoped that this guide will better inform parents, children, and families of their rights related to the delivery of Active Efforts. It is the Lummi Nation’s position that improving delivery of Active Efforts will produce the following results:

1. Reduced instances of abuse/neglect
2. Reduced need to remove children from their families
3. Reduced amount of time children spend in care
4. Increased service delivery to families
5. Reduced barriers to reunification
6. Increased rate of reunification with parents
7. Increased rate of children placed with relatives when they can’t be placed with or reunify with parents
8. Reduced recidivism of families’ involvement with child welfare system

The Child Welfare League of America, Casey Family Programs, and numerous other national child welfare organizations have identified ICWA as the “Gold Standard” (a term used for measuring how good other similar things are⁹) for child welfare practice and have specifically identified Active Efforts as an area reflecting this Gold Standard¹⁰.

Additionally, please feel free to contact me for consultation regarding Active Efforts or if you have questions related to this guide.

Robert Ludgate
Lead Social Worker
Lummi Child Welfare
360-384-2324
robertdl@lummi-nsn.gov

⁸ “Indian Child Welfare Case Review: 2015 Report, State and Regional Results”, Washington State Tribes and the Department of Social and Health Services Children’s Administration (Pg. 25)

⁹ Cambridge Dictionary

¹⁰ “Brief of Casey Family Programs, Child Welfare League of America, Children’s Defense Fund, Donaldson Adoption Institute, North American Council on Adoptable Children, Voice for Adoption, and Twelve Other National Child Welfare Organizations as Amici Curiae in Support of Respondent Birth Father” (pg.4)(3/28/13), U.S. Supreme Court case # 12-399

STATUTES

Federal

Active Efforts are addressed under the federal Indian Child Welfare Act (“ICWA”). ICWA can be located at 25 CFR Part 23 and 25 USC Chapter 21. ICWA’s references directly addressing Active Efforts can be located at 25 CFR § 23.2 (*Definitions*), 25 CFR § 23.120 (*How does the State court ensure that Active Efforts have been made?*), and 25 USC § 1912 (*Pending Court Proceedings*).

Washington State

Active Efforts are addressed under the Washington Indian Child Welfare Act (“WICWA”). WICWA can be located at RCW 13.38. WICWA’s references directly addressing Active Efforts can be located at RCW 13.38.040(1) (*“Active Efforts” means the following*) and 13.38.130(1) (*Involuntary foster care placement, termination of parental rights – Determination – Qualified expert witness.*).

With this guide being Washington State-focused, we encourage readers in other states or with cases in other states to review those states’ statutes in relation to Active Efforts and be prepared to reference them.

FEDERAL GUIDELINES

Federal Guidelines regarding Active Efforts are addressed by the Bureau of Indian Affairs (BIA) in their 2016 publication “Guidelines for Implementing the Indian Child Welfare Act”. This publication was produced to assist State Agencies and courts to better comply with the Indian Child Welfare Act. These guidelines address Active Efforts at C.8, E.1-E.6, H.4, and L.1.

WASHINGTON STATE DCYF POLICY

Active Efforts are addressed in Washington State Department of Children, Youth & Families (“DCYF”) policies, practices, and procedures including “Indian Child Welfare Policies and Procedures” (implemented in September 2016) and “DCYF Practices and Procedures” (implemented as of 2018). “Indian Child Welfare Practices and Procedures” addresses Active Efforts in sections #5 (*Child Protective Services for Indian Children*), #6 (*Casework Activities for Court Proceedings*), and #13 (*Definitions*). “DCYF Practices and Procedures” addresses Active Efforts in sections #4250 (*Child Welfare Services/Placement Out-of-Home and Conditions for Return Home*), #4304 (*Case Planning/Reasonable Efforts*), #43068 (*Case Planning/Filing a Petition to Terminate Parental Rights/Indian Children*), #4308 (*Case Planning/Dependency Petition Process*), #43091 (*Case Planning/Court Report*), #4535 (*Specific Services/Placement – Intensive Resources*), and #4550 (*Specific Services/Youth Missing from Care*).

With this guide being Washington State-focused, we encourage readers in other states or with cases in other states to review those states’ child welfare agencies’ policies and procedures in relation to Active Efforts and be prepared to reference them.

OTHER ENTITIES RECOGNITION OF ACTIVE EFFORTS

Other entities who have published guidance for State Agencies and courts regarding Active Efforts include the National Indian Child Welfare Association (“A Guide to Compliance with the Indian Child Welfare Act” published in 2016 and referenced in Part 14 Appendix A to Washington State DCYF’s

“Indian Child Welfare Policies and Procedures”; and Online FAQ), Native American Rights Fund (“A Practical Guide to the Indian Child Welfare Act” published in 2007 and regularly updated online), National Council of Juvenile and Family Court Judges (“Indian Child Welfare Act Judicial Benchbook” published in 2017).

1. ACTIVE EFFORTS STANDARDS:

LUMMI NATION EXPECTATIONS

This section outlines specific Active Efforts related to specific case factors including chemical dependency, mental health, housing, violence/domestic violence/anger management, criminal issues, parenting skills, and trafficking/exploitation. This section also outlines the steps of Active Efforts throughout the duration of case, and other Active Efforts in terms of social work practice.

1.A – STEPS OF ACTIVE EFFORTS

Active efforts are required of State Agencies throughout the duration of the case, from prior to removal of child through the closure of the dependency case. Efforts must be affirmative, active, and thorough¹¹; timely¹²; diligent¹³; and concerted and made in good faith¹⁴. Making Active Efforts at only limited points in the case (as opposed to doing them during each stage of the case and during each review period) would not meet Active Efforts requirements. For example, doing them only at the beginning stage of case or doing them once every 9 months would not meet required burden.

Prior to Removal and Dependency Case

Active efforts are required to be made prior to the removal of a child and prior to filing dependency petition. Active efforts are required to begin at the point that a CPS investigation begins, and are to be made as to child, parents, Indian custodians, and Tribes.

This requirement is mandated under ICWA¹⁵ and WICWA¹⁶. Additionally, this requirement is recognized by the BIA¹⁷, Washington State DCYF¹⁸, Native American Rights Fund¹⁹, National Indian Child Welfare Association²⁰, and National Council of Juvenile and Family Court Judges²¹.

Onset of Case at Point of Child’s Removal and Dependency Case Opening in Court

Active efforts are required to occur at the point of child’s removal and at the point a dependency case opens in court. Active efforts are to be made as to child, parents, Indian custodians, and Tribes.

¹¹ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13 (see Definitions: Active Efforts); “Online FAQ”, National Indian Child Welfare Association: #13 (“What are ‘Active Efforts’? What considerations should be made in an ICWA case?”)

¹² 25 CFR § 23.2; RCW 13.38.040(1)(a); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13 (see Definitions: Active Efforts); “Online FAQ”, National Indian Child Welfare Association: #13 (“What are ‘Active Efforts’? What considerations should be made in an ICWA case?”)

¹³ RCW 13.38.040(1)(a); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): H.4

¹⁴ RCW 13.38.040(1)(b)

¹⁵ 25 CFR § 23.2 and 23.120(a); 25 USC § 1912(d)

¹⁶ RCW: 13.38.040(1)(a)(i), 13.38.040(1)(b), 13.38.130(1)

¹⁷ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): C.8, E.1, E.5

¹⁸ “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #5 (see Purpose, Policies #8 and #9), #6 (see Policy #1(a)), #14 (see Appendix A); “DCYF Practices and Procedures”, Washington State DCYF: #4250 (see Policy #12(C)(i), #4304 (see Purpose and Policy #2), #4308 (see Policy #10), #43091 (see Purpose).

¹⁹ “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 3.1, 3.2, 3.3, 11.10, 12.1, 12.4

²⁰ “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts’”; and “When Can a Child in an ICWA Case be Removed From Home?”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What are ‘Active Efforts’? What considerations should be made in an ICWA case?”)

²¹ “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): ii, iii, and iv.

This requirement is mandated under ICWA²² and WICWA²³. Additionally, this requirement is recognized by the BIA²⁴, Washington State DCYF²⁵, Native American Rights Fund²⁶, National Indian Child Welfare Association²⁷, and National Council of Juvenile and Family Court Judges²⁸.

Mid-Case to Case Closure

Active efforts are required to occur following the removal of the child into care and to continue throughout the duration that the dependency case remains open. Active efforts are to be made as to child, parents, Indian custodians, and Tribes. Active efforts as to parent must continue as long as their parental rights have not been terminated.

This requirement is mandated under ICWA²⁹ and WICWA³⁰. Additionally, this requirement is recognized by the BIA³¹, Washington State DCYF³², Native American Rights Fund³³, National Indian Child Welfare Association³⁴, and National Council of Juvenile and Family Court Judges³⁵.

²² 25 CFR § 23.2 and 23.120; 25 USC § 1912(d)

²³ RCW: 13.38.040(1)(a)(see (i) and (ii)), 13.38.040(1)(b), 13.38.130(1)

²⁴ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1, E.2, E.5, E.6, H.4

²⁵ “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #6 (see Policy #1(i)), #13 (see Definitions: “Active Efforts”), and #14 (see Appendix A); “DCYF Practices and Procedures”, Washington State DCYF: #4250 (see Purpose, Policy #11(J), and Policy #12(C)(i)), #4304 (see Purpose and Policy #2), #43068(2), #4308 (see Policy #10(b), #43091 (see Purpose: Case Planning/Court Report), #4535 (see Purpose and Policy #4))

²⁶ “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 3.1, 3.2, 3.3, 11.10, 12.1, 12.4

²⁷ “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts’”; and “When Can a Child in an ICWA Case be Removed From Home?”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What are ‘Active Efforts’? What considerations should be made in an ICWA case?”)

²⁸ “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): ii, iii, and iv.

²⁹ 25 CFR § 23.2 and 23.120; 25 USC § 1912(d)

³⁰ RCW: 13.38.040(1), 13.38.130(1)

³¹ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1, E.2, E.5, E.6, H.4

³² “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #6 (see Policies #1(i) and #4(g)), #13 (see Definitions: Active Efforts), #14 (see Appendix A); “DCYF Practices and Procedures”, Washington State DCYF: #4250 (see Purpose and Policies #11((J) and (K)) #12(C)(i), #4304 (see Purpose and Policy #2), #43068(2), #43091 (see Purpose: Case Planning/Court Report), #4535 (See Purpose and Policy #4)

³³ “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 3.2, 3.3, 11.10, 12.1, 12.4, 13.6, 19.9

³⁴ “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts’”; and “When Can a Parent in an ICWA Case Have Their Parental Rights Terminated?”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What are ‘Active Efforts’? What considerations should be made in an ICWA case?”)

³⁵ “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): v, vi, and vii

1.B – ASSESSING SAFETY AND WHAT ACTIVE EFFORTS ARE NEEDED

Assessing immediate/imminent, less immediate/imminent short-term, and non-immediate/imminent long-term risks as to the specific child and family is a key component in determining what active efforts are needed.³⁶ It is difficult to ensure Active Efforts are delivered as required³⁷ in an effective manner if risks are not adequately assessed.

If child is at immediate/imminent risk, a removal may occur without Active Efforts having occurred. However, that risk must be at level outlined in ICWA/WICWA: “imminent physical damage or harm”.³⁸ ICWA and WICWA specifically frame imminent/immediate risk in terms of likelihood to result in serious emotional or physical damage.³⁹ Imminent risk is discussed in further detail at 7.A.

This safety/risk assessment should include:

1. Meeting with child⁴⁰
2. Meeting with parents⁴¹ (and Indian Custodians if applicable⁴²)
3. Meeting with extended family⁴³
4. Consulting with child’s tribe(s)⁴⁴
5. Reviewing background check materials including child protective services and child welfare history and criminal/arrest records

³⁶ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4 and E.6

³⁷ “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #5 (See Purpose)

³⁸ 25 CFR § 23.113; RCW 13.38.140

³⁹ 25 CFR § 23.121; RCW 13.38.130

⁴⁰ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

⁴¹ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

⁴² 25 CFR § 23.2; RCW 13.38.040(1)(a and b); “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.2; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?); “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 3.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): ii, v, and vi

⁴³ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5

⁴⁴ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

6. Communicating with child/family service providers and mandated reporters who have been around the family
7. Distinguishing what identified risks are immediate/imminent, short-term, and long-term risks.
8. Consulting with an Indian Expert Witness⁴⁵ (should be the Tribe's identified/designated Indian Expert Witness if the Tribe makes one available).

Even if the level of risk is met and subsequent removal is about to occur or has occurred, Active Efforts must still be made concurrent to this. Such removal does not waive the requirement to provide Active Efforts.

⁴⁵ 25 CFR § 23.122; RCW 13.38.130; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #6 (See Policy 4.i); "Indian Child Welfare Act Judicial Benchbook", National Council of Juvenile and Family Court Judges (2017): ii

1.C – FINDING/LOCATING PARENTS

You can't get started on actively engaging a parent (and applicable Indian Custodian) if you can't find them. If a parent cannot be reached or is not making contact, the State Agency should make active efforts to locate them during each reporting period.

Active Efforts to find/locate parents include:

1. Attempting to reach parent at all phone numbers/email addresses on file.
2. Physically going to last known residences
3. Seeking out and contacting known relatives/associates/support system of parents for assistance⁴⁶
4. Contacting tribe for assistance⁴⁷
5. Contacting parent's place of employment. If unable to get through via phone, physically going to place of employment.
6. Contacting parent's service providers for assistance
7. Physically going to locations parent has history of frequenting (or there are reports of their frequenting).
8. If parent has appointments scheduled that you know of (such as visitation, services appointments, etc.), physically go to the appointment to locate parent.
9. Contacting DSHS Community Services Office for assistance. (In other states, this would refer to the State Agency which coordinates services such as TANF, EBT, SNAP, vocational rehabilitation, etc.)
10. Doing internet search for parent's location (name/address search, jail roster search, social media search, etc.).

The following would not meet Active Efforts to find/locate parents:

1. Leaving the responsibility for communication between the State Agency and the parent with the parent.

⁴⁶ 25 CFR § 23.2; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3 and H.4; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13 (Definitions: Active Efforts); "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 12.4 and 12.5; "Indian Child Welfare Act Judicial Benchbook", National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

⁴⁷ 25 CFR § 23.2; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): C.8 and E.3; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #6 (Policy #1.a), #13 (Definitions: Active Efforts); "DCYF Practices and Procedures", Washington State DCYF: #4308 (Policy #10); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "When should 'Active Efforts' be Made" and "What Are 'Active Efforts'"); "Online FAQ", National Indian Child Welfare Association: #13 ("What Are 'Active Efforts?'" What considerations must be made in an ICWA case?); "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 12.4 and 12.5; "Indian Child Welfare Act Judicial Benchbook", National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

2. Only making some of the above active efforts when others above which are applicable to the parent have not been done. (For example, going to parent's last known address to look for parent and after this is unsuccessful not going to parent's known scheduled chemical dependency appointment to look for parent.) Doing only one or two out of multiple applicable above efforts would be incomplete active efforts.
3. Passing responsibility for active efforts on to another entity.⁴⁸ The State Agency is responsible for these efforts. Asking for help is something that the State Agency should do, but should continue to exhaust all other efforts while asking for help as this responsibility remains the State Agency's. For example, contacting tribal ICW program to seek help locating parent and expecting tribal ICW to take over the search responsibility from there while not continuing own efforts to locate parent would be a passive effort and not meet active efforts requirements of ICWA.
4. Making one active effort or only some of the applicable active efforts at a time rather than doing them concurrently. For example, Social Worker should not wait for a response from tribe, service provider, etc. before doing other efforts such as going to locations parent has history of frequenting.

⁴⁸ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.2. This would be a passive action. The Merriam-Webster Dictionary defines "passive" as "acted on by an external agency", "induced by an outside agency", and "tending not to take an active or dominant part".

1.D – BASELINE CAPACITY ASSESSMENT

Just as assessing safety needs to occur in order to determine what Active Efforts are needed, comprehensively assessing baseline capacity needs to occur⁴⁹ in order to determine what Active Efforts are needed. Parent capacity issues are often the most important factor in determining Active Efforts needs and are key circumstances.⁵⁰

A key piece in ensuring that Active Efforts are tailored to each parent, child, and family is assessing their unique circumstances and barriers/obstacles⁵¹, and starting with the following factors: strengths, transportation access, communication access, financial obstacles, health (physical/mental) obstacles, cognitive obstacles, trauma history, stability/remoteness of residence, service providers (current providers and proximity of providers), if assistance making contact with providers is needed, language obstacles, support system, childcare access, and cultural connections. Conversation about these points should occur as early as possible with the parents and should be accompanied with review of case history and conversation with tribe⁵² and parent’s available support system.

There must be a discussion with the parent and extended family⁵³. Many parents may not automatically volunteer this information. Let the parent know that these questions are not to judge or penalize, and that to the contrary, knowing this information can make the difference between setting up services for them to succeed and setting them up to fail. There are many timelines in dependency cases working against parents and having this discussion at the onset of the case (rather than months into the case) can greatly affect the long-term outcome and permanency.

STRENGTHS⁵⁴

Active Efforts related to parents’ strengths include:

1. Asking the parent/family about what their strengths are and assisting them in identifying their strengths.
2. Asking the parent/family what things they are doing well or have previously done well.

⁴⁹ 25 CFR § 23.2 (“Active Efforts” definition Example #1); “A Guide to Compliance with the Indian Child Welfare Act”; National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (“What Are ‘Active Efforts’”)

⁵⁰ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13

⁵¹ 25 CFR § 23.2 (“Active Efforts” definition Examples #1 and #2); “A Guide to Compliance with the Indian Child Welfare Act”; National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (“What Are ‘Active Efforts’”)

⁵² 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #5 (Policy #8), #6 (Policy #1.a), #13

⁵³ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13

⁵⁴ 25 CFR § 23.2 (“Active Efforts” definitions example # 1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

3. Asking parent if they understand or retain information better by having things explained in writing or verbally.
4. Asking the parent/family what kind of routine the household maintains.
5. If the family has previously successfully closed a dependency or CPS case with the children remaining or returning to their care, ask what things helped them succeed.
6. Asking the parent/family's support system and providers about the parent/family's strengths.
7. Tailoring services and plans around parents' strengths.

The following would not meet Active Efforts to identify parents' strengths:

1. Taking actions without making efforts to identify parental strengths or having discussion with parents about what their strengths are.
2. Working with family from deficit-based focus rather than strength-based focus.
3. Coordinating services and plans without taking parents' strength into consideration.

TRANSPORTATION ACCESS⁵⁵

(Note that transportation access directly pertains to other active efforts areas.)

Active Efforts related to parent transportation include:

1. Assessing and asking the parent/family about their transportation access.
2. Asking the parent/family if they have a vehicle and if that vehicle runs reliably.
3. Asking the parent/family if they rely on friends and family to transport them and if those persons are reliable about being able to get them places on time.
4. Asking the parent/family if they use public transportation and live within proximity to public transportation; if they understand how to use public transportation or have had any challenges using it; and if they are comfortable using public transportation. Assessing if the amount of time it would take parent to utilize public transportation would negatively affect ability to keep up with parenting responsibilities and schedule deadlines. (There are legitimate factors related to using public transportation which may rule it out as an acceptable resource. There may be trauma or relapse triggers, for example.)
5. Asking parent if they need a ride to court, meetings, or services and coordinating a ride for them if needed.
6. Asking the parent/family's support system and providers about the parent/family's transportation access/challenges.
7. Assessing if parent's transportation is safe. For example, does travelling a certain way (such as alone on public transportation) set up the parent to be exposed to an unsafe situation (via exposure to violent offender or trafficker)? If there is a safety risk related to travelling a certain way, a safe means of travel should be coordinated.

⁵⁵ 25 CFR § 23.2 ("active efforts" definition examples #1 and #8); "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'"); "Online FAQ", National Indian Child Welfare Association: #13 ("What Are 'Active Efforts?'" What considerations must be made in an ICWA case?)

8. Providing bus passes after determining parent is competent to safely and successfully use public transportation.
9. Providing gas vouchers after determining parent has access to functioning insured vehicle with a licensed driver.

The following would not meet Active Efforts related to transportation:

1. Coordinating services and appointments for parent while assuming parent has reliable transportation without asking about it. (For example, just because parent has a car doesn't mean that it is functional or that they can afford gas/maintenance for it to get to services or appointments at any given time. Also, assuming that a parent has reliable access to a bus route doesn't mean that they understand how to travel via bus, particularly if transfers or a complex route would be required.)
2. Giving parent a map (including bus route map) to get to services and appointments without ensuring parent can read maps and understands the steps of how to get from point A to point B.
3. Requesting that parent travel a certain way without assessing if this is safe for the parent. For example, sending a parent alone via public transportation on a route in which may expose them to someone who has assaulted or trafficked them.
4. Providing bus passes without determining parent is competent to safely and successfully use public transportation.
5. Providing gas vouchers without determining parent has access to functioning vehicle.

COMMUNICATION ACCESS (Including phone, email, internet, etc.)⁵⁶

Active Efforts related to parents' communication access include:

1. Asking the parent/family about their communication access and what there is (cell – text and minutes, landline, email, etc.).
2. Assessing and asking if parent/family has consistent reliable communication access; if their phone is consistently in service or something they struggle with; if they reside in an area where service reception can be inconsistent; and if there is limited number of phones in the household (and if they are they carried by different persons at different times).
3. Asking the parent/family if they're unable to be reached or out of phone service, is there a backup contact that can be used to relay messages?
4. Assessing and asking if parent/family need assistance in obtaining phone access. If so, assist them in accessing phone access services. This would include assisting them with completing and submitting the paperwork and coordinating transportation to get to the service if in-person-presence is required.
5. Asking if parent/family have consistent mail address they're able to conveniently access. If not, assist them in identifying way to consistently/reliably receive mail.

⁵⁶ 25 CFR § 23.2 (“active efforts” definition example #1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

6. Asking the parent/family's support system and providers about the parent/family's communication access/challenges.
7. Regularly asking the parent/family if any of their contact info has changed.
8. When parent partners each have their own phone, calling/texting each of them.

The following would not meet Active Efforts related to parents' communication access:

1. Acting under the assumption that parent has working phone throughout month.
2. Acting under the assumption that parent has consistently reliable way to receive mail.
3. When parent partners each have their own phone, calling/texting one of them and assuming that will ensure the other gets your message.
4. Giving parent list of communication support programs without offering them assistance in contacting these programs.
5. Giving parent application paperwork to access communication supports (such as cell phone paperwork, PO Box paperwork, etc.) without offering assistance in completing paperwork.

FINANCIAL OBSTACLES⁵⁷

Active Efforts related to parents' financial obstacles include:

1. Assessing and asking the parent/family at every meeting if they struggle financially and if this is a stress/anxiety factor.
2. Assessing and asking the parent/family how engaging in services and court would affect the family budget. If so, make all efforts to coordinate services and court to least disrupt family's ability to avoid further financial difficulty.
3. Asking parent, if employed, if engaging in services and court would affect their ability to maintain employment. If so, make all efforts to coordinate services and court to least disrupt parent's ability to maintain employment.
4. Asking the parent/family if they can consistently financially afford gas/mileage/fare to get to services and court. If not, make all efforts to coordinate services and court around their financial abilities and offer transportation (including financial supports as available).
5. Assessing if the parent/family appear to struggle with maintaining a budget. If so, coordinate financial education services being made available to parent/family.
6. Asking parent/family what financial supports they receive.
7. Assisting the parent/family in locating and applying for financial supports if needed. Research what financial supports are available to family (such as TANF, GA, DVR, Food Assistance, Etc.) and actively assist parent/family with applying for and accessing services (including assisting them with contacting and getting to service).

⁵⁷ 25 CFR § 23.2 ("active efforts" definition examples #1 and #8); "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.1; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'"); "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 17.14(3)

8. Asking the parent/family's support system and providers if the parent/family may be facing financial challenges.

The following would not meet Active Efforts related to parents' financial obstacles:

1. Acting under the assumption that parent/family is financially stable and not financially struggling at any given point in case and is not in need of financial supports because they have not brought it up or requested assistance.
2. Giving parent list of financial support programs without offering them assistance in contacting these programs.
3. Giving parent application paperwork to access financial supports (such as TANF paperwork, food assistance paperwork, etc.) without offering assistance in completing paperwork.

HEALTH OBSTACLES⁵⁸

Active Efforts related to parents' health obstacles include:

1. Assessing and asking the parent if they have any physical health issues. If so, determine if these issues do/could impact their ability to get to and/or engage in specific services and how services can be coordinated in way that accommodates this. (For example, if ability to walk distances is impeded it is not appropriate to expect them to travel via public transportation to services and a direct ride should be coordinated. Last minute cancellations due to medical issues should not be counted against them.)
2. Assessing and asking the parent if they have any mental health issues. If so, determine if these issues do/could impact their ability to get to and/or engage in specific services and how services can be coordinated in way that accommodates this. (For example, if there is social phobia/anxiety issues, individual rather than group services should be coordinated and if possible services should be coordinated to occur in the home.)
3. Asking the parent/family's support system and providers if the parent/family have any health issues/challenges.

The following would not meet Active Efforts related to parents' health obstacles:

1. Referring parent to a service under assumption that parent does not have health issues affecting ability to access and succeed in that service.
2. Giving parent list of health programs without offering them assistance in contacting these programs.
3. Giving parent application paperwork to access health supports without offering assistance in completing paperwork.
4. Assuming that because there do not appear to have been health issues at the onset of the case that health issues have not potentially arisen at later stage of case.

⁵⁸ 25 CFR § 23.2 ("active efforts" definition examples #1 and #8); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

COGNITIVE OBSTACLES⁵⁹

Active Efforts related to parents' cognitive obstacles:

1. Taking the parent's age into consideration and adjusting communication and reasonable expectations accordingly. For example, a 16-year-old parent would not be at same level of cognitive development as a 26-year-old parent.
2. Asking the parent (and support system members or provider if available) if they have any cognitive issues which may affect their functioning.
3. Assessing if the parent has cognitive issues that affect concentration, memory, organization, attention/concentration, maintaining schedule/calendar, ability to make/keep plans, ability to follow through with things such as following bus schedule and making it to bus on time, etc.
4. Assessing and asking the parent if they have history of chemical dependency that may affect cognitive functioning.
5. Assessing and asking the parent if they have history of medical and/or mental health issues that may affect cognitive functioning.
6. Asking the parent/family's support system and providers if the parent/family have any cognitive issues which may affect their functioning.
7. Adjusting service delivery and interaction with parent to accommodate cognitive issues.
8. Bringing parent's cognitive issues to the attention of service providers as collateral information so that services can be delivered in a way that sets up the parent to succeed.

The following would not meet Active Efforts related to parents' cognitive obstacles:

1. Assuming that a 16-year-old parent is at same level of cognitive development as a 26-year-old parent.
2. Assuming that parent does not have cognitive issues affecting ability to access and succeed in services.
3. Not making providers aware of parent's cognitive issues.
4. Not taking parent's cognitive issues into consideration when determining compliance.
5. Not adjusting service delivery and interaction with parent to accommodate cognitive issues.

TRAUMA HISTORY⁶⁰

In Native communities and families throughout North America, there is prevalence of intergenerational trauma which must be taken into consideration by State Agencies and courts as a contributing factor to dependency cases and a factor to be addressed in setting up parents to succeed. It is common knowledge that the far-reaching boarding/residential school system, for example, introduced trauma

⁵⁹ 25 CFR § 23.2 ("active efforts" definition examples #1 and #8); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

⁶⁰ 25 CFR § 23.2 ("active efforts" definition example #1); "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

continuing to effect families and communities in the present day. This intergenerational trauma makes descendants of boarding/residential school attendees significantly more likely to be involved in the child welfare system⁶¹. The writings and presentations of Dr. Gabor Maté and Dr. Art Martinez are recommended for further education on the topic of trauma.

Active Efforts related to parents’ trauma history include:

1. Asking the parent (and support system members or provider if available) if they have any trauma history. It is important to recognize that they may not understand or be aware of their own history as being trauma or think of it within the context of trauma. Good practice could include providing specific examples of what trauma is and asking if they have such instances in their history. Asking something as short/bluntly as “do you have any trauma history?” is unlikely to produce a disclosure amongst many trauma victims.
2. Assessing and asking the parent if there is history of trauma such as child abuse/neglect, emotional abuse, violence (including but not limited to domestic violence), CPS/child welfare involvement, sexual abuse/assault, victim of human trafficking/commercial sexual exploitation, victim of crime, being in or witnessing traumatic event, etc.
3. Asking the parent if they have preference to work with providers of particular gender or age due to trauma history. If so, this should be accommodated.
4. Assessing and asking the parent if they have trauma triggers or potential trauma triggers (such as locations, sounds, genders, tone of voice, body language, etc.). If so, this should be accommodated.
5. Taking trauma history/factors into consideration when determining compliance, appropriate conversation with parent, etc.
6. Making parent’s providers aware of parent’s trauma history/triggers as collateral information.

The following would not meet Active Efforts related to parents’ trauma history:

1. Assuming that parent has no history of trauma.
2. Not making providers aware of parent’s trauma history.
3. Not taking parent’s trauma history into consideration when determining compliance.
4. Not adjusting service delivery and interaction with parent to avoid exposing parent to trauma triggers whenever possible.

⁶¹ “Intergenerational Trauma: The Relationship Between Residential Schools & the Child Welfare System Among Young People Who Use Drugs in Vancouver Canada”, Barker, Sedgemore, Tourangeau, Lagimodiere, Milloy, Dong, Hayashi, Shoveller, Kerr, and DeBeck (2019)

STABILITY/REMOTENESS OF RESIDENCE⁶²

Active Efforts related to parents' stability/remoteness of residence include:

1. Assessing and asking parent/family (and support system members or provider if available) if their residence is stable or if they move frequently; if the residence is theirs or someone else's who is allowing them to stay there; and if they alternate between multiple residences.
2. Asking the parent/family if there is potential that they will need to move in near future and, if so, what their plan is as to where they could go.
3. Determining if the parent/family reside in city, town or in a rural area.
4. Determining if the parent/family lives in a location where getting to the State Agency, court, services, and visitation is an obstacle.
5. Determining if the remoteness of parent/family residence affects transportation.

The following would not meet Active Efforts related to parents' stability/remoteness of residence:

1. Assuming that parent has stable ongoing housing.
2. Assuming that parent has no obstacles in getting to the State Agency, court, services, and visitation related to location of residence.
3. Assuming that parent has easy access to bus route related to location of residence.

SERVICE PROVIDERS: CURRENT PROVIDERS AND PROXIMITY OF PROVIDERS⁶³

Active Efforts related to parents' current service providers and proximity of providers include:

1. Asking the parent (and support system members or provider if available) about their service providers.
2. Determining if the parent/family is currently already engaged in support services. If so, identify what services, what providers, and what for. Ask the parent if this has been positive/negative experience.
3. Determining what specific service providers for the family's identified issues are located within proximity to parent/family.
4. Whenever possible, referring parent/family service providers in area where family resides.
5. Determining what providers are available from family's tribe/tribes and/or in the local Native community and utilize them whenever possible.⁶⁴
6. Assess what can be done to bring service providers to where this parent/family is.

⁶² 25 CFR § 23.2 ("active efforts" definition examples #1 and #8); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

⁶³ 25 CFR § 23.2 ("active efforts" definition example #1); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

⁶⁴ 25 CFR § 23.2; RCW 13.38.040(1)(a); "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13

The following would not meet Active Efforts related to parents' current service providers and proximity of providers:

1. Assuming that parent is not already engaged in services or hasn't previously engaged in services.
2. Assuming that experiences with current or prior services has been a positive experience.
3. Assuming that parent is within reasonable proximity to services.
4. Not seeking out services for parent that are in area where family resides or can.

IS ASSISTANCE MAKING CONTACT WITH PROVIDERS NEEDED?

(Note that assistance making contact with providers directly pertains to other active efforts areas.)

Active Efforts related to parents' need for assistance contacting providers include:

1. Asking at beginning of case, at time of referrals, and during review periods if parent would like your assistance contacting providers to access/schedule services and offer them this assistance.
2. If parent would like your assistance, contact provider via phone with parent and/or go to provider with parent to coordinate service.

The following would not meet Active Efforts related to parents' need for assistance contacting providers:

1. Giving parent a list of providers for them to follow up with without asking if parent would like your assistance contacting providers to access/schedule services and without offering them this assistance.⁶⁵
2. Assuming a parent does not need assistance contacting providers.
3. Assuming that if a parent does not bring it up that they don't need assistance making contact with providers.

LANGUAGE OBSTACLES⁶⁶

Active Efforts related to parents' language obstacles include:

1. Asking parent if English is their primary language. If not, coordinator translator to communicate with them (both for state child welfare agency and service providers) and provide written materials in their primary language.
2. Assessing and asking parent if they have issues/obstacles related to speech or hearing so that accommodations can be made.
3. Assessing and asking parent if they have any issues/obstacles related to literacy (for example, if they are a minor parent who has missed a substantial amount of school). If such issues exist, accommodations need to be made accordingly. Written materials may need to be adjusted in reading level, or they may not be appropriate to use at all and another means to communicate information will need to be identified.

⁶⁵ RCW 13.38.040(1)(a)(i, ii, and iii)

⁶⁶ 25 CFR § 23.2 ("active efforts" definition example #1); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

4. Assessing and asking parent if they understand written materials given to them and if they have any questions about it.
5. When working with a minor parent or parent with developmental or cognitive delays, communicate with them at age/developmental/cognitive level.

The following would not meet Active Efforts related to parents' language obstacles:

1. Assuming that parent is fluent in English.
2. Assuming that parent is functionally literate.
3. Giving parent written materials without assessing if there are English fluency or literacy issues and without asking if they understand these materials or have questions about them.
4. Communicating with minor parent or parent with developmental or cognitive delay at average adult level.

SUPPORT SYSTEM⁶⁷

Active Efforts related to parents' support system include:

1. Asking parent/family who their support system is and utilize this support system whenever possible (meetings, staffings, transports, visitation supervision, assistance locating non-communicating parent, etc.). The term "support system" may not be a term all persons are familiar with, so ask for specifics about what family members they are close with, who close friends are, who cultural mentors are, who providers them help when they need it, etc.
2. Providing background check forms to parent's support system to determine if they can be utilized for placement or visitation supervision and offer assistance in completing forms.

The following would not meet Active Efforts related to parents' support system:

1. Not asking parent who their support system is or utilizing this support system whenever possible.
2. Not making efforts to allow parent's support system to attend meetings, staffings, assist with transports, assisting in locating non-communicating parent, etc. whenever possible.

CHILDCARE ACCESS⁶⁸

Active Efforts related to parents' childcare access include:

1. Asking parent if they currently have childcare and if they have obstacles to accessing childcare. In ongoing case, this topic should be revisited regularly.
2. Assisting parent in locating/accessing childcare (including financial support for) if needed.

⁶⁷ 25 CFR § 23.2 ("active efforts" definition examples #1 and #8); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

⁶⁸ 25 CFR § 23.2 ("active efforts" definition example #1); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

3. Assessing if childcare issues affect parent’s ability to participate in and access services. In ongoing case, this topic should be revisited regularly.
4. Making effort to schedule around parent’s childcare availability whenever possible.

The following would not meet Active Efforts related to parents’ childcare access:

1. Assuming that parent has access to childcare.
2. Assuming the parent does not need childcare or childcare assistance.
3. Assuming that if parent doesn’t have childcare needs/obstacles at one point in case that they don’t have them at another point in case.
4. Referring to services and scheduling without making efforts to schedule around parent’s childcare availability.

CULTURAL CONNECTIONS⁶⁹

(Also see 2.H: Culturally Appropriate Services)

Active Efforts related to parents’ cultural connections include:

1. Asking parent, child, and family what their cultural background is and what cultural involvement means to them and their family.
2. Asking parent, child, and family what cultural activities are important to them and their children.
3. Consulting with Tribe to identify cultural activities and supports for parent and child.
4. Asking Tribal ICW program if cultural mentor is/can be identified for child and parent.
5. Making all efforts for child to have opportunities to engage in cultural activities (specific to their tribes’ cultures) on regular basis throughout case as frequently as possible. (For example, if a Lummi child, a Lummi cultural activity would meet this. If a Lummi child without heritage with a plains tribe, a plains tradition powwow would not meet this.)
6. Coordinating scheduling of services/meetings/hearings around parent and child’s cultural activities schedule

The following would not meet Active Efforts related to parents’ cultural connections:

1. Not making efforts on regular basis for child to maintain cultural connections/involvement.
2. Making assumptions as to what cultural traditions parent has or what activities meet the cultural needs of parent and child.
3. Engaging child in cultural activities which are not part of that child’s tribal culture.
4. Assuming that child not having maintained a certain level of cultural engagement/activity prior to dependency case means that efforts to establish and maintain cultural connections/involvement is not as important as for children who have maintained high level of cultural connections/involvement throughout their life.

⁶⁹ 25 CFR § 23.2 (“active efforts” definition); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”); “Online FAQ”, National Indian Child Welfare Association: # 13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?); “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

5. Coordinating scheduling of services/meetings/hearings without consideration of parent and child's cultural activities schedule.

1.E - SERVICE REFERRALS

The means/manner in which parents are referred to services sets the foundation for compliance throughout the dependency case and is critical in setting a parent up to succeed or to fail. Non-critically assessed service referrals can set a parent up to fail and lose time they will not be able to get back (time which will often factor against them in the legal proceedings). It’s imperative that parents get set up with services in a good way.

Active Efforts related to service referrals include:

1. Seeking input and consultation from parent⁷⁰ when determining what providers⁷¹ to refer them to. This should include discussion about if they have prior positive/negative history with specific providers, if there is trauma history⁷² to be taken into consideration when making determination, if parent prefers male/female provider, if providers are in reasonably accessible location based upon parent’s circumstances, if providers schedules are compatible with parent’s, etc.
2. Offering to assist parent in contacting provider to access service and providing this assistance if requested by parent.
3. Offering to assist parent in completing application paperwork related to accessing the service and providing this assistance if requested by parent.
4. After a referral is made, following up with the parent and the provider to determine if service has been successfully coordinated or if there are obstacles.⁷³
5. Seek input and consultation from tribe.⁷⁴

The following would not meet Active Efforts related to service referrals:

1. Simply providing referrals or providing parent a list of providers to self-refer to or to contact themselves.⁷⁵
2. Referring parent to providers without seeking input and consultation from parent to determine if they have prior positive/negative history with specific providers, if there is trauma history to be taken into consideration when making determination, if parent prefers male/female provider, if providers are in reasonably accessible location based upon parent’s circumstances, if providers schedules are compatible with parent’s, etc.

⁷⁰ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

⁷¹ 25 CFR § 23.2 (“active efforts” definition examples #2 and #8)

⁷² “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3

⁷³ 25 CFR § 23.2 (“active efforts” definition example #9)

⁷⁴ 25 CFR § 23.2; RCW 13.38.040(1)(a); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #6 (Policy #1.a), #13; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

⁷⁵ RCW 13.38.040(1)(a)(see i, ii, and iii)

3. Referring parent to providers without offering to assist parent in contacting provider to access service or providing this assistance if requested by parent.
4. Referring parent to providers without offering to assist parent in completing application paperwork related to accessing the service or providing this assistance if requested by parent.
5. Referring parent to a service without following up with the parent and provider to determine if service has been successfully coordinated or if there are obstacles.

1.F – CHEMICAL DEPENDENCY

Chemical dependency-related neglect is a leading factor in children entering the child welfare system.⁷⁶ Due to this, it's imperative that chemical dependency services are given significant attention regarding Active Efforts.

It is also imperative that due to the time it takes most people to resolve chemical dependency issues and timeline directives given under federal and state codes regarding reunification that chemical dependency services be targeted with Active Efforts immediately and without delay.

Research indicates that most chemically dependent persons need at least 3 months in treatment to significantly reduce or stop their drug use, that the best outcomes occur with longer durations of treatment, and recovery is a long-term process frequently requiring multiple episodes of treatment. Chemical dependency experts also identify that “intensive interventions” may be required to retain parents in treatment, particularly if there are co-occurring factors such as mental health, medical or criminal factors.⁷⁷

Due to the challenge of time when dealing with establishing/maintaining sobriety and when weighing reunification timelines, failing to provide prompt and consistent Active Efforts related to chemical dependency can be one of the biggest factors in reunification not occurring.

It should also be recognized that chemical dependency is often a secondary reaction by the parent to underlying issues such as trauma, and awareness of this context is necessary to effectively work with the parent. For example, there is a strong link between childhood trauma and substance use disorders and up to 59% of young people with PTSD subsequently develop substance use problems.⁷⁸

The writings and presentations of Dr. Gabor Maté and Dr. Art Martinez are recommended for further education on the topic of chemical dependency.

Active Efforts related to parents' chemical dependency include:

1. Assessing⁷⁹ if evidence of chemical dependency issues exists by asking parent⁸⁰; reviewing CPS intakes history, arrest records, and collateral from providers; and asking collaterals such as service providers and family members⁸¹.

⁷⁶ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1

⁷⁷ “Principals of Drug Addiction Treatment: A Research-Based Guide (Third Edition)”, National Institute on Drug Abuse (January 2018)(pgs.5, 17)

⁷⁸ “Substance use, childhood traumatic experience, and Posttraumatic Stress Disorder in an urban civilian population”, Khoury, Tang, Bradley, Cubells, and Ressler. (2010)

⁷⁹ 25 CFR § 23.2 (“active efforts” definition examples #1 and #2); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

⁸⁰ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “A Guide to Compliance with the Indian Child

2. Assessing if possible signs of chemical dependency issues could be attributed to health or other issues and determine if they can be ruled out.⁸²
3. Assessing if underlying trauma is a factor in parent’s chemical dependency issues and coordinating trauma services for parent concurrent with chemical dependency services.⁸³
4. Seeking input and consultation from parent⁸⁴ in determining which chemical dependency providers⁸⁵ to refer them to. The worker should determine if they already have provider, if they have positive/negative experiences with specific providers, if they’re located at unreasonable accessibility to parent or inappropriate location due to trauma history, etc.
5. Offering parent assistance in contacting provider to access services such as making the call with the parent.⁸⁶
6. Offering parent assistance in completing application or other paperwork to access services.⁸⁷
7. Working with parent to determine safe transportation⁸⁸ plan to access service. Examples include assessing if parent’s chemical dependency status makes them unsafe to drive themselves, transporting parent to service, providing gas voucher if parent has reliable transportation, providing a bus pass if parent utilizing bus is appropriate along with walking them through the specific route(s) to take to get to the service, etc.
8. If parent is requested or ordered to provide random UA’s, ensure that parent has access to reliable phone service. If parent does not have reliable phone service, assist parent in locating phone service supports such as community cell phone programs and offer to assist them in completing application paperwork for such services.
9. If parent is recommended to enter inpatient treatment, assist them in locating program that is in close proximity to child so that visitation can occur consistently⁸⁹ and in which placement of child with parent at program is option.

Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts’”)

⁸¹ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts’”); “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5

⁸² 25 CFR § 23.2 (“active efforts” definition examples #1 and #2); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

⁸³ 25 CFR § 23.2 (“active efforts” examples #1 and #2); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3

⁸⁴ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts’”)

⁸⁵ 25 CFR § 23.2 (“active efforts” definition examples #2 and #8)

⁸⁶ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4

⁸⁷ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4

⁸⁸ 25 CFR § 23.2 (“active efforts” definition example #8); “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

⁸⁹ 25 CFR § 23.2 (“active efforts” definition example #7)

10. Ensuring that chemical dependency provider has collateral information on trauma history, mental health background, etc.

The following would not meet Active Efforts related to parents' chemical dependency:

1. Assuming chemical dependency issues exist without credible evidence/indication or assessing if possible signs of chemical dependency issues could be attributed to health or other issues.
2. Making chemical dependency services available without actively connecting the parent to the service.⁹⁰
3. Directing parent to access chemical dependency services without assessing if underlying trauma is a factor in parent's chemical dependency issues or coordinating trauma services for parent concurrent with chemical dependency services.
4. Referring parent to chemical dependency services without seeking input and consultation from parent in determining which chemical dependency providers to refer them to in order to determine if they already have provider, if they have positive/negative experiences with specific providers, if they're located at unreasonable accessibility to parent or inappropriate location due to trauma history, etc.
5. Making parent self-refer for chemical dependency services such as by giving them a list of chemical dependency service providers to contact themselves.⁹¹
6. Directing parent to complete application or other paperwork to access chemical dependency services without offering/providing assistance in completing application/paperwork.
7. Directing parent to go to chemical dependency services without working with parent to determine safe transportation plan to access service or determining if parent currently has access to reliable transportation to get to chemical dependency services.
8. Giving parent a gas voucher to get to chemical dependency services without also determining if parent has access to reliable transportation.
9. Giving parent a bus pass to get to chemical dependency services without also walking parent through the specific route(s) to take to get to the service.
10. Referring parent for random UA's without also ensuring that parent has access to reliable phone service and if they do not, assisting them in locating phone service supports (such as community cell phone programs) and offering to assist them in completing application paperwork for such services.
11. Referring parent to inpatient treatment program without efforts to locate program that is in close proximity to child so that visitation can occur consistently or in which placement of child with parent at program is option.

⁹⁰ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4

⁹¹ RCW 13.38.040 (see i, ii, and iii)

1.G – MENTAL HEALTH

Underlying mental health issues, particularly trauma, are a significant contributing factor to neglect and abuse. There is a connection between trauma and chemical dependency⁹² (which in turn is common factor in neglect) and perpetrators of physical and sexual abuse frequently come from trauma-victim backgrounds themselves⁹³.

Working with families in the child welfare system requires addressing underlying trauma. Making progress towards resolving both imminent and long-term risk of harm can't occur without making progress in addressing trauma. In Native communities, intergenerational trauma is wide reaching and is a significant underlying factor in child welfare cases affecting Native children.

There is evidence that expanded/wide-scale screening for mental health issues can enhance child protection and reduce maltreatment triggers; and using targeted specific evidence-based mental health services can improve parenting behavior and child outcomes. Additionally, experts recognize the need for vulnerable families to receive support (such as transportation and childcare) to stay engaged in interventions.⁹⁴

Active Efforts related to parents' mental health include:

1. Assessing⁹⁵ if evidence of mental health and trauma issues exists by asking parent⁹⁶; reviewing CPS intakes history and collateral from providers; and asking collaterals such as service providers and family members⁹⁷.
2. Assessing if possible signs of mental health issues could be attributed to chemical dependency or other health issues and determine if they can be ruled out.⁹⁸

⁹² "Substance use, childhood traumatic experience, and Posttraumatic Stress Disorder in an urban civilian population", Khoury, Tang, Bradley, Cubells, and Ressler. (2010)

⁹³ "Offending Behaviour: the role of trauma and PTSD", Vittoria Ardino. (2012)

⁹⁴ "Public Health Approaches to Child and Parent Screening: Implications for Child Protection", Sheila Smith (2012)

⁹⁵ 25 CFR § 23.2 ("active efforts" definition example #1); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

⁹⁶ 25 CFR § 23.2; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "A Guide to Compliance with the Indian Child Welfare Act", "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13; National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

⁹⁷ 25 CFR § 23.2; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "When should 'Active Efforts' be Made" and "What Are 'Active Efforts'"); "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13; "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 12.5

⁹⁸ 25 CFR § 23.2 ("active efforts" definition example #1); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

3. Assessing if underlying trauma is a factor in parent’s chemical dependency issues and coordinating trauma services for parent concurrent with chemical dependency services.⁹⁹
4. Seeking input and consultation from parent¹⁰⁰ in determining which mental health providers¹⁰¹ to refer them to. The worker should determine if they already have provider, if they have positive/negative experiences with specific providers, if they have preference as to gender of provider, if they’re located at unreasonable accessibility to parent or inappropriate location due to trauma history, etc.
5. Offering parent assistance in contacting provider to access services such as making the call with the parent.¹⁰²
6. Offering parent assistance in completing application or other paperwork to access services.¹⁰³
7. Working with parent to determine transportation¹⁰⁴ plan to access service. Examples include transporting parent to service, providing gas voucher if parent has reliable transportation, providing a bus pass if parent utilizing bus is appropriate along with walking them through the specific route(s) to take to get to the service, etc.
8. If parent is recommended to enter inpatient mental health treatment, assist in locating program that is in close proximity to child so that visitation can occur consistently.¹⁰⁵
9. Ensuring that mental health provider has collateral background information including trauma and chemical dependency history.
10. Providing collateral information on parent’s mental health and/or trauma issues to other providers so that this can be taken into consideration in the services they provide parent.

The following would not meet Active Efforts related to parents’ mental health:

1. Assuming mental health issues exist without credible evidence/indication or assessing if possible signs of mental health issues could be attributed to chemical dependency or health issues.
2. Making mental health services available without actively connecting the parent to the service.¹⁰⁶

⁹⁹ 25 CFR § 23.2 (“active efforts” definition examples #1 and #8); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3

¹⁰⁰ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts?’”); “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

¹⁰¹ 25 CFR § 23.2 (“active efforts” definition examples #2 and #8)

¹⁰² “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4

¹⁰³ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4

¹⁰⁴ 25 CFR § 23.2 (“active efforts” definition example #8); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4; “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

¹⁰⁵ 25 CFR § 23.2 (“active efforts” definition example #7)

¹⁰⁶ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4

3. Not assessing if underlying trauma is a factor in parent’s chemical dependency issues or coordinating trauma services for parent concurrent with chemical dependency services.
4. Referring parent to mental health services without seeking input and consultation from parent in determining which mental health providers to refer them to in order to determine if they already have provider, if they have positive/negative experiences with specific providers, if they have provider gender preference, if they’re located at unreasonable accessibility to parent or inappropriate location due to trauma history, etc.
5. Making parent self-refer for mental health services such as by giving them a list of mental health service providers to contact themselves.¹⁰⁷
6. Not offering parent assistance in completing application or other paperwork to access mental health services.
7. Not working with parent to determine transportation plan to access service or determining if parent currently has access to reliable transportation to get to mental health services.
8. Giving parent a gas voucher to get to mental health services without also determining if parent has access to reliable transportation.
9. Giving parent a bus pass to get to mental health services without also walking parent through the specific route(s) to take to get to the service.
10. Referring parent to inpatient mental health treatment program without efforts to locate program that is in close proximity to child so that visitation can occur consistently.

¹⁰⁷ RCW 13.38.04(1)(a)(see i, ii, and iii)

1.H – HOUSING

Housing issues have historically been a significant factor in the removal of Native American children into dependency cases.¹⁰⁸ A variety of factors can contribute to a parent’s struggles to maintain safe/stable housing. Factors can range from poverty, limited income, credit history, and other financial challenges to mental health, chemical dependency, and criminal history issues. It is not uncommon for economic obstacles to securing housing to be the sole barrier to reunification with a parent who is otherwise ready to reunify.

Native Americans face a disproportionate number of obstacles related to housing. State Agencies and courts should take into consideration that Native Americans face issues of homelessness, poverty, and lack of affordable housing at rates higher than non-Native households¹⁰⁹. Physical housing problems (such as lack of hot/cold running water, exposed wiring, holes in floor, etc.) in tribal areas are much more severe than for US households on average; and incidence of these of these problems are about 40% higher for low-income Native households in tribal areas than for average-income Native households in tribal areas¹¹⁰.

Active Efforts related to parents’ housing include:

1. Determining what housing support services are available to parent¹¹¹ (housing providers, housing advocates, financial supports, emergency shelters, etc.), making parent aware of these services, offering to assist parent in contacting these programs, and assisting parent in making contact with these programs through means such as making calls with the parent, providing parent transportations to these programs, and accompanying parent to these programs.¹¹²
2. Offering assistance to parent in completing housing application paperwork and assisting parent in completing housing application paperwork.¹¹³
3. Routinely assessing¹¹⁴ and asking parent/family¹¹⁵ (and support system members or provider if available) if their residence is stable or if they move frequently; if the residence is theirs or

¹⁰⁸ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1

¹⁰⁹ “Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report from the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs”, US Dept. of Housing and Urban Development, Office of Policy Development and Research (2017)(p.76)

¹¹⁰ “Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report from the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs, Executive Summary”, US Dept. of Housing and Urban Development, Office of Policy Development and Research (2017)(p.6)

¹¹¹ 25 CFR § 23.2 (“active efforts” definition examples #2 and #8)

¹¹² “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4; “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

¹¹³ Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4; “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

¹¹⁴ 25 CFR § 23.2 (“active efforts” definition example #1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

someone else’s who is allowing them to stay there; and if they alternate between multiple residences. If their residence is unstable, if they need to move frequently, or if they alternate between residences, this indicates need for housing support services.

4. Asking the parent¹¹⁶ if there is potential that they will need to move in near future and, if so, assist parent with developing plan as to where they could go.
5. If parent struggles with maintaining sanitary/safe home environment, consulting with mental health and chemical dependency provider to determine if this is due to mental health or chemical dependency issues or if this is an underlying life skills issue.¹¹⁷ If this is an underlying life skills issue, coordinate life skills education supports for parent. If this is related to mental health issues, consult with mental health provider on how to address issue. If this is related to chemical dependency issues, consult with chemical dependency provider on how to address issue.
6. If parent struggles with maintaining safe home environment in terms of keeping unsafe persons from the home; consulting with mental health, domestic violence, and chemical dependency providers to determine if this is due to mental health, domestic violence, or chemical dependency issue.¹¹⁸ If this is related to domestic violence issues, consult with domestic violence provider on how to address issue. If this is related to mental health issues, consult with mental health provider on how to address issue. If this is related to chemical dependency issues, consult with chemical dependency provider on how to address issue. If there is recommendation that parent obtain protection, no contact, or no trespass order as to specific persons; coordinate assistance for parent to request/obtain such an order including coordinating someone to directly assist parent in completing paperwork. Coordinate transportation for parent to get to that assistance or the assistance to go to where parent is.
7. Advocating for parent to housing programs.

The following would not meet Active Efforts related to parents’ housing:

1. Leaving it up to parent on their own to locate and self-refer to housing or housing supports.
2. Giving parent list of housing supports to contact and self-refer on their own without offering/providing assistance in contacting these supports, getting to supports, accompanying to supports, and with applying to supports.¹¹⁹
3. Assuming that parent’s residence is stable and not taking steps to determine stability and if need for housing assistance exists (both before and after child returns to the home).
4. Directing parent to develop their own plan, without offering/providing assistance in developing such plan, as to where they could go upon learning that parent will need to move in near future.

¹¹⁵ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5

¹¹⁶ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13

¹¹⁷ 25 CFR § 23.2 (“active efforts” definition examples #1 and #8)

¹¹⁸ 25 CFR § 23.2 (“active efforts” definition examples #1 and #8)

¹¹⁹ RCW 13.38.04(1)(a)(see i, ii, and iii)

5. Directing parent to maintain sanitary/safe housing, when that is an identified issue, without consulting with (and seeking input from on how to address) mental health and chemical dependency providers to determine if this is due to mental health, chemical dependency, or underlying life skills issues; and failing to coordinate life skills education supports for parent if there is indication this is a life skills issue.
6. Directing parent to keep unsafe persons from home, when that is an identified issue, without consulting with (and seeking input from on how to address) mental health, domestic violence, and chemical dependency providers to determine if this is due to mental health, domestic violence, or chemical dependency issues; and failing to assist parent to request/obtain a recommended protection, no contact, or not trespass order including coordinating someone to directly assist parent in completing paperwork and/or coordinate transportation for parent to get to that assistance or the assistance to go to where parent is.

1.I – VIOLENCE/DOMESTIC VIOLENCE/ANGER MANAGEMENT

Members of the Native community experience rates of violence beyond the national average, and extra efforts should be made to assess risk related to this. 84.3% of Native women have experienced violence in their lifetime and are 2.5 times as likely as non-Hispanic white women to lack access to needed services¹²⁰. Native women face murder rates more than 10 times the national average in some counties¹²¹.

While violence is a less common case factor than neglect, it is a factor needing to be assessed. Violence (including domestic, physical, and sexual violence) commonly has overlap with chemical dependency¹²² and mental health issues (including trauma)¹²³.

Active Efforts related to violence, domestic violence, and anger management include:

1. Assessing¹²⁴ if evidence of violence (including domestic violence, physical, and sexual abuse) and/or anger management exists (as victim or perpetrator) by asking parent¹²⁵; reviewing CPS intakes history and collateral from providers or other sources; and asking collaterals such as service providers and family members¹²⁶.
2. Assessing¹²⁷ if there is overlap between parent’s history as victim/perpetrator of violence and mental health and/or chemical dependency issues; and coordinating victim/perpetrator services for parent concurrent with mental health and/or chemical dependency services.
3. Seeking input and consultation from parent¹²⁸ in determining which victim/offender providers¹²⁹ to refer them to. Determine if they already have provider, if they have positive/negative experiences with specific providers, if they have preference as to gender

¹²⁰ “Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey”, A.B. Rosay, US Department of Justice (2016).

¹²¹ “Violence Against American Indian and Alaska Native Women and the Criminal Justice Response: What is Known”, Bachman, Zaykowski, Kallymer, Poteyeva, and Lanier, US Department of Justice (2008)

¹²² “Relationship Between Drug Use and Intimate Partner Violence: A Longitudinal Study Among Women Receiving Methadone”, El-Bassel, Gilbert, Wu, Go, and Hill (2005)

¹²³ “Offending Behaviour: the role of trauma and PTSD”, Vittoria Ardino (2012)

¹²⁴ 25 CFR § 23.2 (“active efforts” definition example #1); “A Guide to Compliance with the Indian Child Welfare Act” National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

¹²⁵ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

¹²⁶ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5

¹²⁷ 25 CFR § 23.2 (“active efforts” definition example #1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

¹²⁸ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

¹²⁹ 25 CFR § 23.2 (“active efforts” definition example #2)

of provider, if they're located at unreasonable accessibility to parent or inappropriate location due to trauma history, etc. As to victims, examples of relevant providers would include victim of crime programs, DVSAAS programs, support groups, trauma counselors¹³⁰, emergency shelters, etc. As to perpetrators, based on the type of violence, providers would include anger management evaluators/providers, domestic violence evaluators/providers, sexual deviancy evaluators/providers, trauma counselors, etc.

4. Offering parent assistance in contacting provider to access services such as making the call with the parent.¹³¹
5. Offering parent assistance in completing application or other paperwork to access services.¹³²
6. Working with parent to determine transportation¹³³ plan to access service. Examples include transporting parent to service, providing gas voucher if parent has reliable transportation, providing a bus pass if parent utilizing bus is appropriate along with walking them through the specific route(s) to take to get to the service, etc.
7. Providing collateral information on parent's victim/perpetrator background to other providers so that this can be taken into consideration in the services they provide parent.
8. Assisting parent in locating legal assistance to obtain protection orders¹³⁴. While this parent may already have an attorney assigned to them in their dependency case, this attorney may be carrying such a high caseload that they cannot promptly enough assist the parent with pursuing/obtaining a protection order and the best course of action is to connect the parent up with a community program (such as a victim of crime or domestic violence/sexual assault program)¹³⁵. This would entail offering to assist the parent with making the call to that program, assisting them with completing application paperwork for that program, and coordinating safe transportation to get to/from that program¹³⁶. In the case of a minor who is in the legal custody of the state child welfare agency, that State Agency (as the child's legal custodian) should immediately take action to file for protection order on that child's behalf and not put the responsibility for a child to pursue/obtain protection order against their perpetrator.

The following would not meet Active Efforts related to violence, domestic violence, and anger management:

1. Coordinating victim/perpetrator services without concurrent trauma/mental health services or chemical dependency services (if chemical dependency issues are identified).

¹³⁰ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3

¹³¹ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4

¹³² "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4

¹³³ 25 CFR § 23.2 ("active efforts" definition example #8); "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4; "Online FAQ", National Indian Child Welfare Association: #13 ("What Are 'Active Efforts?'" What considerations must be made in an ICWA case?)

¹³⁴ 25 CFR § 23.2 ("active efforts" definition example #2)

¹³⁵ 25 CFR § 23.2 ("active efforts" definition example #2)

¹³⁶ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4

2. Making parent self-refer for victim/perpetrator services such as by giving them a list of mental health service providers to contact themselves.¹³⁷
3. Referring parent to victim/offender providers without seeking input and consultation from parent in determining which providers to refer them to in order to determine if they already have provider, if they have positive/negative experiences with specific providers, if they have preference as to gender of provider, if they're located at unreasonable accessibility to parent or inappropriate location due to trauma history, etc.
4. Referring parent to victim/offender providers without offering parent assistance in contacting provider to access services such as making the call with the parent.
5. Referring parent to victim/offender providers without offering parent assistance in completing application or other paperwork to access services.
6. Referring parent to victim/offender providers without working with parent to determine transportation plan to access service such as transporting parent to service, providing gas voucher if parent has reliable transportation, or providing a bus pass (if parent utilizing bus is appropriate they should be walked through the specific route(s) to take to get to the service).
7. Coordinating other services for parent (such as mental health or chemical dependency) without providing collateral information on parent's victim/perpetrator background to other providers so that this can be taken into consideration in the services they provide parent.
8. Leaving a victim of trafficking/exploitation to pursue/obtain protection order against their perpetrator themselves or through their public defender without also offering to connect them up with a community program (such as a victim of crime or domestic violence/sexual assault program) for possible assistance with this and offering to assist them with making the call to that program, assisting them with completing application paperwork for that program, and coordinating safe transportation to get to/from that program.
9. Leaving responsibility for a minor victim of trafficking/exploitation who is a state dependent to file for or obtain protection order against their perpetrator themselves.

¹³⁷ RCW 13.38.04(1)(a)(see i, ii, and iii)

1.J – CRIMINAL ISSUES

Factors which contribute to child removal and the opening of a dependency case (such as drug possession related to chemical dependency or violence related to mental health issues) often have potential criminal consequences.

Criminal issues may or may not be a factor in child entering care but may pose significant obstacles to achieving reunification (especially if a parent is facing a long-term criminal sentence or exhibits a recurring pattern of arrests/incarceration). Criminal matters may arise later in case and delay reunification or case closure.

Incarcerated parents face increased obstacles to accessing services (such as due to limitations on resources available in their specific facility) and their time incarcerated while unable to access services is often lost into reunification timeline deadlines.

The incarceration of one parent can negatively impact the stability of the non-incarcerated parent and destabilize the family overall even when there is another non-incarcerated parent present. In addition to incarcerated parents having a disproportionate rate of CPS-involved children, CPS-involved children themselves are at disproportionate risk of becoming incarcerated as an adult (research has indicated that 25% of incarcerated women between ages 18-21 had CPS involvement as an adolescent)¹³⁸. Children having an incarcerated parent may be six times more likely to become incarcerated themselves¹³⁹.

A parent having a warrant can pose an obstacle to visitation as there is the potential for the parent to be arrested en route to or even at a visit. A warrant can also pose an obstacle to reunification as the parent being arrested could leave the child without an adult present in the home.

Active Efforts related to violence, domestic violence, and anger management include:

1. Assessing¹⁴⁰ if evidence of criminal activity exists by asking parent¹⁴¹; reviewing CPS intakes history and collateral from providers or other sources; and asking collaterals such as service providers and family members¹⁴².

¹³⁸ "Incarceration and CPS Involvement", Berger, Cancian, Cuesta, and Noyes (2016)

¹³⁹ "Hidden Consequences: The Impact of Incarceration on Dependent Children," Eric Martin, NIJ Journal 278, March 2017.

¹⁴⁰ 25 CFR § 23.2 ("active efforts" definition example #1); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

¹⁴¹ 25 CFR § 23.2; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

¹⁴² 25 CFR § 23.2; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 12.5

2. Assessing¹⁴³ if there is overlap between criminal history and mental health and/or chemical dependency issues; and provide collateral information amongst service providers (chemical dependency, mental health, probation, etc.).
3. Ask parent¹⁴⁴ if they have probation or other service obligations through criminal case which affect ability to reunify with child. If so, offer to assist parent in identifying providers¹⁴⁵ where such services can be located, offer to assist parent in contacting providers to access service, offer to assist parent in completing application paperwork related to accessing the service, offer to assist parent with transportation¹⁴⁶ coordination to access services (including probation meetings) and to court hearings, and providing this assistance if requested by parent.

The following would not meet Active Efforts related to violence, domestic violence, and anger management:

1. Providing parent a list of providers to self-refer to or to contact themselves.¹⁴⁷
2. Referring parent to providers without seeking input and consultation from parent to determine if they have prior positive/negative history with specific providers, if there is trauma history to be taken into consideration when making determination, if parent prefers male/female provider, if providers are in reasonably accessible location based upon parent's circumstances, if providers schedules are compatible with parent's, etc.
3. Referring parent to providers without offering to assist parent in contacting provider to access service or providing this assistance if requested by parent.
4. Referring parent to providers without offering to assist parent in completing application paperwork related to accessing the service or providing this assistance if requested by parent.
5. Referring parent to providers without offering transportation assistance or providing this assistance if requested by parent.
6. When probation compliance or attending criminal hearings effects ability to reunify with child, not following up with parent regarding if they need transportation assistance to probation meetings or court hearings and/or not providing transportation assistance if requested.

¹⁴³ 25 CFR § 23.2 (“active efforts” definition example #1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

¹⁴⁴ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

¹⁴⁵ 25 CFR § 23.2 (“active efforts” definition examples #2 and #8); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4; “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

¹⁴⁶ 25 CFR § 23.2 (“active efforts” definition examples #2 and #8); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.4; “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

¹⁴⁷ RCW 13.38.04(1)(a)(see i, ii, and iii)

1.K – PARENTING SKILLS

Parenting skills issues may range from direct foundational parenting skill deficits (such as not understanding the care needs specific to infants or teens); to impairments due to the parent’s chemical dependency or mental health issues.

The underlying source of the parenting skills issues should be assessed¹⁴⁸ to determine how to adequately target those issues with relevant services and Active Efforts. Parents who have history of adequately parenting their adolescent children for years until their chemical dependency issues disrupted this pattern should have parenting services structured differently than new parents who don’t have such a pattern and lack understanding of the basic day to day care needs of their infant, for example.

Some parents may have grown up in the dependency system themselves without a consistent parental figure to model parenting skills to them. Some parents themselves may have also had parents who grew up in the dependency system without a consistent parental figure to model parenting skills to them, and some parents may come from a family where there have been multiple consecutive generations involved in the child welfare system¹⁴⁹. Research has found that children involved in the child welfare system who were removed from their parents are nearly twice as likely to have CPS involvement as adults than children who were in-home with their parent¹⁵⁰.

In Native communities throughout North America, the far-reaching boarding/residential school system has had significant negative intergenerational effects on parenting skills. It is common knowledge that boarding/residential school experiences disrupted the modeling of parenting skills/norms and parent-child bonding practices and introduced trauma effecting parenting skills. Research has found that descendants of boarding/residential school attendees are significantly more likely to be involved in the child welfare system¹⁵¹.

Active Efforts related to parenting skill issues include the following:

1. Discussion with parent¹⁵² about parenting skill issues/concerns including how parenting skills were modeled to them, what their understanding of safe parenting skills is, and if there are other factors which affect follow through on safe parenting such as chemical dependency and mental health issues.

¹⁴⁸ 25 CFR § 23.2 (“active efforts” definition example # 1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

¹⁴⁹ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3

¹⁵⁰ “The Impact of Family Reunification Versus Family Maintenance on the Transmission of Intergenerational Child Maltreatment”, Barajas and Wuest (2014)(p.37)

¹⁵¹ “Intergenerational Trauma: The Relationship Between Residential Schools & the Child Welfare System Among Young People Who Use Drugs in Vancouver Canada”, Barker, Sedgemore, Tourangeau, Lagimodiere, Milloy, Dong, Hayashi, Shoveller, Kerr, and DeBeck (2019)

¹⁵² 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

2. Reviewing collateral information on the parent (CPS history, discussion with collaterals including family members¹⁵³ and service providers, determination if there is multi-generational involvement in the child welfare system, etc.) to determine the context of parenting skill issues.
3. Coordinating concurrent services for parent to address issues contributing to parenting deficits, if applicable, such as chemical dependency and mental health.¹⁵⁴
4. Seeking input and consultation from parent¹⁵⁵ in determining which parenting education/support providers¹⁵⁶ to refer them to. Determine if they already have provider, if they have positive/negative experiences with specific providers, if they have preference as to gender of provider, if they're located at unreasonable accessibility to parent or inappropriate location due to trauma history, etc.
5. Coordinating culturally appropriate parenting education/support services. For example, the Positive Indian Parenting curriculum is widely utilized in Indian County and recognized as a successful resource. (Also see 2.H: Culturally Appropriate Services)
6. Offering parent assistance in contacting provider to access services such as making the call with the parent.¹⁵⁷
7. Offering parent assistance in completing application or other paperwork to access services.¹⁵⁸
8. Working with parent to determine transportation¹⁵⁹ plan to access service. Examples include transporting parent to service, providing gas voucher if parent has reliable transportation, providing a bus pass if parent utilizing bus is appropriate along with walking them through the specific route(s) to take to get to the service, etc.
9. Providing collateral information on parent's parenting issues to other providers so that this can be taken into consideration in the services they provide parent.
10. Consulting with parent's and child's tribe's/tribes'¹⁶⁰ ICW program regarding parenting customs of that community to determine if there is cultural bias affecting assessment of parent's parenting skills. (Also see 2.H: Culturally Appropriate Services)

¹⁵³ 25 CFR § 23.2; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 12.5

¹⁵⁴ 25 CFR § 23.2 ("active efforts" definition examples #2 and #8)

¹⁵⁵ 25 CFR § 23.2; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

¹⁵⁶ 25 CFR § 23.2 ("active efforts" definition examples #2 and #8);

¹⁵⁷ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4

¹⁵⁸ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4

¹⁵⁹ 25 CFR § 23.2 ("active efforts" definition example #8); "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4; "Online FAQ", National Indian Child Welfare Association: #13 ("What Are 'Active Efforts?'" What considerations must be made in an ICWA case?)

¹⁶⁰ 25 CFR § 23.2; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #5 (see policy #8), #6 (see policy #1.a), and #13; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3

The following would not meet Active Efforts related to parenting skill issues:

1. Referring parent to parenting services without also having had discussion with parent and collaterals including family members and service providers and reviewed collateral information (such as CPS history) to determine if parenting deficits are related to issues such as chemical dependency, mental health, or multi-generational involvement in the child welfare system; and if so, also coordinating services for the parent to concurrently address those other issues such as chemical dependency or mental health.
2. Referring parent to parenting education/support services without seeking input and consultation from parent in determining which parenting education/support providers to refer them to in order to determine if they already have provider, if they have positive/negative experiences with specific providers, if they have provider gender preference, if they're located at unreasonable accessibility to parent or inappropriate location due to trauma history, etc.
3. Making parent self-refer for parenting education/support services such as by giving them a list of parenting education/support providers to contact themselves.¹⁶¹
4. Not offering parent assistance in completing application or other paperwork to access parenting education/support services.
5. Not working with parent to determine transportation plan to access service or determining if parent currently has access to reliable transportation to get to mental health services.
6. Giving parent a gas voucher to get to parenting education/support services without also determining if parent has access to reliable transportation.
7. Giving parent a bus pass to get to parenting education/support services without also walking parent through the specific route(s) to take to the service.

¹⁶¹ RCW 13.38.04(1)(a)(see i, ii, and iii)

1.1 – RELATIVE/PLACEMENT SEARCH

Active Efforts are to be made to locate and preserve relative placements. ICWA specifically states that Active Efforts are intended “to maintain or reunite an Indian child with his or her family”¹⁶² and “to prevent the breakup of the Indian family”¹⁶³. ICWA and WICWA do not restrict “family” to parents or Indian custodians.¹⁶⁴ ICWA specifically identifies “child’s family” amongst those who Active Efforts are to be provided to, including as to support resources and services.¹⁶⁵ Active efforts “should be conducted in partnership with... extended family members”.¹⁶⁶

Placement of children with relatives, members of their tribe(s), and members of other tribes is a key protection for children and families under ICWA. Seeking out relatives and other priority placements under ICWA is labor intensive but is essential to comply with ICWA. Many of the highest profile (and publicly divisive) ICWA cases at the national level (where ICWA has been upheld) stem from inadequate Active Efforts to seek out relatives and other priority placements by State Agencies at early stages of cases (and consistently throughout the case). The right of children to be placed with relatives and members of their community was a driving factor for the intent and passage of ICWA.

Research has shown that children in relative placements show more positive behavioral development, mental health, and placement stability than their peers in non-relative foster placements¹⁶⁷. Placing children with relatives has also been identified to reduce risk of child being trafficked or running away¹⁶⁸. Children who are placed with relatives have been found to have a lesser risk of re-entering the child welfare system following closure of their dependency case¹⁶⁹.

In addition to mandates under ICWA and WICWA, Washington State has additional statutory mandates for prioritizing placement with relatives¹⁷⁰. Placing children with relatives also exempts children from the Adoption and Safe Families Act’s (ASFA) TPR mandates, allowing increased time for parents to work towards reunification. ASFA also outlines necessary action of State Agencies in relation to relative placement searches.¹⁷¹

For example, Washington State DCYF, like all states which LCW monitors, is currently struggling regarding placement search follow through, and as of 2019 Washington DCYF only made efforts to

¹⁶² 25 CFR § 23.2

¹⁶³ 42 USC § 1912(d). Washington State statutes also address this at RCW 13.38.040(1)

¹⁶⁴ 25 CFR § 23.2; RCW 13.38.040(8)

¹⁶⁵ 25 CFR § 23.2 (active efforts definitions #8 and #10)

¹⁶⁶ 25 CFR § 23.2

¹⁶⁷ “Health and Well-Being of Children in Kinship Care: Findings from the National Survey of Children in Nonparental Care”, Bramlett, Radel, and Chow (2017)

¹⁶⁸ “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(pages ES-3 to ES-4)

¹⁶⁹ “Re-Entry to Foster Care Report”, Jones and LaLiberte, Hennepin-University Partnership Child Well-Being (2010)(page 9)

¹⁷⁰ RCW 13.34.060, 13.34.139; WAC 110-50-0170

¹⁷¹ 42 USC § 675(5)(E)(i); 42 USC § 671(a)(29)

consult with child’s tribe to identify the tribes’ placement preferences in 46% of applicable cases involving children placed out of home¹⁷².

Active Efforts related to relative/placement search include the following:

1. Obtaining/creating a complete family tree from parents, family members, and child’s identified tribe(s) on child as early in case as possible and continuing to seek out information on gaps in family tree.
2. Consulting with child’s identified tribe(s)’s ICW program¹⁷³ (on recurring basis throughout case) to seek out potential relative or community member placement options as well as to determine tribe’s placement preferences.
3. Contacting child’s known family members¹⁷⁴ to inquire if they’re interested in placement and to seek out names of additional family members to who may be interested in placement.
4. Contacting known members of child’s tribal community/communities¹⁷⁵ to inquire if they’re interested in placement and to seek out names of additional members of child’s family or tribal community(communities) who may be interested in placement.
5. In situations where the State Agency is not located near child’s tribal community(communities), also contact Native community organizations¹⁷⁶ near the State Agency to determine if they know of any Native homes who may be potential placement options.
6. Continuing to seek out relative placement options for child throughout dependency case and re-visiting topic with relatives¹⁷⁷ who previously indicated interest in placement but were unable due to their life circumstances at time (such as not enough room in home, work schedule, etc.).

¹⁷² “Indian Child Welfare 2019 Case Review: 2019 Region 3 ICW Case Review Report”, Washington State Department of Children Youth & Families (Pg.30)

¹⁷³ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #5 (policy #8); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3 and H.4; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?); “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

¹⁷⁴ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3 and H.4; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

¹⁷⁵ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): H.4

¹⁷⁶ “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

¹⁷⁷ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3 and H.4; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5

7. When child is not placed in-home with parent or with relative, continuing to seek out members of child’s tribal community/communities¹⁷⁸ and other Native homes including re-visiting topic with potential homes who previously indicated interest in placement but were unable due to their life circumstances at time (such as not enough room in home, work schedule, etc.).
8. When there are resolvable obstacles to placement, work with potential caregivers to resolve obstacles.¹⁷⁹ For example, if there is a waivable background issue, offer to assist the potential caregiver with paperwork related to the waiver request and provide that assistance if requested; if there are not adequate smoke detectors in the home, work to obtain smoke detectors for the home; if the potential caregiver would need to obtain housing with more room for child, offer to assist the potential caregiver with housing application paperwork and provide that assistance if requested.
9. When multiple placement options are identified, pursue them concurrently.
10. Seeking placement in a tribal-licensed foster home with Native caregivers.¹⁸⁰ For example, Washington DCYF has utilized foster parents licensed by Lummi Nation (Lummi Nation is not a state-licensed child placing agency and acts under own sovereignty to license homes) for placement of DCYF-custody youth in foster care placement scenario.

The following would not meet Active Efforts related to relative/placement search:

1. Obtaining/creating an incomplete family tree but not following up with parents, family members, and child’s identified tribe(s) on child as early in case as possible and continuing to seek out information on gaps in family tree.
2. Contacting child’s identified tribe(s)’s ICW program less than once per court review period to specifically to seek out potential relative or community member placement options and determine tribe’s placement preferences.
3. Asking the child’s tribe to seek out potential relative or community member placement options without continuing to make such efforts concurrently. (This would be essentially outsourcing the obligation.)¹⁸¹
4. Contacting child’s known family members and/or known tribal community members at only one stage of the case to inquire if they’re interested in placement and to seek out names of additional family members and community members who may be interested in placement. (Doing this at only one stage would miss the placement options who’ve had life circumstances (amount of room in home, work schedule, etc.) change in way that enables them to now be placement option.
5. In situations where member of child’s family or tribal community(communities) cannot be located for placement and the State Agency is not located near child’s tribal

¹⁷⁸ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): H.4

¹⁷⁹ 25 CFR § 23.2 (“active efforts” definition examples #3, #8, and #10)

¹⁸⁰ 25 USC § 1915(b)(ii)

¹⁸¹ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3. This would be a passive action. The Merriam-Webster Dictionary defines “passive” as “acted on by an external agency”, “induced by an outside agency”, and “tending not to take an active or dominant part”.

- community(communities), concluding that there are not any Native homes who may be potential placement options with having also contacted Native community organizations near the State Agency to determine if they know of any Native homes who may be potential placement options.
6. When there are resolvable obstacles to placement, leaving it to the potential caregiver to resolve on their own to resolve. For example, telling a potential caregiver that there is background check issue but not explaining the issue, not explaining if the issue is waivable, and not offering/providing assistance to them with paperwork related to the waiver request; telling them that there are not adequate smoke detectors in the home but not working with them to obtain such smoke detectors; telling them that they would need to obtain housing with more room for child but not offering to assist the potential caregiver with housing application paperwork and provide that assistance if requested.
 7. When multiple placement options are identified, pursuing only one of them at a time.
 8. Contacting tribe's non-ICW department (such as enrollment department) in lieu of contacting ICW department for relative identification assistance or placement search assistance unless the ICW department or tribal government has indicated to do so (such as by communicating this to State Agency or designating this in current Federal Register under ICWA Designated Agents).

1.M – TRAFFICKING & EXPLOITATION

In a case, trafficking/exploitation may be a factor as to a child, a parent, or both. When the trafficking/exploitation victim is a dependent child, the State Agency has the responsibility to protect the child in a direct parental role from this. When the victim is a parent, the State Agency has the responsibility to assist the parent in terms of safety planning and services.

The level of significant risks of harm, trauma, and subsequent lifetime effects; systemic failures to respond to this issue; and the presence of persons outside the case actively targeting the victim as a profit-commodity may make trafficking/exploitation the single most vital/important Active Effort need in some cases if it is a case factor in.

Parents and children who are victims of human trafficking/sexual exploitation may experience a higher ongoing level of trauma and safety threats than other clients that State Agencies and courts encounter. Examples amongst such exploited persons include high rates of PTSD (62%), dissociation symptoms (71%), sexual assaults (92%), and neurological symptoms (92%).¹⁸² Additionally, keeping these clients safe from physical and emotional harm poses increased challenges. Due to this, extra attention and supports to these clients is needed as there is a layer of personal safety needing to be addressed before the client will mostly like be able to address other underlying issues/obstacles.

A significant amount of child victims of sex trafficking are involved in the child welfare system (estimated at 33-50%), and 29% of reports of identified “runaways” from foster care involve girls who are assessed to be likely victims of child sex trafficking. Experts in the field have alerted LCW to traffickers targeting children involved with the dependency system and traffickers being aware of DCYF practice of having dependent children stay at motels due to placement shortages (including awareness of what DCYF fleet vehicles look like). Studies have found associations between trafficking and sexual abuse, physical abuse, neglect, and being placed out of home. Trafficking victims face elevated rates of depression, anxiety, chemical dependency, and suicidality; and are at further risk of re-exploitation due to isolation from family, lost educational opportunities, entanglement with exploiters, and stigma related to their victimization.¹⁸³

Dependent youth are vulnerable to traffickers in placements such as group care placements (including Hope Centers) and are in need of active safety planning in such scenarios (both directly from traffickers and from other youth used as recruiters). LCW’s practice has been to object to placement of dependent youth in specific placements where CSEC (Commercial Sexual Exploitation of Children) risk has been identified and has provided DCYF with specific notice to not place Lummi youth in specific placements with this risk (such as a specific Whatcom County Hope Center).

¹⁸² “Human & Sex Trafficking: Trends and Responses Across Indian Country”, National Congress of American Indians Policy Research Center (2016)(pages 6-7)

¹⁸³ “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(page ES-5)

At the federal level, the Administration for Children and Families at the Department of Health & Human Services recognizes the need for a higher level of case management for trafficking victims and for specialized case management for minor trafficking victims¹⁸⁴.

Active Efforts related to trafficking & exploitation includes the following:

1. Screening parents and children¹⁸⁵ to determine if they are potential trafficking victims or at risk of trafficking¹⁸⁶. Assessing if indicators of trafficking/exploitation exists by reviewing case documentation and being aware of parent’s and child’s relationship factors, behavior consistent with trafficking/exploitation, and risk factors which may contribute to vulnerability to trafficking/exploitation. (Seeking out training/education from community victim of crime, domestic violence, and sexual assault programs is recommended.)
2. Taking steps to utilize placements other than motels, Hope Centers, and other placements identified as posing elevated CSEC risks. When tribes or other entities report CSEC incidents/risks pertaining to specific placements, take this information seriously.
3. Screening placement for CSEC risk such as if other youth in the placement have CSEC involvement and pose recruiting risk, or if placement is in area with identified CSEC risk to child. If such risk is identified, action should be taken to ensure child’s safety (such as changing placement, moving the child who poses the risk, etc.).
4. If there is reasonable cause to believe a child is (or is at risk of being) a trafficking victim, clearly documenting this in case records.¹⁸⁷
5. Coordinating trauma-informed care/services (including mental health services) as core service component which addresses the experiences that precede and result from trafficking victimization.¹⁸⁸
6. If child has been identified/indicated as victim of sex trafficking, reporting this information to law enforcement¹⁸⁹ and DCYF CPS intake¹⁹⁰ no later than 24 hours after becoming aware of this information; and hold a shared planning meeting if the child is in the care/custody of DCYF¹⁹¹.

¹⁸⁴ “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(page 3-18)

¹⁸⁵ 25 CFR § 23.2 (“active efforts” definition example # 1); “DCYF Practices and Procedures”, Washington State DCYF: #1160 (see Procedures #1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

¹⁸⁶ “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(pages 1-13 to 1-14 and 2-9 to 2-10); “DCYF Practices and Procedures”, Washington State DCYF: #1160 (see Policy #1)

¹⁸⁷ 42 USC § 671(a)(9)(C)(i)(I)

¹⁸⁸ 25 CFR § 23.2 (“active efforts” definition examples #2 and #8); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(page ES-3 to E-4 and 3-17)

¹⁸⁹ 42 USC § 671(a)(34)(A); “DCYF Practices and Procedures”, Washington State DCYF: #1160 (see Policy #2)

¹⁹⁰ “DCYF Practices and Procedures”, Washington State DCYF: #1160 (see Policy #3)

¹⁹¹ “DCYF Practices and Procedures”, Washington State DCYF: #1160 (see Policy #4)

7. When child has gone missing or absent from care, expeditiously acting to locate child¹⁹². Active and ongoing efforts to locate missing child must begin within 24 hours of DCYF becoming aware of child going missing and must continue until child is located¹⁹³.
8. When child has gone missing or absent from care, notifying law enforcement and National Center for missing and Exploited children no later than 24 hours after becoming aware of this information, determining the primary factors that contributed to child going missing/absent (and respond to these factors in current and subsequent placements), and determining child’s experiences while missing/absent including screening the child to determine if child is a possible sex trafficking victim.¹⁹⁴
9. Actively seeking out placement of child with relative and/or family-based placements and involving child’s family in case.¹⁹⁵
10. Involving child in placement decisions.¹⁹⁶
11. Asking parent and child if there is anything you can do to help them feel safe.
12. Being aware that survivors may not be comfortable disclosing history of trafficking/exploitation due to shame or due to this endangering their personal safety. Some survivors may never admit to this despite this being verified/confirmed through other means (such as police report).
13. Try to utilize the terminology the survivor uses in referring to their experiences. For example, some survivors don’t identify with the term “trafficking” for their experiences and may use the term “the life” for their experiences. Likewise, use of the term “pimp” may cause unwillingness to engage with social worker by the survivor.
14. Assessing¹⁹⁷ if non-compliance/engagement with services could be attributed to personal safety related to being a victim of trafficking/exploitation.
15. Assessing¹⁹⁸ if there is a connection between trauma of being a victim of trafficking/exploitation and mental health, chemical dependency, or other issues.

¹⁹² 42 USC § 671(a)(35); “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(pages ES-3 to ES-4)

¹⁹³ “DCYF Practices and Procedures”, Washington State DCYF: #4550 (see policy #1)

¹⁹⁴ 42 USC § 671(a)(35); “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(pages ES-3 to ES-4)

¹⁹⁵ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3 and H.4; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(pages ES-3 to ES-4)

¹⁹⁶ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”); “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”. Dept. of Health & Human Services, Administration for Children & Families (2018)(pages ES-3 to ES-4)

¹⁹⁷ 25 CFR § 23.2 (“active efforts” definition example # 1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

16. Seeking input and consultation from survivor¹⁹⁹ in determining which support/advocacy providers²⁰⁰ (such as victim of crime, child sexual exploitation, or other services) to refer them to in order to determine if they already have provider, if they have positive/negative experiences with specific providers, if they have preference as to gender of provider, if they're located at unreasonable accessibility to parent or inappropriate location due to trauma history, etc.
17. Offering survivor assistance in contacting provider to access services such as making the call with the survivor.²⁰¹
18. Offering survivor assistance in completing application or other paperwork to access services.
19. Assisting survivor with safety planning including doing everything possible to not refer them to services in a location where a trafficker or exploiter can locate them or send survivor out in public alone when that would put them in danger of being located by a trafficker or exploiter. This should be taken into high consideration when determining what transportation assistance/needs the survivor has. Giving a survivor a bus pass to get around on public transportation may actually set the survivor up for escalated endangerment.
20. Assessing if survivor's presence in a specific geographic area puts them at increased risk and assisting survivor with supports to get to a safer geographic area. For example, this may mean the survivor has need for assistance locating housing in a safer area or should not be referred for an evaluation in a city where their trafficker has presence.
21. Assisting survivor in locating legal assistance to obtain protection orders²⁰². While this survivor may already have an attorney assigned to them in their dependency case, this attorney may be carrying such a high caseload that they cannot promptly enough assist the survivor with pursuing/obtaining a protection order and the best course of action is to connect the survivor up with a community program (such as a victim of crime or domestic violence/sexual assault program)²⁰³. This would entail offering to assist the survivor with making the call to that program, assisting them with completing application paperwork for that program, and coordinating safe transportation to get to/from that program²⁰⁴. In the case of a minor who is in the legal custody of the state child welfare agency, that State Agency (as the child's legal custodian) should immediately take action to file for protection order on that child's behalf and not put the responsibility for a child to pursue/obtain protection order against their perpetrator.

¹⁹⁸ 25 CFR § 23.2 ("active efforts" definition example # 1); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

¹⁹⁹ 25 CFR § 23.2; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

²⁰⁰ 25 CFR § 23.2 ("active efforts" definition example #2)

²⁰¹ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4

²⁰² 25 CFR § 23.2 ("active efforts" definition example #2)

²⁰³ 25 CFR § 23.2 ("active efforts" definition example #2)

²⁰⁴ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.4

22. Providing collateral information on survivor's trafficking/exploitation victim background to other providers so that this can be taken into consideration in the services they provide survivor.
23. Making efforts to identify the survivor's trafficker/exploiter by name by asking the survivor, family members, service providers, or other collaterals²⁰⁵. Share this information with law enforcement, service providers, and survivor's family members for safety purposes.
24. Coordinating medical evaluation of survivor to determine if there are medical needs associated with their victimization and coordinating medical/support services related to their health.

The following would not meet Active Efforts related to trafficking & exploitation:

1. Not assessing if survivor's underlying trauma as victim of trafficking/exploitation is a factor in survivor's chemical dependency or mental health issues or coordinating services which directly address this background/status for survivor concurrent with chemical dependency and mental health services.
2. Assuming that because a survivor does not tell you that they feel unsafe that this means they feel or are safe.
3. Not assessing if survivor's personal safety related to trafficking/exploitation may be factor or obstacle in their lack of compliance/engagement in services.
4. Referring survivor to mental health services without seeking input and consultation from survivor in determining which support/advocacy providers (such as victim of crime, child sexual exploitation, or other services) to refer them to in order to determine if they already have provider, if they have positive/negative experiences with specific providers, if they have provider gender preference, if they're located at unreasonable accessibility to survivor or inappropriate location due to trauma history, etc.
5. Making survivor self-refer for trafficking/exploitation services such as by giving them a list of trafficking/exploitation service providers to contact themselves.²⁰⁶
6. Not offering survivor assistance in completing application or other paperwork to access trafficking/exploitation services.
7. Referring survivor who has been victim of trafficking/exploitation to services without working with survivor to assess their safety in specific geographic areas and taking steps ensure services occur in safe areas where they are not at risk of location by trafficker/exploiter.
8. Giving trafficking/exploitation survivor a bus pass to travel alone to/from services.
9. Leaving a victim of trafficking/exploitation to pursue/obtain protection order against their perpetrator themselves or through their public defender without also offering to connect the survivor up with a community program (such as a victim of crime or domestic violence/sexual assault program) for possible assistance with this and offering to assist the survivor with making the call to that program, assisting them with completing application

²⁰⁵ 25 CFR § 23.2; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13

²⁰⁶ RCW 13.38.040(1)(a)(see i, ii, and iii)

- paperwork for that program, and coordinating safe transportation to get to/from that program.
10. Leaving responsibility for a minor victim of trafficking/exploitation who is a state dependent to file for or obtain protection order against their perpetrator themselves.
 11. Utilizing motels, Hope Centers, or other placements vulnerable to CSEC for placement.

1.N – MISSING CHILDREN

Children in care may go missing due to a number of scenarios such as abduction, running away, or victimization through trafficking/exploitation. In the state of Texas, 3.5% of youth in open dependency cases in 2018 were reported missing at some point during the year²⁰⁷. Research has found that youth in foster care are at least twice as likely to run away as youth of the same age in the general population²⁰⁸. Research has also found that 15% of children abducted by family members are abducted from relatives or foster parents²⁰⁹.

Native women and girls are a demographic identified as being at disproportionate rate of going missing or being murdered. Native women and girls in Washington State are at elevated risk. Nationally, Washington State has the 2nd highest number of cases of missing and murdered Native women and girls while Seattle is identified as the city with the highest number of such cases in the nation.²¹⁰ This information illustrates the importance of Active Efforts being provided in relation to missing children falling under ICWA and WICWA.

It should be recognized that a child going missing is not as simple as “running away”. Youth assumed to have “run away” at their own volition may have in fact been forced, coerced, threatened, or manipulated into leaving and may not have done so at their own choice.

In Washington State, DCYF reports the following:

- Native American youth in dependency cases run from care at a disproportionately high rate²¹¹.
- The number of placements a child has had correspond with an increased risk of running from care and this risk increases as the child gets older²¹².
- Chemical dependency by both parents and the child are leading correlations with children running from care²¹³.
- Dependent youth who are placed with relatives are 3 times less likely to run from care than those placed in foster care²¹⁴.

Active Efforts related to missing children includes the following:

1. Assessing²¹⁵ whether child is missing voluntarily (such as running away at their own volition) or involuntarily (such as being abducted, being threatened into leaving, being trafficked, being influenced by parent to leave, etc.).

²⁰⁷ “Children and Youth Missing From DFPS Conservatorship & Human Trafficking Data: Fiscal Year 2018 Report”, Texas DFPS (page 2)

²⁰⁸ “Missing from Care Analysis: Part One”, Washington State DCYF (page 19)

²⁰⁹ “Children Abducted by Family Members: National Estimates and Characteristics”, Hammer, Frinkelhor, and Sedlak (2002)(pg.4)

²¹⁰ “Missing and Murdered Indigenous Women and Girls: A Snapshot of Data from 71 Urban Cities in the United States”, Urban Indian Health Institute (2018)(p.11)

²¹¹ “Missing from Care Analysis: Part One”, Washington State DCYF (pages 2-3)

²¹² “Missing from Care Analysis: Part One”, Washington State DCYF (page 4)

²¹³ “Missing from Care Analysis: Part One”, Washington State DCYF (page 5)

²¹⁴ “Missing from Care Analysis: Part One”, Washington State DCYF (page 9)

2. When child has gone missing or absent from care, expeditiously acting to locate child²¹⁶. Active and ongoing efforts to locate missing child must begin within 24 hours of State Agency becoming aware of child going missing and must continue until child is located²¹⁷.
3. When child has gone missing or absent from care, notifying law enforcement and National Center for missing and Exploited children no later than 24 hours after becoming aware of this information, determining the primary factors that contributed to child going missing/absent (and respond to these factors in current and subsequent placements), and determining child’s experiences while missing/absent including screening the child to determine if child is a possible sex trafficking victim.²¹⁸
4. Contacting child’s parents²¹⁹, extended family²²⁰, tribe²²¹, known friends, attorney, guardian ad litem, and school staff when child has gone missing to inform them child has gone missing and seek their assistance in locating child; and repeating these steps more than once per month while child remains missing.
5. Going to known potential locations where child may be more than once per month while child remains missing (or coordinating law enforcement to do such checks if locations pose immediate safety risks).
6. Actively seeking out placement of child with relative and/or family-based placements and involving child’s family in case.²²²
7. Involving child in placement decisions.²²³

²¹⁵ 25 CFR § 23.2 (“active efforts” definition example #1); “A Guide to Compliance with the Indian Child Welfare Act”; National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

²¹⁶ 42 USC § 671(a)(35); “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(pages ES-3 to ES-4)

²¹⁷ “DCYF Practices and Procedures”, Washington State DCYF: #4550 (see policy #1)

²¹⁸ 42 USC § 671(a)(35); “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(pages ES-3 to ES-4)

²¹⁹ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

²²⁰ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts’”); “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5

²²¹ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²²² 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3 and H.4; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)(pages ES-3 to ES-4)

²²³ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What

8. Asking child if there is anything you can do to help them feel safe and less likely to go missing.
9. Safety planning for child including doing everything possible to not refer them to services in a location where someone who has caused child to go missing can locate them or sending child out in public alone when that would put them in danger of going missing. This should be taken into high consideration when determining what transportation assistance/needs the child has. Giving a child a bus pass to get around on public transportation may actually set the child up for escalated risk of going missing.
10. Assessing²²⁴ if child's presence in a specific geographic area puts them at increased risk of going missing. For example, this may mean the child should not be referred for an evaluation in a location where a previous/potential abductor has presence.
11. Immediately obtaining protection orders on behalf of child (as child's legal guardian) against person(s) who has caused or may cause child to go missing and not put the responsibility on the child to pursue/obtain protection order.

The following would not meet Active Efforts related to missing children:

1. Making single effort to locate missing child per month.
2. Only contacting one parent, one extended family member (if more than one is known), and one friend of child (if more than one is known) once per month while child is missing.
3. Only going to (or coordinating law enforcement going to if there is immediate safety) known locations where child may be less than once per month while child is missing.
4. Referring child who has gone missing to services without assessing their safety in specific geographic areas and taking steps ensure services occur in safe areas where they are not at risk of going missing.
5. Having child who has gone missing travel unsupervised and/or giving them bus pass to travel alone to/from services.
6. Assuming that because a child does not tell you that they feel unsafe that this means they feel or are safe.
7. Leaving a child to pursue/obtain protection orders against person(s) who has caused or may cause child to go missing rather than obtaining one on behalf of child as their legal guardian.

Are 'Active Efforts'); "Report to Congress: The Child Welfare System Response to Sex Trafficking of Children", Dept. of Health & Human Services, Administration for Children & Families (2018)(pages ES-3 to ES-4)

²²⁴ 25 CFR § 23.2 ("active efforts" definition example #1); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'")

1.0 – VISITATION

ICWA²²⁵ specifically places visitation within the expectations of Active Efforts.

Reunification is more likely to occur when children/youth have regular visitation with their parents²²⁶, which puts visitation under the umbrella of efforts/services to reunite child with family²²⁷ and prevent the breakup of the family²²⁸. Visitation is a key factor in timely reunification and other forms of permanency²²⁹. Visitations also provide an opportunity to comply with ICWA’s Active Efforts requirement to assess the circumstances of the family²³⁰, as visitation itself serves as a key assessment tool²³¹ as to the parents/child/family.

Active Efforts related to visitation include the following:

1. Supporting regular visits between child and parents (and Indian Custodians if applicable to case) in the most natural setting possible.²³²
2. Supporting visitation at the home of the parents (and Indian Custodians if applicable to case) as soon as this would be consistent with need to ensure child’s safety, health, and welfare.²³³
3. Assisting child and parents (and Indian Custodians if applicable to case) in maintaining an ongoing familial relationship.²³⁴
4. Coordinating visitation between child and siblings (including dependent and non-dependent siblings, and minor and adult siblings) as frequently as possible unless this is unsafe or contrary to child’s welfare.
5. Arranging for and ensuring visitation between child and extended family throughout the case unless this is unsafe or contrary to child’s welfare.²³⁵
6. Conducting safety checks of parents’ (and Indian Custodians’ if applicable to case) home(s) to determine if visitation is safe to occur there. This should occur as early in case as possible²³⁶ and be re-evaluated on recurring basis throughout case. If the home does not pass a safety check, identify what the specific concerns needing to be remedied are, and work directly with parent to remedy these specific issues (for example, if the home is without electricity, assist the parent with accessing low-income emergency assistance).

²²⁵ 25 CFR § 23.2 (“active efforts” definition example #7)

²²⁶ “Supporting Successful Reunification”, ACF/HHS (2017)(page 5); “Judicial Oversight of Parental Visitation in Family Reunification Cases”, Edwards, *Juvenile and Family Court Journal* (Summer 2003)(page 3)

²²⁷ 25 CFR § 23.2

²²⁸ 25 CFR § 23.120(a); 25 USC § 1912(d)

²²⁹ “Dependent Children in Washington State: Case Timelines and Outcomes, 2018 Annual Report”, Washington State Center for Court Research, Administrative Office of the Courts (2019)(page 15)

²³⁰ 25 CFR § 23.2 (“active efforts” definition example #1)

²³¹ “Judicial Oversight of Parental Visitation in Family Reunification Cases”, Edwards, *Juvenile and Family Court Journal* (Summer 2003)(pages 6-8)

²³² 25 CFR § 23.2 (“active efforts” definition example #7)

²³³ 25 CFR § 23.2 (“active efforts” definition example #7)

²³⁴ “A Guide to Compliance with the Indian Child Welfare Act”; National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

²³⁵ “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

²³⁶ 25 CFR § 23.2 (“active efforts” definition: see term “timely”)

7. Assess the circumstances of the family²³⁷ to determine what visitation settings (including both location and visit supervisor/monitor) would be the most natural. This should include discussion with child²³⁸, parents²³⁹ (and Indian Custodians if applicable to case), extended family²⁴⁰, and tribe²⁴¹; and seeking out potential visitation supervisor/monitor options.
8. Assessing²⁴² (on recurring basis) if any capacity issues are affecting visitation occurring consistently.
9. Coordinating visitation occurring at earliest point possible²⁴³.

The following would not meet Active Efforts related to visitation:

1. Coordinating visitation occurring at State Agency office without concurrently seeking out more natural settings (such as parent or relative home, location in community where child is more comfortable, etc.).
2. Conducting one safety check of parent’s home at the onset of case and not re-evaluating the safety issues throughout the case to determine if it is a safe location for visitation.
3. Identifying a safety concern as to the parent’s home which makes it unsuitable for visitation but leaving it to the parent to seek out and obtain services to remedy the concern.
4. Coordinating parent-child visitation but not also actively attempting to coordinate visitation between child and their siblings and extended family members.
5. Determining what most/more natural visitation settings would be without seeking input from child, parents (and Indian Custodians if applicable to case), extended family, and tribe.
6. Submitting referral for professional visitation supervisor/monitor without concurrently seeking out input from child, parents (and Indian Custodians if applicable to case), extended family, and tribe to determine if there are potential visitation supervisors/monitors who could provide a more natural visitation setting.
7. Coordinating visitation, but not at earliest point it would have been possible to do so.
8. Leaving it to parent to seek out potential visitation/monitor options²⁴⁴ or waiting for parent to volunteer most/more natural visitation settings.

²³⁷ 25 CFR § 23.2 (“active efforts” definition examples #1 and #7)

²³⁸ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3

²³⁹ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

²⁴⁰ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts?’”); “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5

²⁴¹ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁴² 25 CFR § 23.2 (“active efforts” definition example #1)

²⁴³ 25 CFR § 23.2 (“active efforts” definition: see term “timely”)

²⁴⁴ RCW 13.38.04(1)(a)(see i, ii, and iii)

2. OTHER CONSIDERATIONS:

LUMMI NATION EXPECTATIONS

This section outlines other considerations related to Active Efforts including imminent risk of harm, documentation, tribal consultation, resource shortages, and how many efforts are required.

2.A – IMMEDIATE RISK

Active Efforts being unlikely to resolve or remedy the immediate existing imminent risk of harm to the child does not remove the obligation for Active Efforts to be provided. A child being removed due to imminent risk of harm does not remove the obligation for State Agencies to make or continue to make active efforts.

If child is at immediate/imminent risk, a removal may occur without Active Efforts having occurred. However, that risk must be at level outlined in ICWA/WICWA: “imminent physical damage or harm”.²⁴⁵ ICWA and WICWA specifically frame imminent/immediate risk in terms of likelihood to result in serious emotional or physical damage.²⁴⁶

The Cambridge Dictionary defines “imminent” as “likely to happen very soon”.²⁴⁷ Washington State DCYF further defines “imminent” as “the potential to occur at any moment, or there is substantial likelihood that harm will be experienced.”²⁴⁸ If the risk is not at this level, removal may not occur absent Active Efforts having been provided first.

Imminent risk does not create an exception to the providing of Active Efforts. While existing imminent risk of harm to the child may make removal of the child into custody by law enforcement or the court necessary and the immediate risk is so high to the child that there is not time to implement Active Efforts to prevent the removal²⁴⁹, Active Efforts must still be made immediately and on ongoing basis²⁵⁰.

For example, in a situation where there is an established connection between a parent’s chemical dependency and specific physical abuse circumstances, and the parent is continuing to actively use the substance connected to physical abuse at high level, this could be a scenario in which immediate imminent risk of harm exists to the child and Active Efforts to facilitate the parent’s entry into chemical dependency services may not resolve the immediate existing risk of harm to that child at that point in time. In this scenario, as the child is removed into protective custody by law enforcement or an emergency pick up order is issued by court at that specific time, Active Efforts to facilitate chemical

²⁴⁵ 25 CFR § 23.113; RCW 13.38.140

²⁴⁶ 25 CFR § 23.121; RCW 13.38.130

²⁴⁷ Cambridge Dictionary

²⁴⁸ “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13

²⁴⁹ 25 USC § 1922

²⁵⁰ 25 CFR § 23.2 and 23.120; 25 USC § 1912(d); RCW 13.38.040(1)(see a and b) and 13.38.130(1); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1, E.2, E.5, E.6, H.4; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #6 (see Policy #1(i)), #13 (see Definitions: “Active Efforts”), and #14 (see Appendix A); “DCYF Practices and Procedures”, Washington State DCYF: #4250 (see Purpose, Policy #11(J), and Policy #12(C)(i)), #4304 (see Purpose and Policy #2), #43068(2), #4308 (see Policy #10(b), #43091 (see Purpose: Case Planning/Court Report), #4535 (see Purpose and Policy #4)); “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 3.1, 3.2, 3.3, 11.10, 12.1, 12.4; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When should ‘Active Efforts’ be Made” and “What Are ‘Active Efforts’”; and “When Can a Child in an ICWA Case be Removed From Home?”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What are ‘Active Efforts’? What considerations should be made in an ICWA case?”); “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): ii, iii, and iv.

dependency services for that parent must be made at that specific time regardless of the child being removed. Active efforts at the point of removal are not to be delayed or postponed until the shelter care or dependency establishment stage of the case.

2.B – TIMELY EFFORTS

A key requirement of Active Efforts under Federal and Washington State’s ICWA is that they be timely²⁵¹. The Merriam-Webster dictionary defines “timely” as “coming early”²⁵², which is also supported by the BIA’s guidance that Active Efforts be provided at the “earliest point possible”²⁵³. The Cambridge dictionary defines “timely” as “happening at the best possible moment” and “given or made at a suitable moment, esp. now”²⁵⁴.

Timely efforts refers not just to point in time as to the process/stage of a case in the macro level (i.e. prior to child entering care, point of entering care, shelter care stage, dependency stage, permanency stage, etc.), but also to point in time as to parent’s day to day functioning in the micro level (i.e. what factors parent is dealing with that day, what time of day a service is coordinated, etc.). Efforts which are made but are not made in timely manner do not meet ICWA’s requirements.

Research establishes a connection between getting parents connected with services more quickly, increased likelihood of reunification, and children spending less time in foster care²⁵⁵. Time is of the essence in dependency cases. Research indicates that the probability of reunification is the greatest during the first 4 months following removal and drops significantly after being in care for 6 months²⁵⁶.

A point of reference within Washington State DCYF policy²⁵⁷ is that DCYF considers 60 calendar days from child’s original placement date to identify a child’s permanent plan to be timely effort to achieve permanency for that child; which indicates that by 60 days from entering care, necessary efforts, services, and assessments are expected to have occurred at degree of thoroughness to adequately inform DCYF in development of permanent plan.

Examples of Timely Efforts include the following:

1. Assessing²⁵⁸ if a moment is a best possible moment to coordinate services and proceeding accordingly. For example: Looking for indications if the parent is at that moment dealing with trauma, mental health, medical, or other factor which could interfere with their ability to follow through with or understand the service you’re trying to coordinate. Then, proceeding accordingly, for example: Seeking available meeting times that best accommodate parent’s

²⁵¹ 25 CFR § 23.2; RCW 13.38.040(1)(a); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13 (see Definitions: Active Efforts); “Online FAQ”, National Indian Child Welfare Association: #13 (“What are ‘Active Efforts’? What considerations should be made in an ICWA case?”)

²⁵² Merriam-Webster dictionary

²⁵³ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.5

²⁵⁴ Cambridge Dictionary

²⁵⁵ “Do drug treatment services predict reunification outcomes of mothers and their children in child welfare?”, Grella, Needell, Shi, and Hser (2008)

²⁵⁶ “Achieving Timely Reunification”, Carnochan, Lee, and Austin, Journal of Evidence-Based Social Work, 10: 179-195 (2013)(pages 181-182)

²⁵⁷ “DCYF Practices and Procedures”, Washington State DCYF: #4250 (see Policy #11(k))

²⁵⁸ 25 CFR § 23.2 (“active efforts” definition example #1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”)

medical issues and ability to best participate and process information, rescheduling appointment to assist parent with completing services application until a PTSD episode such as a panic attack has passed, etc.

2. Following up efforts made at point of child’s removal (a moment of high trauma for all parties) with repeating of these efforts after that date to ensure likelihood of understanding and successful engagement. For example: On date child is removed, offering to help parent with call to domestic violence program to coordinate services. Upon meeting again with parent, the next day and/or the following week, again offering to help parent with call to domestic violence program to coordinate services.
3. Beginning Active Efforts with family when they are involved with State Agency in voluntary case or child protective services investigation (whichever is earliest) prior to removal, protective custody, or filing of dependency petition.
4. In a case which commences suddenly at point of child’s removal due to imminent risk (such as a child entering protective custody via law enforcement without a CPS report/investigation leading up to it), beginning Active Efforts immediately upon State Agency learning of or suddenly moving to enact child’s removal.
5. When an inaccessible/unlocated parent becomes accessible/located, acting at earliest point possible to make contact and commence efforts to coordinate services/supports.
6. When a new service need has been identified or ordered (such as when a parent who has not had chemical dependency issues develops new chemical dependency issues), acting at earliest point possible to commence efforts to coordinate services/supports addressing that new issue.

The following would not be Timely Efforts:

1. Coordinating services at poor times. For example, offering to transport a parent to a psychological evaluation when they’ve just learned that their parent has passed away; offering to assist a parent with completing a housing application while they are having a mental health episode related to being bi-polar; or scheduling parent for a meeting at a time of day (when there are other better meeting time options) when a medical condition symptom is likely to arise which will interfere with the quality of the meeting.
2. Making efforts made at point of child’s removal (a moment of high trauma for all parties) without repeating of these efforts after that date to ensure likelihood of understanding and successful engagement. For example: On date child is removed, offering to help parent with call to domestic violence program to coordinate services. However, upon meeting again with parent the next day and/or the following week, the offer to help parent with call to domestic violence program to coordinate services is not repeated.
3. Beginning Active Efforts with family who has been involved with State Agency in voluntary case or child protective services investigation at point of or after removal, protective custody, or filing of dependency petition.
4. In a case which commences suddenly at point of child’s removal (such as a child entering protective custody via law enforcement without a CPS report/investigation leading up to it), beginning Active Efforts after first hearing or later.
5. When an inaccessible/unlocated parent becomes accessible/located, making contact or commencing efforts to coordinate services/supports several weeks later or longer.

6. When a new service need has been identified or ordered (such as when a parent who has not had chemical dependency issues develops new chemical dependency issues), commencing efforts to coordinate services/supports addressing that new issue several weeks later.

2.C – DOCUMENTATION OF ACTIVE EFFORTS

ICWA requires that Active Efforts not only be made, but that they be documented in detail²⁵⁹. Making Active Efforts but not documenting the specific Active Efforts does not meet ICWA’s requirements. Simply writing “Active Efforts were made” in a dependency petition, court report, or case note does not meet the Active Efforts documentation requirement.

Dependency petitions, court reports, and case notes should report the specific Active Effort made. As the court must ensure that Active Efforts have occurred²⁶⁰, Active Efforts must be detailed in the court record and not only in State Agency case records. The burden of evidence as to documentation of Active Efforts is clear and convincing evidence for foster care placement and beyond reasonable doubt for termination of parental rights²⁶¹.

Documentation should include²⁶²:

1. The specific issues the family is facing which the State Agency is targeting with Active Efforts.
2. List of specific Active Efforts the State Agency determines would best address the specific issues the family is facing and the State Agency’s reasoning for choosing those specific Active Efforts.
3. Dates, persons contacted, and other details evidencing how the State Agency provided Active Efforts.
4. Results of the specific Active Efforts provided and where the results were less than satisfactory, whether the State Agency adjusted the Active Efforts to better address the specific issues.

When Active Efforts have been made but have been unsuccessful, the case record cannot just state Active Efforts were unsuccessful. The case record must document the specific Active Efforts and explain how/why they were unsuccessful.²⁶³

The Lummi Nation concurs with the National Council of Juvenile and Family Court Judges that State Agencies should submit affidavits to the court documenting Active Efforts and that these affidavits should document the following²⁶⁴:

1. Description of Active Efforts to provide remedial services and rehabilitative programs designed to prevent the breakup of the family; and if these efforts were unsuccessful, why they were unsuccessful.

²⁵⁹ 25 CFR § 23.120(b); RCW 13.38.040(1)(b); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.6; “DCYF Practices and Procedures”, Washington State DCYF: #4250 (see Policy #12) #4308 (see Policy #10), and #4535 (see Policy #4); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “When Can a Parent in an ICWA Case Have Their Parental Rights Terminated?”; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi)

²⁶⁰ 25 CFR § 23.120

²⁶¹ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.6

²⁶² “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.6

²⁶³ “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “When Can a Child Be Removed from the Home?” and “When Can a Parent in an ICWA Case Have Their Parental Rights Terminated?”; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

²⁶⁴ “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

2. Description of efforts to coordinate with tribe in assisting the parents (and Indian Custodians if applicable) with services needed to avoid the need for placement; and if unsuccessful, an explanation of how/why these efforts were unsuccessful.
3. Explanation of why child cannot be protected from the identified problems in the home even if services were/are provided to the child and family.
4. Explanation of diligent Active Efforts made to contact child’s extended family, tribe, and local Native organizations regarding potential placement options for child (including relatives, other tribal members, and other Native families).
5. Description of Active Efforts and arrangements to ensure visitation with child’s parents, siblings, extended family members, and other tribal members to support child’s cultural connections.
6. Description of State Agency’s plan to coordinate with child’s tribe and family to identify significant cultural events and important familial events; and to arrange for child’s attendance.
7. Detailed description of Active Efforts to reunify family since last hearing; and if not successful, an explanation of why these efforts were unsuccessful.

The Lummi Nation concurs with the National Council of Juvenile and Family Court Judges that state Termination of Parental Rights petitions should document the following²⁶⁵:

1. Detailed description of Active Efforts made to provide remedial and rehabilitative programs designed to prevent the breakup of family; and if unsuccessful, an explanation of why these efforts were unsuccessful.
2. Detailed explanation of Active Efforts made to coordinate with tribe in assisting parents (and Indian Custodians, if applicable) with services needed to avoid Termination of Parental Rights; and if unsuccessful, an explanation of why efforts were unsuccessful.
3. Description of Active Efforts made to contact child’s extended family, tribe, and local Native organizations regarding potential placement options for child (including relatives, other tribal members, and other Native families).

Examples of Good Documentation of Active Efforts:

- a. “Social worker met with mother 10/29/18 at the mother’s home and discussed why DCYF is requesting a chemical dependency evaluation. DCYF offered to assist mother in contacting chemical dependency provider to coordinate the evaluation, and mother requested this assistance. DCYF and mother made call together to Lummi Counseling Services and scheduled an appointment for chemical dependency evaluation 11/1/18. DCYF offered to transport mother to the 11/1/18 evaluation, which mother declined, stating that she has a reliable car and enough gas to drive herself to the appointment.”
- b. “Social worker arrived at father’s home 12/4/19 as arranged to transport father to scheduled psychological evaluation appointment. Social worker made contact with father after arriving at father’s home, and father refused to travel with social worker to the scheduled appointment, stating they did not wish to go. Social worker attempted to persuade the father to travel with them or with a family member to the appointment, but the father refused further discussion with social worker and closed the door. Active effort to transport father to psychological evaluation appointment was unsuccessful.”

²⁶⁵ “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): vii

Examples of Inadequate Documentation of Active Efforts:

- a. “Social worker made Active Efforts to link mother up with chemical dependency services in October 2018.”
- b. “Agency referred mother for mental health appointment during this review period.”
- c. “Social worker made Active Efforts to coordinate parenting services for mother, but this was unsuccessful.”

2.D – TRIBAL CONSULTATION

Tribal consultation²⁶⁶ is a necessary cornerstone²⁶⁷ under ICWA and is essential in reaching positive case outcomes. Regular tribal consultation will strengthen Active Efforts as tribal agencies are key sources of information (ranging from identification of relatives to availability of services to locating an unengaged parent). Tribal programs often have knowledge which State Agencies do not have.

It is important to note that consultation entails discussion before an ultimate decision is reached. Informing the tribe of an already made decision is not consultation. In scenarios not involving reaching a specific decision, consultation would entail discussion including exchange of information and sharing professional opinions to reach a better understanding. In scenarios where State Agencies are under policy restrictions or state/federal law restrictions where there are absolutely no provisions for appeals, waivers, or overrides up the chain of command in terms of a specific decision; this should be made clear to tribal programs while still making note of the position of the tribe.

The level of involvement different tribes maintain in cases can vary as the level of resources at different tribes can vary dramatically (and can vary from year to year and even within a year). Lack of involvement or availability for consultation is typically due to resource shortages and limited staff at a specific tribe. A lack of involvement or availability should not be interpreted as the tribe not having interest in a case and should not be taken to mean that ICWA's mandates no longer apply. ICWA's application to a case (and mandates in a case) are not contingent upon the involvement of the tribe in the case.

Tribal consultation should occur at the following stages:

- Receipt of a CPS intake involving a child known to be or potentially connected to that tribe.
- CPS investigation.²⁶⁸
- Decision-making regarding potentially removing a child into custody.²⁶⁹
- Point of removal of child.²⁷⁰

²⁶⁶ 25 CFR § 23.2; "Indian Child Welfare Policies and Procedures", Washington State DCYF: #13; "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'"); National Indian Child Welfare Association "Online FAQ": #13 "What are 'active efforts?' What considerations should be made in an ICWA case?"

²⁶⁷ National Indian Child Welfare Association "Online FAQ": #13 "What are 'active efforts?' What considerations should be made in an ICWA case?"

²⁶⁸ "Indian Child Welfare Policies and Procedures", Washington State DCYF: #5 (see Policy #8); "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'"); National Indian Child Welfare Association "Online FAQ": #13 "What are 'active efforts?' What considerations should be made in an ICWA case?"

²⁶⁹ 25 CFR § 23.2 ("active efforts" definition example #3); "Indian Child Welfare Policies and Procedures"; Washington State DCYF: #6 (see Policy #1.a); "Guidelines for Implementing the Indian Child Welfare Act"; BIA (2016): E.3; "Indian Child Welfare Act Judicial Benchbook", National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "What Services are Required in ICWA Cases?" (see "What Are 'Active Efforts'"); National Indian Child Welfare Association "Online FAQ": #13 "What are 'active efforts?' What considerations should be made in an ICWA case?"

- Point court action is initiated.
- Shelter care and fact-finding stage of legal case.²⁷¹
- Review periods between hearings.²⁷²
- Decision-making regarding reunification.²⁷³
- Decision-making regarding permanency planning.²⁷⁴
- Decision-making regarding termination of parental rights.²⁷⁵
- Decision-making regarding dependency case closure.²⁷⁶

Tribal consultation should occur regarding the following:

- Assessment of risk of harm to child.²⁷⁷
- Background on the circumstances of the child and parents including strengths and obstacles.²⁷⁸

²⁷⁰ 25 CFR § 23.2 (“active efforts” definition example #3); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁷¹ “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

²⁷² “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

²⁷³ 25 CFR § 23.2 (“active efforts” definition example #3); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁷⁴ 25 CFR § 23.2 (“active efforts” definition example #3); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁷⁵ 25 CFR § 23.2 (“active efforts” definition example #3); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁷⁶ 25 CFR § 23.2 (“active efforts” definition example #3); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁷⁷ 25 CFR § 23.2 (“active efforts” definition example #1); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

- Identification of family’s support system.²⁷⁹
- Identification of relative and tribal/community member potential placement options.²⁸⁰
- Placement changes.²⁸¹
- Available services and resources known to tribe.²⁸²
- Short and long-term decision making.

²⁷⁸ 25 CFR § 23.2 (“active efforts” definition example #1); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁷⁹ 25 CFR § 23.2 (“active efforts” definition example #1); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁸⁰ 25 CFR § 23.2 (“active efforts” definition example #3); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁸¹ 25 CFR § 23.2 (“active efforts” definition example #3); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

²⁸² 25 CFR § 23.2 (“active efforts” definition example #3); “Indian Child Welfare Policies and Procedures”; BIA (2016): E.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts’”); National Indian Child Welfare Association “Online FAQ”: #13 “What are ‘active efforts?’ What considerations should be made in an ICWA case?”

2.E – RESOURCE SHORTAGES

ICWA does not allow waiver of its Active Efforts requirements due to lack of resources by State Agencies or courts²⁸³. Children, parents, and families are entitled to their Active Efforts rights regardless of State Agencies' resource shortages.

Lack of adequate resources for social services programs is an issue nation-wide for federal, tribal, and state programs. Unfortunately, there is no indication that social services programs will be resourced at the level they need to be able to meet the many obligations they are assigned in the near future. This is frustrating for federal, tribal, and state social services programs and their staffs. Federal, tribal, and state social workers work extremely hard and this should be recognized by everyone.

Common explanations given by State Agencies for not meeting Active Efforts requirements are their being under-staffed resulting in extremely high caseloads and lack of training provided to them regarding ICWA (particularly on Active Efforts). This often leaves state social workers ill prepared to understand and meet their State Agency's Active Efforts obligations.

State Agencies are encouraged to be transparent and up front about Active Efforts shortfalls occurring due to resource shortages rather than argue for exemption from Active Efforts due to this (which is not permitted under ICWA), attempting to argue that non-Active Efforts should be found to be Active Efforts, or attempting to argue that incomplete Active Efforts meet ICWA's mandates.

When a State Agency has not been able to provide consistent Active Efforts at all stages of the case as required by ICWA due to resource shortages, State Agencies and courts are encouraged to use this as good cause exemption to not terminate parental rights under the Adoption and Safe Families Act when child has been out of parental care 15 of the most recent 22 months²⁸⁴.

²⁸³ "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 12.4

²⁸⁴ 42 USC § 675(5)(E)(ii); "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 19.9

2.F – HOW MANY ACTIVE EFFORTS ARE REQUIRED?

The amount of Active Efforts required will depend on the circumstances of the case²⁸⁵. A key guiding word in ICWA and DCYF policy is “thorough”²⁸⁶, which the Merriam-Webster dictionary defines as “complete in all respects”²⁸⁷.

If risk factors identified include chemical dependency-related neglect, exposure to domestic violence, and lack of safe and stable housing; and Active Efforts were made in relation to domestic violence and housing but not as to chemical dependency, then sufficient Active Efforts have not been met. In this scenario, while some Active Efforts were made, the State Agency did not complete Active Efforts and left a key Active Effort (as to chemical dependency, which could be the key determining factor in whether reunification successfully occurs) not done. Incomplete partial Active Efforts should not be viewed as meeting ICWA’s expectations.

At minimum, Active Efforts to assess/address/resolve each/every identified potential capacity issue, safety issue, risk issue, parenting issue, and obstacle should occur at least once per court review period.

When a parent cannot be located by a State Agency, it is not possible for that State Agency to coordinate services for them. In such scenarios, the State Agency should focus Active Efforts on locating the parent and collecting collateral information on that parent (from family members, providers, tribe, etc.). In scenario where there is a parent who cannot be located, so long as the State Agency is following through with complete Active Efforts to locate the parent and to collect collateral information each review period (and has consulted with tribe and family in relation to assessing parent and identify what appropriate services and providers would be), Active Efforts would be met for that review period as to that parent even though that parent may not have been connected to any services.

²⁸⁵ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1 and E.4; “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?); “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.4

²⁸⁶ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13

²⁸⁷ Merriam-Webster dictionary

2.G – WHEN HAVE ACTIVE EFFORTS PROVED UNSUCCESSFUL?

ICWA and WICWA specifically reference the need to determine whether Active Efforts have proved unsuccessful before the State Agency seeks to remove a child into out of home placement or seeking to terminate parental rights²⁸⁸.

When Active Efforts have been unsuccessful, the case record must document the specific Active Efforts made and specifically how they were unsuccessful²⁸⁹. LCW concurs with the National Council of Juvenile and Family Court Judges²⁹⁰ that the State Agency should submit affidavit describing Active Efforts made and explaining whether/why these efforts were unsuccessful for dispositional, review, permanency, and termination of parental rights hearings.

Examples of when Active Efforts have proved unsuccessful:

1. State Agency has assessed²⁹¹ (including family’s impression) if services have been successful and how services may need to change to obtain success²⁹²; and services were adjusted accordingly if not successful. Services were adjusted to better obtain success, but services were still unsuccessful.
2. Active Efforts have occurred (and been documented) at necessary level throughout duration of case and throughout involvement with State Agency but have not resulted in remedying imminent risk of harm or obstacles to reunification.
3. Example scenario of Active Efforts proving unsuccessful in relation specifically to a parent’s chemical dependency issues:
 - a. State Agency coordinated UA’s for parents
 - b. State Agency social worker assisted parent in contacting chemical dependency program to schedule chemical dependency evaluation
 - c. Social worker coordinated ride to transport parent to/from chemical dependency evaluation appointment
 - d. Social worker reviewed results/recommendations of chemical dependency evaluation with parent and assisted parent in contacting chemical dependency provider to access ongoing IOP services
 - e. Social worker coordinated transportation for parent to get to/from IOP services on ongoing basis and continued to assess on ongoing basis if the parent had obstacles in getting to/from this service

²⁸⁸ 25 USC § 1912(d); RCW 13.38.130(1)

²⁸⁹ “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “When Can a Child in an ICWA Case Be Removed From the Home?” and “When Can a Parent in an ICWA Case Have Their Parental Rights Terminated”

²⁹⁰ “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): iv, v, and vi

²⁹¹ 25 CFR § 23.2 (“active efforts” definition example #1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

²⁹² “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

- f. Social worker maintained ongoing communication with parent and chemical dependency provider to determine how services are going
- g. After learning that a person with history of physically assaulting parent is utilizing the same provider, social worker coordinated another provider for parent to do IOP through
- h. Despite making the above efforts consistently through duration of case, parent continued to use substances at rate/level which leaves them unable to safely care/supervise child, indicating that Active Efforts pertaining to chemical dependency-related neglect were unsuccessful

Examples of when Active Efforts have not proved unsuccessful:

- 1. State Agency has coordinated services but has not assessed (including family's impression) if services are/have been successful; and if unsuccessful, has not adjusted services accordingly to better obtain success.
- 2. Active Efforts have occurred (or been documented) at necessary level inconsistently (or less) throughout duration of case and throughout involvement with State Agency, negatively impacting opportunity for Active Efforts to succeed.
- 3. Example scenario of Active Efforts not having proved unsuccessful in relation specifically to a parent's chemical dependency issues:
 - a. State Agency coordinated UA's for parents
 - b. State Agency social worker assisted parent in contacting chemical dependency program to schedule chemical dependency evaluation
 - c. Social worker coordinated ride to transport parent to/from chemical dependency evaluation appointment
 - d. Social worker reviewed results/recommendations of chemical dependency evaluation with parent and assisted parent in contacting chemical dependency provider to locate ongoing IOP services
 - e. Social worker gave parent bus pass to get to/from IOP services by themselves without assessing/determining parent's capacity to successfully travel on public transportation; and subsequently did not learn that the parent has literacy issues affecting their ability to navigate that process.
 - f. Social worker maintained inconsistent communication with parent and chemical dependency provider to determine how services are going; and subsequently did not learn that a person with history of physically assaulting parent is utilizing the same provider, which resulted in parent becoming afraid for safety and experiencing trauma triggers, leading to parent not consistently attending IOP.
 - g. While some Active Efforts were made in this process, key Active Efforts were not made in relation to risk of chemical dependency-related neglect and did not prove unsuccessful.

2.H – CULTURALLY APPROPRIATE SERVICES

(Note: See Baseline Capacity Assessment: Cultural Connections section earlier in this guide.)

ICWA²⁹³ and Washington DCYF policy²⁹⁴ require that Active Efforts be provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child’s tribe. ICWA²⁹⁵ and WICWA²⁹⁶ require that services be provided in culturally appropriate manner; including family preservation strategies; and preventative, remedial, and rehabilitative services.

Culture and what is culturally appropriate not only varies from tribe to tribe but can vary from family to family within each tribe. For this reason, State Agencies need to be proactive and work with each family to determine what culture means to both their tribe and their family, so that services can be tailored to the needs of that family.

Research has found a connection between a provider’s level of cultural competency and increased success in meeting case goals²⁹⁷. One study found that a residential treatment program serving Native adolescents that integrated Dialectical Behavioral Therapy with specific cultural, traditional, and spiritual practices and consultation with leaders and spiritual practitioner from local tribe achieved a rate of 96% of these adolescents being “recovered” or “improved”²⁹⁸.

The following are examples of culturally appropriate services:

1. Seeking consultation from parents, child, Indian custodians (if applicable), child and parents’ tribe(s) (note that child and parents may have different tribal affiliations/backgrounds)²⁹⁹ and child’s family³⁰⁰ members to assess³⁰¹/determine what types of culturally appropriate services could be provided to the family.
2. After determining what services are available, arranging for the best-fitting culturally appropriate services³⁰² out of those options.
3. Positive Indian Parenting curriculum³⁰³
4. Integrating cultural elements/practices into services³⁰⁴

²⁹³ 25 CFR § 23.2; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3

²⁹⁴ “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13

²⁹⁵ 25 CFR § 23.2 (“active efforts” definition example #5)

²⁹⁶ RCW 13.38.040(1)(a)

²⁹⁷ “Evidence-Based Elements of Child Welfare In-Home Services”, D’Aunno, Boel-Studt, and Landsman, Journal of Family Strengths (Vol.14, Iss.1, Article 3)(2014)(page 11)

²⁹⁸ “Facing Addiction in America – The Surgeon General’s Report on Alcohol, Drugs, and Health”, U.S. Department of Health & Human Services (2016)(page 4-36)

²⁹⁹ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3

³⁰⁰ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 12.5

³⁰¹ 25 CFR § 23.2 (“active efforts” definition example #1); “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”)

³⁰² “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?)

³⁰³ “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.3

5. Utilizing/incorporating tribal/Native spiritual practices and providers³⁰⁵
6. Trauma-informed counseling services which incorporate best practices in addressing historical and intergenerational trauma³⁰⁶
7. Utilizing tribal-specific services as first preference if available (for example, a chemical dependency program based specifically around Lummi parent's Lummi cultural norms/norms), more general Native-based services if tribal-specific program is not available (for example, a general Native-based parenting education program for a Blackfeet parent residing in Seattle, which is at distance from Blackfeet-specific parenting education programs), and services that are not Native-based if neither option is available.
8. For a parent who has cultural practices in which there are interaction protocols (such as gender interaction protocols), coordinating providers or services environments which best fit within those protocols.
9. Services operated by child or parent's tribe, such as chemical dependency, mental health, victim of crime, or housing programs.
10. Coordinate services occurring in most culturally appropriate location possible. For example, the parent's home may be more culturally centered environment than a provider office.³⁰⁷

The following are not examples of culturally appropriate services:

1. Referring parent to services without assessing/determining (and without seeking consultation with tribe and family) if they are the best-fitting culturally appropriate services available³⁰⁸.
2. Arranging for lesser-fitting services when better -fitting culturally appropriate services are available. For example, referring parent to a non-Native general parenting curriculum-based service program when Positive Parenting curriculum service program is available.
3. Referring parent to mental health counseling provider without determining if they provide trauma-informed services or incorporate best practices in addressing historical and intergenerational trauma or determining if such a provider is available.
4. Referring parent to a general Native-based service without determining if a tribal-specific service is available to that parent or referring parent to a non-Native-based service without determining if a tribal-specific or Native-based service is available to parent.
5. Upon learning of parent having cultural practices in which there are interaction protocols (such as gender interaction protocols), referring parent to providers without seeking out providers or services environments which best fit within those protocols.

³⁰⁴ "Substance Abuse: Clinical Issues in Intensive Outpatient Treatment", Treatment Improvement Protocol Series (No.47), Center for Substance Abuse Treatment, Substance Abuse and Mental Health Services Administration (2006)(Chapter 10)

³⁰⁵ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3

³⁰⁶ "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.3

³⁰⁷ "Violence Against American Indian and Alaska Native Woman and the Criminal Justice Response: What is Known", Bachman, Zaykowski, Kallmyer, Poteyeva, and Lanier (2008)(page 129)

³⁰⁸ "Online FAQ", National Indian Child Welfare Association: #13 ("What Are 'Active Efforts?'" What considerations must be made in an ICWA case?)

2.1 – IN-HOME vs. OUT OF HOME

ICWA and its’ Active Efforts requirements apply both to in-home and out of home cases. While there is more attention paid to ICWA’s application when out of home placement is being pursued or has occurred, ICWA³⁰⁹ and WICWA³¹⁰ requirements to prevent removal/breakup and maintain the child with their family mean that Active Efforts must begin prior to removal occurring or being pursued (such as during the CPS investigation stage). This also means that once a child has been placed back with parent while the dependency case remains open, Active Efforts are required to continue as this would be a scenario in which removal/breakup is being prevented and family placement maintained. In a scenario where a child in a dependency case has not been removed from the parent’s care and has been placed with the parent the duration of the dependency case, Active Efforts are required as this would be a scenario in which removal is being prevented.

If a voluntary³¹¹ non-dependency case where the child is in-home proceeds towards an involuntary removal or a dependency filing, there will have been opportunity for the State Agency to have made Active Efforts and the court is to ensure that Active Efforts have been made prior to the removal/filing.

Delivering Active Efforts to families when the child is in-home can significantly reduce the risk of that child being removed. For example, research has found that when out of home placement is being considered, Family Team Decision Meetings (where parents, family members, and service providers consult/work together to explore options) have resulted in the children remaining in-home in 48%-50% of cases (70% when model fidelity is strong)³¹².

Research has found that children who have had dependency cases closed to reunification with a parent following having been placed in foster care re-enter the child welfare system and are subsequently placed again in foster care at rate of 15% (and in some states as high as 26%)³¹³, which illustrates the

³⁰⁹ 25 CFR § 23.2 and 23.120(a); 25 USC § 1912(d); “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #5 (see Purpose and Policy #9) and #13 (Active Efforts definition); “DCYF Practices and Procedures”, Washington State DCYF: #4250 (see Policy #12(C)(i) and #43091 (see Purpose); “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.1 and E.5; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When Should Active Efforts Be Made”, “What Are Active Efforts”, “When Can a Child in an ICWA Case Be Removed From the Home”, and “When Can a Parent in an ICWA Case Have Their Parental Rights Terminated”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?); “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 3.1, 3.2, 11.10, 12.1, 13.6; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): ii, iii, iv, v, vi, vii

³¹⁰ RCW 13.38.040(1)(a)(i); RCW 13.38.040(1)(b); RCW 13.38.130(1); “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #5 (see Purpose and Policy #9) and #13 (Active Efforts definition); “DCYF Practices and Procedures”, Washington State DCYF: #4250 (see Policy #12(C)(i) and #43091 (see Purpose).

³¹¹ “A Guide to Compliance with the Indian Child Welfare Act”; National Indian Child Welfare Association (2016): “What is a ‘Child Custody Proceeding’ for the Purpose of ICWA?”; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 17.14

³¹² “Evidence-Based Elements of Child Welfare In-Home Services”, D’Aunno, Boel-Studt, and Landsman; Journal of Family Strengths (Vol.14, Iss.1, Article 3)(2014)(page 9)

³¹³ “Re-Entry to Foster Care Report”, Jones and LaLiberte, Hennepin-University Partnership Child Well-Being. (2010)(page 3)

need for Active Efforts to be made while the child is with the parent and not stop at point of in-home placement.

2.J – INDIAN CUSTODIANS

ICWA³¹⁴ and WICWA³¹⁵ are clear that Active Efforts are required to be made not only towards parents, but towards Indian Custodians.

An Indian Custodian is any Indian person who has legal custody of an Indian child under tribal law/custom or state law³¹⁶; or has been transferred temporary physical care, custody, and control by the parent³¹⁷. Tribal law/custom or state law may be utilized³¹⁸ to demonstrate who is an Indian custodian

It is a common cultural norm throughout Native communities for extended family members to take on roles/responsibilities for children which are often limited to biological parents in western family constructs. For example, a grandmother may be the primary caregiver for an extended period of time or an uncle may be in role of disciplinarian or teaching of primary life skills. Often when a parent is struggling with keeping child safe or meeting their needs, family members will intervene and take on the role of primary caregiver to child on short or long-term basis and may or may not seek out legal structure of guardianship or non-parental/3rd party custody. It is common in Native communities for such caregivers to never seek out formal legal custody through a court order as this is a cultural practice/norm which dates to time immemorial.

In such a scenario, such as a child being in the care of a grandparent who does not have legal custody through a court order at the time removal of child is being pursued or has occurred, Active Efforts must be provided to that grandparent and this must occur as long as the case remains open.

³¹⁴ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): E.2; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “What Are ‘Active Efforts?’”); “Online FAQ”, National Indian Child Welfare Association: #13 (“What Are ‘Active Efforts?’” What considerations must be made in an ICWA case?); “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 3.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): ii, v, and vi

³¹⁵ RCW 13.38.040(1)(a and b); “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13;

³¹⁶ 25 CFR § 23.2; 25 USC § 1903(6); RCW 13.38.040(10); “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): L.11; “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 3.3; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017)(page 8)

³¹⁷ 25 CFR § 23.2; RCW 13.38.040(10); “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): L.11

³¹⁸ 25 CFR § 23.2; “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #13; “Guidelines for Implementing the Indian Child Welfare Act”, BIA (2016): L.11

2.K – VOLUNTARY CASES

While ICWA does not outright require that Active Efforts occur in all voluntary cases, if such cases end up proceeding towards a removal or a dependency case, the State Agency is required to have made Active Efforts prior³¹⁹ to this, which means the voluntary case stage would have been a period when Active Efforts are to have occurred. In Washington State, WICWA³²⁰ specifically requires Active Efforts to have occurred during voluntary cases prior to moving to remove that child or pursue dependency proceedings.

If there is any risk or any chance that a family involved in a voluntary case will have child removed or a dependency case will open, the State Agency should begin Active Efforts in the voluntary case as quickly as possible.

³¹⁹ 25 CFR § 23.120(a); “Indian Child Welfare Policies and Procedures”, Washington State DCYF: #6 (Policy #1.a); “A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007): 11.10; “Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017): ii; “A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016): “What Services are Required in ICWA Cases?” (see “When Should ‘Active Efforts’ Be Made”)

³²⁰ RCW 13.38.040(1)(a)(i)

2.L – TERMINATING PARENTAL RIGHTS

Before a Termination of Parental Rights may occur, the court must again determine that Active Efforts have occurred and have proven unsuccessful³²¹. These are separate findings from those at the onset of the case, and before a State Agency determines that pursuing TPR is appropriate, they should review whether Active Efforts have been made consistently throughout the case including if these are documented in the case record. If Active Efforts have not consistently occurred and been documented in the case record, pursuit of TPR would not comply with ICWA or WICWA, and the State Agency should be transparent regarding this if there are issues.

The Adoption and Safe Family Act's TPR mandates do not override or change ICWA's requirements³²². This means that in a scenario where a child has been out of parental care for 15 or more of the last 22 months, but Active Efforts didn't occur or weren't documented, terminating parental rights would violate ICWA.

Active Efforts towards reunification with the parents must continue until parental rights have been terminated³²³.

³²¹ 25 CFR § 23.120(a); 25 USC § 1912(d); RCW 13.38.130(1)(1); "Guidelines for Implementing the Indian Child Welfare Act", BIA (2016): E.5; ; "A Guide to Compliance with the Indian Child Welfare Act", National Indian Child Welfare Association (2016): "When Can a Parent in an ICWA Case Have Their Parental Rights Terminated?"; "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 3.2, 11.10, 12.1, and 13.6; "Indian Child Welfare Act Judicial Benchbook", National Council of Juvenile and Family Court Judges (2017): vii

³²² "A Practical Guide to the Indian Child Welfare Act", Native American Rights Fund (2007): 12.7, 13.6, 19.9

³²³ "DCYF Practices and Procedures", Washington State DCYF: #43068(2)

3. EXAMPLE CASE SCENARIOS:

3. – EXAMPLE CASE SCENARIOS

EXAMPLE #1

Family consists of mother, father, 5-year-old daughter, and newborn son. The parents are in their 30's and have been together for 6 years.

The parents are chemically dependent (heroin). No prenatal medical services were obtained during the pregnancy. The mother tested positive for opiates at the time of son's birth. The newborn son was born underweight and testing positive for opiates, and a medical hold was placed by the hospital to get the child through opiate withdrawals. The medical hold was expected to last 2 weeks. The mother appeared withdrawn and initiated little interaction with the newborn. The father was present at the hospital but slept nearly his entire time present, and when awake appeared to be possibly be under the influence. Medical staff called in a CPS intake regarding these concerns the day of the child's birth.

The family resides in a city with population of 90,000 that is 15 miles from the reservation where both parents are tribal members and the children are eligible for tribal membership. The parents have been struggling with chemical dependency for the past year. The father has been arrested for driving under the influence and for possession of controlled substance in the last 60 days. The mother suffered the loss of her sister to a homicide one year ago. The mother was a victim of a sexual assault in the city as a teenager, in a location which is now one block away from several chemical dependency and mental health providers. The parents have a car, but it frequently breaks down. The parents lost their employment several months ago as their chemical dependency issues escalated. Both parents are close with their families who live in the area.

Active Efforts factors (note: this is not complete, merely examples of where to start):

1. The child is on a 2 week hold at hospital. This means that imminent risk of harm to the child does not exist and there is time to initiate Active Efforts (and see if they are successful or not) before reaching decision regarding if a dependency petition will be pursued before the hospital hold will be ending.
2. Chemical dependency-related neglect is a risk posed by the mother. Mental health issues are also indicated as to the mother which may affect her ability to safely parent.
3. Chemical dependency-related neglect and failure to be a protective factor are risks posed by the father.
4. If discussion with the parents, their families, and the tribe did not occur regarding capacity issues and what lead to this situation, the State Agency may not know information relevant to Active Efforts including the length of the parents' chemical dependency issues, the mother's trauma background including sexual assault (and it being tied to a specific location) and recent death of sister, the parents' employment situation, and parents' transportation situation. Not knowing this information could result in setting up the parents to fail.
5. Services the mother should have made available to her include chemical dependency services (evaluation and recommended services), mental health services (specifically including addressing trauma), transportation assistance (as her car does not appear reliable, providing her with a ride to the service or providing her with a bus pass if she appears able to manage using public transportation and walking her through the routes to get to where she needs to go), vocational rehabilitation (as losing employment may affect her ability to maintain housing and

- her chemical dependency and mental health issues contributed to losing employment), and parenting education (related to prenatal care and to care of a medically fragile child).
6. Services the father should have made available to him include chemical dependency services (evaluation and recommended services), transportation assistance (as her car does not appear reliable, providing him with a ride to the service or providing him with a bus pass if he appears able to manage using public transportation and walking him through the routes to get to where he needs to go), vocational rehabilitation (as losing employment may affect his ability to maintain housing and his chemical dependency contributed to losing employment), and parenting education (related to prenatal care, care of a medically fragile child, and being protective factor when other parent is not).
 7. Due to mother’s trauma history related to a specific location near several chemical dependency and mental health providers, mother should be asked if she’d prefer to be referred to providers in a different location.
 8. Both parents should be asked if they have preference for specific providers, if they have positive/negative history with specific providers, and if they’d like assistance in contacting providers to set up/schedule services. If they’d like such assistance, make the calls to the prospective providers together with the parents.
 9. Have ongoing conversations with parents regarding services and if they’re experiencing in obstacles as to services (getting to the appointments, negative experience with provider, etc.). Also have ongoing conversations with the providers regarding if they’re observing any obstacles with the parents.
 10. Have ongoing discussions with parents, their families, and the tribe regarding potential placement options if the state were to file for dependency. If any potential options are available, the State Agency should move quickly to conduct background checks to determine if placement would be possible.
 11. If Active Efforts are not proving successful, as evidenced by factors such as parents continuing to actively use or declining to engage in services after Active Efforts were made, and there is identified specific risk of harm to child; consult with the tribe regarding making decision regarding if there is need to file dependency petition.
 12. Documenting all specific Active Efforts made in case notes and in dependency petition. (i.e. “DCYF social worker met with mother on 8/15/19 and made call along with mother to Cascade Mountains Chemical Dependency Services and scheduled chemical dependency evaluation 8/17/19. Social worker coordinated DCYF staff to give mother ride to this evaluation.”)

EXAMPLE #2

Family consists of 17-year-old mother and 1-year-old daughter.

The mother is a dependent minor in custody of state child welfare agency. The daughter is not in a dependency case and resides with the mother in a licensed foster home in a large city of 700,000 that is 90 miles away from the mother and child’s tribe’s (both are members) reservation. The father has not been identified by the mother.

The mother has been in open dependency case since age 8 and has been through 30 placements in the past 9 years. The mother has not had consistent parent figures modeling safe/stable/appropriate parenting to her throughout her life. The mother has history of going missing, and prior to her child’s birth, she was trafficked and sexually exploited. The mother has used drugs/alcohol at stages of her teen years. The mother has been open in sharing her life experiences with her state social worker. The

mother does not have a driver’s license and is significantly behind academically after going through high number of placements, runaway episodes, and trafficking episodes.

The mother has recently been exhibiting a pattern of leaving her daughter unsupervised and associating with persons with concerning criminal history (although the mother has not taken her daughter around those persons). The State Agency believes it’s appropriate to file a dependency petition on the daughter. The mother’s foster parents are willing to be placement for the daughter.

Active Efforts factors (note: this is not complete, merely examples of where to start):

1. As the adults in the home are licensed foster parents who are willing to be caregivers, a safety plan or voluntary services case could resolve any existing imminent risk of harm and prevent the need for a dependency case on the daughter.
2. It is already known by the State Agency that the mother grew up without consistent foundational parenting modeling. The mother’s demonstration of parenting skill deficits is most likely related to this.
3. It is already known by the State Agency that the mother is a victim of trafficking/sexual exploitation and that there is significant trauma related to this. The mother is at high risk of being further victimized, particularly in a city of this size.
4. It is already known by the State Agency that the mother has history of chemical dependency.
5. It is already known by the State Agency that the mother is unable to drive herself to services or appointments.
6. It is already known by the State Agency that the mother is significantly academically behind, which potentially affects capacity related to things such as literacy and ability to navigate public transportation.
7. Neglect is the identified concern as to the mother. Potential failure to protect is also indicated as to the mother.
8. While the State Agency does have some key information, discussion with the mother, her family, the foster parents, and the tribe should still occur regarding capacity issues and what lead to this situation as there could still be information relevant to Active Efforts. Not knowing adequate information could result in setting up the parent to fail.
9. Services the mother should have made available to her include parenting education (geared both towards parenting very young children and long-term parenting skills), victim of crime services (both general and for victims of trafficking/exploitation, and may include assistance in seeking protection orders), mental health services (specifically addressing trauma), transportation assistance (providing her with rides to services, assessing if public transportation is appropriate or not, and walking her through bus routes to ensure she understands before giving her bus pass), education supports/advocacy, independent living skills supports/services, and chemical dependency services (relapse prevention as there is no direct indication of a relapse).
10. Due to mother’s victimization and trauma history, mother should be asked if she’d prefer to be referred to providers in a different location. Mother should also not be referred to services in a location that put her at risk (such as trafficking risk).
11. Mother should be asked if she has preference for specific providers, if she has positive/negative history with specific providers, and if she’d like assistance in contacting providers to set up/schedule services. If she’d like such assistance, make the calls to the prospective providers together with the parents. Due to mother’s academic setbacks, mother should be provided direct assistance in completing any paperwork to access services.

12. Have ongoing conversations with mother regarding services and if she’s experiencing obstacles as to services (getting to the appointments, negative experience with provider, etc.). Also have ongoing conversations with the providers regarding if they’re observing any obstacles with the mother.
13. Have ongoing discussions with mother, her family, and the tribe regarding potential placement options if the state were to file for dependency. If any potential options are available, the DCYF should move quickly to conduct background checks to determine if placement would be possible. Even if a non-relative foster placement is identified by the mother, the State Agency still must explore relative and tribe placement options.
14. If Active Efforts are not proving successful, as evidenced by factors such as the child continuing to be left without supervision, parent allowing unsafe persons to have access to the child, or declining to engage in services after Active Efforts were made, and there is identified specific risk of harm to child; consult with the tribe regarding making decision regarding if there is need to file dependency petition.
15. Documenting all specific Active Efforts made in case notes and in dependency petition. (i.e. “DCYF social worker met with mother on 8/15/19 and made call along with mother to Northwest Positive Indian Parenting Program. DCYF social worker transported mother to parenting classes on 8/21/19, 8/23/19, and 8/25/19.”)

EXAMPLE #3

Family consists of a father and his 8-year-old son. The child’s mother is deceased. This dependency case has been open for 4 years and has been referred to as being at an advanced stage.

A new state social worker has just been assigned to the case and is concerned that the agency has not been making Active Efforts or at least has not been documenting Active Efforts in court documents or case notes. The state social worker wants to go into the next dependency review hearing demonstrating compliance with providing and documenting Active Efforts for the current review period.

Active Efforts factors to review by the newly assigned worker (note: this is not complete, merely examples of where to start):

1. What specific safety factors are identified in the dependency petition, in subsequent court reports, and in State Agency case notes from the onset of the case through the current review period?
2. What specific services/supports needs are identified to address the specific safety needs and to guide the parent towards successful reunification from the onset of the case through the current review period?
3. What specific services/supports has the State Agency coordinated for the parents, when did this occur, and was it successful or not in remedying the identified safety risks?
4. What did the State Agency specifically do to facilitate each service and resolve all identified obstacles?
5. What did the State Agency do to assess the parent’s capacity issues (literacy challenges or disabilities, for example) which affect their ability to successfully engage in services, and what was done to specifically resolve any identified obstacles?
6. Regardless of whether Active Efforts were made in the prior review period, they are still required to occur in the current review period. A court report containing Active Efforts from the prior review period in absence of Active Efforts which occurred in the current review period does not meet Active Efforts obligations for the current review period.

7. Document clearly in detail in court report what specific Active Efforts were made this review period.
8. Document clearly in detail in case notes when specific Active Efforts are made as they occur.
9. Consult with the parent, their family, and the tribe regarding what specific Active Efforts have been made and if there have been specific shortfalls as to Active Efforts.
10. If the child has been out of home near 15 of the last 22 months, is there documentation of consistent Active Efforts having been provided through that entire 22-month range or is there, for example, only Active Efforts documented during a single court review period during that 22-month range?

4. BIBLIOGRAPHY:

4 – BIBLIOGRAPHY

STATUTES

FEDERAL

“Indian Child Welfare Act”: Public Law 95-608; 25 CFR Part 23; 25 USC Chapter 21

<https://www.nicwa.org/wp-content/uploads/2016/11/IndianChildWelfareActof1978.pdf>

<https://www.gpo.gov/fdsys/pkg/CFR-2017-title25-vol1/xml/CFR-2017-title25-vol1-part23.xml>

<http://uscode.house.gov/view.xhtml?path=/prelim@title25/chapter21&edition=prelim>

US Code Title 25: 25 USC § 1903

<https://www.law.cornell.edu/uscode/text/25/1903>

“Adoption and Safe Families Act”: Public Law 105-89

<https://www.congress.gov/105/plaws/publ89/PLAW-105publ89.pdf>

<https://www.law.cornell.edu/uscode/text/42/675>

“Preventing Sex Trafficking and Strengthening Families Act”: Public Law 113-183

<https://www.congress.gov/113/plaws/publ183/PLAW-113publ183.htm>

<https://www.law.cornell.edu/uscode/text/42/671>

WASHINGTON STATE

“Indian Child Welfare Act”: RCW 13.38

<https://app.leg.wa.gov/RCW/default.aspx?cite=13.38>

“Juvenile Court Act”: RCW 13.38

<https://apps.leg.wa.gov/rcw/default.aspx?Cite=13.34>

“Washington Administrative Code”: “Child Welfare”: Chapter 110-50 WAC

<https://apps.leg.wa.gov/WAC/default.aspx?cite=110-50>

FEDERAL GUIDELINES

“Guidelines for Implementing the Indian Child Welfare Act”, Bureau of Indian Affairs (2016)

<https://www.bia.gov/sites/bia.gov/files/assets/bia/ois/pdf/idc2-056831.pdf>

WASHINGTON STATE POLICIES/PROCEDURES

“Indian Child Welfare Policies and Procedures”, Washington State Department of Children, Youth, and Families (Implemented in September 2016)

<https://www.dcyf.wa.gov/indian-child-welfare-policies-and-procedures>

“Practices and Procedures”, Washington State Department of Children, Youth, and Families (Implemented as of 2018)

<https://www.dcyf.wa.gov/practices-and-procedures>

PUBLICATIONS/ RESEARCH/REPORTS/STUDIES

“A Guide to Compliance with the Indian Child Welfare Act”, National Indian Child Welfare Association (2016)

https://www.nicwa.org/wp-content/uploads/2016/11/Guide_ICWA_Compliance.pdf

<https://www.dcyf.wa.gov/indian-child-welfare-policies-and-procedures/14-appendices>

“A Practical Guide to the Indian Child Welfare Act”, Native American Rights Fund (2007, ongoing updated online publication)

<https://www.narf.org/nill/documents/icwa>

“Achieving Timely Reunification”, Carnochan, Lee, and Austin; Journal of Evidence-Based Social Work, 10: 179-195 (2013)

<https://www.contracosta.ca.gov/DocumentCenter/View/31229/TOC-CW-C3?bidId=>

“Brief of Casey Family Programs, Child Welfare League of America, Children’s Defense Fund, Donaldson Adoption Institute, North American Council on Adoptable Children, Voice for Adoption, and Twelve Other National Child Welfare Organizations as Amici Curiae in Support of Respondent Birth Father” (3/28/13), U.S. Supreme Court case # 12-399

<https://www.cwla.org/wp-content/uploads/2014/05/No12-399AdoptiveCouplesBabyGirlAmicusBrief.pdf>

Cambridge Dictionary

<https://dictionary.cambridge.org/us>

“Children Abducted by Family Members: National Estimates and Characteristics”, Hammer, Frinkelhor, and Sedlak, National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children; Office of Justice Programs (October 2002)

<https://www.ncjrs.gov/pdffiles1/ojdp/196466.pdf>

“Children and Youth Missing From DFPS Conservatorship & Human Trafficking Data: Fiscal Year 2018 Report”, Texas Department of Family and Protective Services (2019)

[https://www.dfps.state.tx.us/About_DFPS/Reports_and_Presentations/Agencywide/documents/2019/2019-06-](https://www.dfps.state.tx.us/About_DFPS/Reports_and_Presentations/Agencywide/documents/2019/2019-06-04_Children_Youth_Missing_from_DFPS_Conservatorship_and_Human_Trafficking_Data_FY2018.pdf)

[04_Children_Youth_Missing_from_DFPS_Conservatorship_and_Human_Trafficking_Data_FY2018.pdf](https://www.dfps.state.tx.us/About_DFPS/Reports_and_Presentations/Agencywide/documents/2019/2019-06-04_Children_Youth_Missing_from_DFPS_Conservatorship_and_Human_Trafficking_Data_FY2018.pdf)

“Dependent Children in Washington State: Case Timelines and Outcomes, 2018 Annual Report”, Washington State Center for Court Research, Administrative Office of the Courts (2019)
<https://www.courts.wa.gov/subsite/wsccr/docs/2018DTR.pdf>

“Do drug treatment services predict reunification outcomes of mothers and their children in child welfare?”, Grella, Needell, Shi, and Hser. (2008)
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2848488>

“Establishing Standards for the Placement of Indian Children in Foster or Adoptive Homes, to Prevent the Breakup of Indian Families, and for Other Purposes”, Tom Udall (1978)
<https://narf.org/nill/documents/icwa/federal/lh/hr1386.pdf>

“Evidence-Based Elements of Child Welfare In-Home Services”, D’Aunno, Boel-Studt, and Landsman; Journal of Family Strengths (Vol.14, Iss.1, Article 3)(2014)
<https://digitalcommons.library.tmc.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1247&context=jfs>

“Facing Addiction in America – The Surgeon General’s Report on Alcohol, Drugs, and Health”, U.S. Department of Health & Human Services (2016)
https://www.ncbi.nlm.nih.gov/books/NBK424857/pdf/Bookshelf_NBK424857.pdf

“Health and Well-Being of Children in Kinship Care: Findings from the National Survey of Children in Nonparental Care”, Bramlett, Radcliff, and Chow (2017)
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5798622>

“Hidden Consequences: The Impact of Incarceration on Dependent Children,” Eric Martin, NIJ Journal 278, March 2017.
<https://www.ojp.gov/pdffiles1/nij/250349.pdf>

“Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report from the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs”, US Dept. of Housing and Urban Development, Office of Policy Development and Research (2017)
<https://www.huduser.gov/portal/sites/default/files/pdf/HNAIHousingNeeds.pdf>

“Housing Needs of American Indians and Alaska Natives in Tribal Areas: A Report from the Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs, Executive Summary”, US Dept. of Housing and Urban Development, Office of Policy Development and Research (2017)
<https://www.huduser.gov/portal/sites/default/files/pdf/HousingNeedsAmerIndians-ExecSumm.pdf>

“Human & Sex Trafficking: Trends and Responses Across Indian Country”, National Congress of American Indians Policy Research Center (2016)
<https://www.courts.ca.gov/documents/BTB24-4L-6.pdf>

“The Impact of Family Reunification Versus Family Maintenance on the Transmission of Intergenerational Child Maltreatment”, Barajas and Wuest (2014)
<https://pdfs.semanticscholar.org/6690/c25b1a7339fe7a528338675051b95d6cb386.pdf>

“Incarceration and CPS Involvement”, Berger, Cancian, Cuesta, and Noyes (2016)

<https://www.irp.wisc.edu/publications/fastfocus/pdfs/FF24-2016.pdf>

“Indian Child Welfare 2019 Case Review: 2019 Region 3 ICW Case Review Report”, Washington State Department of Children Youth & Families

“Indian Child Welfare Act: A pilot study of compliance in North Dakota”, Jones, Gillette, Painte, and Paulson (2000)

“Indian Child Welfare Act Judicial Benchbook”, National Council of Juvenile and Family Court Judges (2017)

<https://www.ncjfcj.org/publications/indian-child-welfare-act-judicial-benchbook>

“Indian Child Welfare Case Review: 2015 Report, State and Regional Results”, Washington State Tribes and the Department of Social and Health Services Children’s Administration

“Intergenerational Trauma: The Relationship Between Residential Schools & the Child Welfare System Among Young People Who Use Drugs in Vancouver Canada”, Barker, Sedgemore, Tourangeau, Lagimodiere, Milloy, Dong, Hayashi, Shoveller, Kerr, and DeBeck (2019)

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6650326/>

“Judicial Oversight of Parental Visitation in Family Reunification Cases”, Judge Leonard P. Edwards, Juvenile and Family Court Journal (Summer 2003)

https://www.courts.ca.gov/documents/BTB_XXII_VA_4.pdf

“Measuring Compliance with the Indian Child Welfare Act: An Assessment Toolkit”, Summers & Wood (2014)

Meriam-Webster Dictionary

<https://www.merriam-webster.com>

“Missing and Murdered Indigenous Women and Girls: A Snapshot of Data from 71 Urban Cities in the United States”, Urban Indian Health Institute (2018)

<http://www.uihi.org/wp-content/uploads/2018/11/Missing-and-Murdered-Indigenous-Women-and-Girls-Report.pdf>

“Missing From Care Analysis: Part One”, Washington State Department of Children Youth & Families (2019)

https://www.dcyf.wa.gov/sites/default/files/pdf/reports/2019_MissingfromCareAnalysis.pdf

“Offending Behaviour: the role of trauma and PTSD”, Vittoria Ardino (2012)

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3402156>

“Online FAQ”, National Indian Child Welfare Association

(<https://www.nicwa.org/families-service-providers>)

“Principals of Drug Addiction Treatment: A Research-Based Guide (Third Edition)”, National Institute on Drug Abuse (January 2018)

<https://www.drugabuse.gov/publications/principles-drug-addiction-treatment-research-based-guide-third-edition/preface>

“Public Health Approaches to Child and Parent Screening: Implications for Child Protection”, Sheila Smith (2012)

<https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?article=1062&context=jlp>

“Re-Entry to Foster Care Report”, Jones and LaLiberte, Hennepin-University Partnership Child Well-Being (2010)

http://cascw.umn.edu/wp-content/uploads/2014/02/Re-entry-Report_Feb-2010_Final_rev.pdf

“Relationship Between Drug Use and Intimate Partner Violence: A Longitudinal Study Among Women Receiving Methadone”, El-Bassel, Gilbert, Wu, Go, and Hill (2005)

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1449203>

“Report to Congress: The Child Welfare System Response to Sex Trafficking of Children”, Dept. of Health & Human Services, Administration for Children & Families (2018)

<https://www.cwla.org/wp-content/uploads/2019/08/Child-Welfare-System-Response-to-Sex-Trafficking-of-Children-Aug2019.pdf>

“Substance Abuse: Clinical Issues in Intensive Outpatient Treatment”, Treatment Improvement Protocol Series (No.47), Center for Substance Abuse Treatment, Substance Abuse and Mental Health Services Administration (2006)

<https://www.ncbi.nlm.nih.gov/books/NBK64093>

“Substance use, childhood traumatic experience, and Posttraumatic Stress Disorder in an urban civilian population”, Khoury, Tang, Bradley, Cubells, and Ressler (2010)

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3051362>

“Supporting Successful Reunification”, Bulletin for Professionals, Administration for Children and Families, Department of Health and Human Services (2017)

https://www.childwelfare.gov/pubPDFs/supporting_reunification.pdf

“Technical Assistance Bulletin: Disproportionality rates for children of color in foster care (Fiscal Year 2014)”, Woods & Summer, National Council of Juvenile and Family Court Judges: Reno, NV (2016)

“Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey”, A.B. Rosay, US Department of Justice (2016).

<https://www.ncjrs.gov/pdffiles1/nij/249736.pdf>

“Violence Against American Indian and Alaska Native Woman and the Criminal Justice Response: What is Known”, Bachman, Zaykowski, Kallmyer, Poteyeva, and Lanier (2008).

<https://www.ncjrs.gov/pdffiles1/nij/grants/223691.pdf>

“Washington State Indian Child Welfare Case Review: 2012 Report, State and Regional Results”, Washington State Department of Social and Health Services Children’s Administration

5. ACTIVE EFFORTS CHECKLISTS:

Attached are checklists for suggested use to guide determination of whether Active Efforts have been met, where improvements are needed, what steps/actions have been missed, etc. These checklists are suggested/recommended for use to better ensure service delivery and, more importantly, better ensure that good case outcomes are achieved. However, it should be noted that Active Efforts must be tailored to each specific case, and these checklists are not definitive to cover the specifics of all cases.

Check lists are provided here in the following 3 categories:

1. **Baseline:** This checklist is to address the underlying baseline issues and capacity issues involved in the case.
2. **Specialized:** This checklist is to address the specific issues being targeted in the case.
3. **Other Considerations:** This checklist is to review other necessary considerations.

Active Efforts Checklist: Baseline Capacity Assessment

Clients: _____

Time Period: _____

Agency / Worker(s): _____

Assessing Safety and What Active Efforts are Needed				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Met with Child	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Met with Parents	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Met with Extended Family	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Consulted with Child's Tribe(s)	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Reviewed background check materials including child protective services and child welfare history and criminal/arrest records	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Communicated with child/family service providers & mandated reporters who have been around the family	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Distinguished what identified risks are immediate/imminent, short-term, and long-term risks.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Consulted with an Indian Expert Witness.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

STRENGTHS				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Asked the parent/family about what their strengths are and assisted them in identifying their strengths.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked the parent/family about what things they're doing well or have previously done well.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent if they understand/retain information better by having things explained in writing or verbally.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family what kind of routine the household maintains.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family what things helped them successfully close dependency/CPS case with children remaining or returning to their care.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked the parent/family's support system & providers about the parent/family's strengths.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Tailored services/plans around parents' strengths.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

TRANSPORTATION ACCESS				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Assessed & asked parent/family about their transportation access.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Asked parent/family if they have vehicle which runs reliably.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family if they rely on friends/family to transport them & if those persons are reliable about being able to get them places on time.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family if they use public transportation & live within proximity to public transportation.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family if they understand how to use and are comfortable using public transportation; and if they've had any challenges using it.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if the amount of time it would take parent to utilize public transportation would negatively affect ability to keep up with parenting responsibilities and schedule deadlines.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent if they need a ride to court, meetings, or services and coordinating ride for them if needed.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family's support system & providers about the parent/family's transportation access/challenges.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if parent's transportation is safe; and if unsafe, coordinated safe means of travel.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Provided bus passes after determining parent is competent to safely & successfully use public transportation.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Provided gas vouchers after determining parent has access to functioning vehicle.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

COMMUNICATION ACCESS				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Asked parent/family about their communication access and what there is.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed & asked if parent/family has consistent reliable communication access; if their phone is consistently in service or something they struggle with; if they reside in an area where service reception can be inconsistent; and if there is limited number of phones in the household (and if they are they carried by different persons at different times).	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family if they're unable to be reached or out of phone service, is there a backup contact that can be used to relay messages?	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed & asked if parent/family need assistance in obtaining phone access; and If so, assisted them in accessing phone access services (including assisting them with completing & submitting paperwork; and coordinating transportation to get to service if in-person-presence required).	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked if parent/family have consistent mail address they're able to conveniently access; and If not, assisted them in identifying way to consistently/reliably receive mail.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family's support system & providers about the parent/family's communication access/ challenges.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Regularly asked/asks the parent/family if any of their contact info has changed.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
When parent partners each have their own phone, calls/texts each of them.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

FINANCIAL OBSTACLES				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Assessed/asked the parent/family if they struggle financially and if this is a stress/anxiety factor.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked employed parent if engaging in services & court would affect ability to maintain employment. If so, made all efforts to coordinate services & court to least disrupt ability to maintain employment.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family if they can consistently financially afford gas/mileage/fare to get to services & court. If not, made all efforts to coordinate services & court around financial abilities and offer transportation.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if parent/family appear to struggle with maintaining budget. If so, coordinated financial education services being made available.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family what financial supports they receive.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Researched what financial supports are available to family (such as TANF, GA, DVR, Food Assistance, Etc.) and actively assisted parent/family with applying for & accessing services (including assisting them with contacting and getting to service), if needed.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family's support system and providers if parent/family may be facing financial challenges.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

HEALTH OBSTACLES				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Assessed/asked the parent if they have any physical health issues. If so, determined if these issues do/could impact their ability to get to and/or engage in specific services and how services can be coordinated in way that accommodates this.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed/asked the parent if they have any mental health issues. If so, determined if these issues do/could impact their ability to get to and/or engage in specific services and how services can be coordinated in way that accommodates this.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family's support system & providers if parent/family have any health issues/challenges.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
--------	---	--	--	--

COGNITIVE OBSTACLES				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Took parent's age into consideration & adjusted communication & reasonable expectations accordingly.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent (and support system members or provider if available) if they have any cognitive issues which may affect their functioning.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if parent has cognitive issues that affect concentration, memory, organization, attention/concentration, maintaining schedule/calendar, ability to make/keep plans, ability to follow through with things such as following bus schedule and making it to bus on time, etc.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed/asked parent if they have history of chemical dependency that may affect cognitive functioning.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed/asked parent if they have history of medical and/or mental health issues that may affect cognitive functioning.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family's support system & providers if the parent/family have any cognitive issues which may affect their functioning.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Adjusted service delivery & interaction with parent to accommodate cognitive issues.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Brought parent's cognitive issues to attention of service providers as collateral information.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
--------	---	--	--	--

TRAUMA HISTORY				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Asked parent (and support system members or provider if available) if they have any trauma history.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed/asked parent if there is history of trauma such as child abuse/neglect, domestic violence, CPS/child welfare involvement, sexual abuse/assault, victim of human trafficking/ commercial sexual exploitation, victim of crime, witnessing traumatic event, etc.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asking parent if they have preference to work with providers of particular gender/age due to trauma history.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed/asked parent if they have trauma triggers or potential trauma triggers (such as locations, sounds, genders, tone of voice, body language, etc.). If so, steps were taken to accommodate.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Took trauma history/factors into consideration when determining compliance, appropriate conversation with parent, etc.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Made parent’s providers aware of parent’s trauma history/triggers as collateral information.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

RESIDENCE: STABILITY/REMOTENESS				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Assessed/asked parent/family (and support system members or provider if available) if residence is stable or if they move frequently; if the residence is theirs or someone else's who is allowing them to stay there; and if they alternate between multiple residences.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family if there is potential they will need to move in near future and, if so, what their plan is as to where they could go.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Determined if parent/family reside in city, town or in a rural area.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Determined if parent/family lives in location where getting to State Agency, court, services, and visitation is obstacle.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Determined if remoteness of parent/family residence affects transportation.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

SERVICE PROVIDERS: CURRENT PROVIDERS & PROXIMITY OF PROVIDERS				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Asked parent (and support system members or provider if available) about their service providers.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Determined if parent/family is currently already engaged in support services. If so, identified what services, what providers, and what for; and asked parent if this has been positive/negative experience.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Determined what specific service providers for family's identified issues are located within proximity to parent/family.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Whenever possible, referred parent/family to service providers in area where family resides.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed what can be done to bring service providers to where parent/family is.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

IS ASSISTANCE MAKING CONTACT WITH PROVIDERS NEEDED?				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Asked at beginning of case, at time of referrals, and during review periods if parent would like assistance contacting providers to access/schedule services & offer them this assistance.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

If parent would like assistance, contacted provider via phone with parent and/or went to provider with parent to coordinate service.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

LANGUAGE OBSTACLES				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Asked parent if English is their primary language. If not, coordinated translator to communicate with them (both for state child welfare agency and service providers) and provided written materials in their primary language.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed/asked parent if they have issues/obstacles related to speech or hearing so that accommodations can be made; and accommodations were made if needed.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed/asked parent if they have any issues/obstacles related to literacy. If such issues exist, accommodations were made accordingly.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed/asked parent if they understand written materials given to them and if they have any questions about it. If not understood or there were questions, this was addressed to resolve these issues.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
When working with a minor parent or parent with developmental or cognitive delays, communicated with them at age/developmental/ cognitive level.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

SUPPORT SYSTEM				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Asked parent/family who their support system is and utilized this support system whenever possible	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Provided background check forms to parent's support system to determine if they can be utilized for placement or visitation supervision; and offered assistance in completing forms.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

CHILDCARE ACCESS				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Asked parent if they currently have childcare & if they have obstacles to accessing childcare.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assisted parent in locating/accessing childcare (including financial support for) if needed.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if childcare issues affect parent's ability to participate in & access services.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Made effort to schedule around parent’s childcare availability whenever possible.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

CULTURAL CONNECTIONS				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Asking parent/family what their cultural background is & what cultural involvement means to them/family.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent/family what cultural activities are important to them & their children.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Consulted with Tribe to identify cultural activities/ supports for parent (child and parent).	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked Tribal ICW program if cultural mentor is/can be identified for child and parent.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Made all efforts for child to have opportunities to engage in cultural activities (specific to their tribes’ cultures) on regular basis throughout case as frequently as possible.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Coordinated scheduling of services/meetings/hearings around parent & child’s cultural activities schedule	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Active Efforts Checklist: Specialized

Clients: _____

Time Period: _____

Agency / Worker(s): _____

Finding/Locating Parents				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (parents in consistent contact this period & whereabouts known) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Attempted to reach parent at all phone numbers/email addresses on file.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Physically went to last known residences.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Sought out & contacted known relatives/ associates/support system for assistance.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Contacted tribe for assistance.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Contacted place of employment. If unable to get through via phone, physically went to place of employment.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Contacted service providers for assistance	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Physically went to locations parent has history/reports of frequenting.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Physically went to scheduled/known appointments.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Contacted state GA/TANF program for assistance.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Did internet search for parent's location.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Service Referrals				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (all applicable services are already in place this period) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Sought input/consultation from parent when determining what providers to refer them to.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered to assist parent in contacting provider to access service and provided if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered to assist parent in completing application paperwork related to accessing the service and provided if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
After referral made, followed up with parent & provider to determine if service successfully coordinated or if there are obstacles.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Sought input & consultation from tribe.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Chemical Dependency				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (chemical dependency ruled out or no evidence of such issues) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Assessed if evidence of chemical dependency issues exists by asking parent; reviewing CPS intakes history, arrest records, collateral from providers; & asking collaterals such as service providers and family members.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if possible signs of chemical dependency issues could be attributed to health or other issues & determine if they can be ruled out.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if underlying trauma is factor in parent’s chemical dependency issues & coordinated trauma services for parent concurrent with chemical dependency services if applicable.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Sought input/consultation from parent to determine which providers to refer them to.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered parent assistance contacting provider to access services such as making call with parent & provided if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered parent assistance completing application or other paperwork to access services & provided if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Worked with parent to determine safe transportation plan to access service.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If parent is to provide random UA’s, ensured parent has access to reliable phone service.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

If parent is recommended to enter inpatient treatment, assisted in locating program in close proximity to child & in which placement of child with parent is option.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Mental Health				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (mental health issues ruled out or no evidence of such issues) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Assessed if evidence of mental health & trauma issues exists by asking parent; reviewing CPS intakes history & collateral from providers; & asking collaterals such as service providers and family members.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if possible signs of mental health issues could be attributed to chemical dependency or other health issues & determined if can be ruled out.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if underlying trauma is factor in parent's chemical dependency issues & coordinated trauma services for concurrent with chemical dependency services.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Sought input/consultation from parent in determining which providers to refer them to.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered parent assistance contacting provider to access services such as making the call with the parent & provided if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Offering parent assistance in completing application or other paperwork to access services.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Worked with parent to determine transportation plan to access service.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If parent is recommended to enter inpatient mental health treatment, assisted in locating program near child so visitation can occur consistently.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Provided collateral information on parent’s mental health and/or trauma issues to other providers so this can be taken into consideration in services provided to parent.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Housing				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (potential housing issues ruled out or no evidence of such issues) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Determined what housing support services available to parent, made parent aware of services, offered to assist parent contacting providers/programs, & assisted parent making contact if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered parent assistance completing housing application paperwork & assisted if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

<p>Routinely assessed/asked parent/family (and support system members or provider if available) if residence is stable or if they move frequently; if residence is theirs or someone else's allowing them to stay; & if they alternate between multiple residences.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Asked parent if there is potential they will need to move in near future and, if so, assisted parent with developing plan as to where they could go.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>If parent struggles maintaining sanitary/safe home environment, consulted with providers to determine if due to mental health or chemical dependency issues or if this is an underlying life skills issue. If underlying life skills issue, coordinated life skills education supports. If mental health issue, consulted with mental health provider on how to address. If chemical dependency issue, consulted with chemical dependency provider on how to address.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

<p>If parent struggles keeping unsafe persons from home; consulted with mental health, domestic violence, & chemical dependency providers to determine if due to mental health, domestic violence, or chemical dependency issue & consulted relevant providers on how to address. If there is recommendation that parent obtain protection, no contact, or no trespass order as to specific persons; coordinated assistance for parent to request/obtain such order including coordinating someone to directly assist parent in completing paperwork. Coordinated transportation for parent to get to assistance or assistance to go to parent.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
<p>Other:</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
<p>Other:</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Violence/Domestic Violence/Anger Management				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (violence/anger issues ruled out or no evidence of such issues) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
<p>Assessed if evidence of violence and/or anger management exists by asking parent; reviewing CPS intakes history & collateral from providers or other sources; and asking collaterals such as service providers and family members.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Assessing if overlap between parent’s history as victim/ perpetrator of violence & mental health and/or chemical dependency issues; and coordinated services for parent concurrent with mental health and/or chemical dependency services.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Sought input/consultation from parent to determine which victim/offender providers to refer them to.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered parent assistance contacting provider to access services such as making the call with the parent; and provided this if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered parent assistance completing application or other paperwork to access services; and provided this if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Worked with parent to determine safe transportation plan to access services.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Provided collateral information on parent’s victim/perpetrator background to other providers so that can be taken into consideration in services provided.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assisted parent locating legal assistance to obtain protection orders.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If minor in legal custody of state child welfare agency has need for protection order, immediately took action to file for protection order on child’s behalf.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Criminal Issues				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (criminal issues ruled out or no evidence of such issues) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Assessed if evidence of criminal activity exists by asking parent; reviewing CPS intakes history & collateral from providers or other sources; and asking collaterals such as service providers & family members.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if overlap between criminal history & mental health and/or chemical dependency issues; and provided collateral information amongst service providers.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Asked parent if they have probation or other service obligations through criminal case which affect ability to reunify with child. If so, offered to assist parent identifying providers where such services can be located, offer to assist parent in contacting providers to access service; to assist parent in completing application paperwork related to accessing service; to assist parent with transportation coordination to access services & court hearings; and provided this assistance if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Parenting Skills				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (parenting skill deficits ruled out or no evidence of such issues) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Discussed parenting skill issues/ concerns with parent including how parenting skills were modeled to them, their understanding of safe parenting skills, and if other factors affecting follow through on safe parenting.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Reviewed collateral information on the parent to determine context of parenting skill issues.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Coordinated concurrent services for parent to address issues contributing to parenting deficits, if applicable.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Sought input/consultation from parent in determining which parenting education/ support providers to refer them to.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered parent assistance contacting provider to access services such as making the call with the parent; and provided if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered parent assistance completing application or other paperwork to access service; and provided if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Worked with parent to determine transportation plan to access service.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Provided collateral information on parent's parenting issues to other providers so this can be taken into consideration in the services provided.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Consulted with parent's tribe's/tribes' ICW program regarding parenting customs of community to determine if cultural bias affecting assessment of parent's parenting skills.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Relative/Placement Search				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Obtained/created complete family tree from parents, family members, and child's identified tribe(s) on child as early as possible and continued to seek out information on gaps in family tree.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Complete			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Consulted child's identified tribe(s)'s ICW program to seek out potential relative or community member placement options & determine tribe's placement preferences.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Contacted child's known family members to inquire if interest in placement & seek out names of family members who may be interested in placement.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Contacted known members of child's tribal community/communities to inquire if interest in placement & seek out names of members of child's family or tribal community/communities who may be interested in placement.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

<p>In situations where State Agency isn't located near child's tribal community/communities, also contacted Native community organizations near State Agency to determine if they know of any Native homes who may be potential placement options.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Continued seeking relative placement options for child throughout case & re-visited topic with previously interested relatives who were unable due to circumstances at time.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Continued seeking out members of child's tribal community/communities & other Native homes including re-visiting topic with previously interested potential homes who were unable due to circumstances at time.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>When resolvable obstacles to placement, worked with potential caregivers to resolve obstacles.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>When multiple placement options identified, pursued them concurrently.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Other:</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Trafficking & Exploitation				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (trafficking/exploitation ruled out or no evidence of such issues) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Screened parents/children to determine if potential trafficking victims (or at risk of trafficking). Assessed if indicators of trafficking/exploitation exist by reviewing case documentation & being aware of parent's/child's relationship factors, behavior consistent with trafficking/exploitation, and risk factors which may contribute to vulnerability to trafficking/ exploitation.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If reasonable cause to believe child is (or at risk of being) a trafficking victim, clearly documented this in case records.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Coordinated trauma-informed care/ services as core service component addressing experiences that precede & result from victimization.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If child identified/indicated as sex trafficking victim, reported information to law enforcement & CPS intake within 24 hrs after becoming aware of information; and held shared planning meeting if the child is in care/custody of state.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
When child has gone missing/absent from care, expeditiously acted to locate child. Began active/ongoing efforts to locate missing child within 24 hours of State Agency becoming aware of child going missing and continued until child is located.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

<p>When child has gone missing/absent from care, notified law enforcement & National Center for Missing and Exploited Children within 24 hours after becoming aware of information; determined primary factors contributing to going missing/absent (and responded to factors in current & subsequent placements); and determined child’s experiences while missing/absent including screening the child to determine if possible sex trafficking victim.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Actively sought out placement of child with relative and/or family-based placements and involved child’s family in case.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Involving child in placement decisions.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Asked survivor if there is anything you can do to help them feel safe.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Demonstrated awareness survivor may not be comfortable disclosing history of trafficking/ exploitation and may never disclose/confirm despite being verified/confirmed through other means.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Assessing if non-compliance/ engagement with services could be attributed to personal safety related to being victim of trafficking/ exploitation.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Assessed if connection between trauma of being victim of trafficking/ exploitation & mental health, chemical dependency, or other issues.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Sought input/consultation from survivor in determining which support/advocacy providers to refer them to.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered survivor assistance contacting provider to access services such as making the call with the survivor and provided if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Offered survivor assistance completing application or other paperwork to access services and provided if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assisted survivor with safety planning including doing everything possible to not refer them to services in a location where a trafficker or exploiter can locate them or send survivor out in public alone when that would put them in danger of being located by a trafficker or exploiter.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if survivor's presence in specific geographic area puts them at increased risk & assisted survivor with supports to get to a safer area.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assisted survivor in locating legal assistance to obtain protection orders. State Agency should immediately act to file for protection order on child's behalf if in their custody.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Provided collateral information on survivor’s trafficking/ exploitation background to other providers so this can be taken into consideration in services they provide survivor.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Made efforts to identify survivor’s trafficker/ exploiter by name by asking survivor, family members, service providers, or other collaterals; and shared this information with law enforcement, service providers, and survivor’s family members for safety purposes.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Coordinated medical evaluation of survivor to determine if medical needs associated with their victimization and coordinated medical/ support services related to their health.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Missing Children				
<input type="checkbox"/> Applies to Case <input type="checkbox"/> Does Not Apply to Case (risk of going missing ruled out or no evidence of such issues) (Is assessment of whether or not this applies to case documented in detail? <input type="checkbox"/> Yes <input type="checkbox"/> No)				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Assessed whether child is missing voluntarily or involuntarily.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
When child missing/absent from care, expeditiously acted to locate child with ongoing efforts to locate within 24 hours of becoming aware until child located.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

<p>When child has gone missing/absent from care, notified law enforcement & National Center for Missing and Exploited Children within 24 hours after becoming aware of information; determined primary factors contributing to child going missing/absent (and responded to these factors in current/subsequent placements); and determined child’s experiences while missing/absent including screening the child to determine if child possible sex trafficking victim.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Contacted child’s parents, extended family, tribe, known friends, attorney, guardian ad litem, & school staff when child has gone missing to inform them child missing & seek assistance in locating child; and repeated these steps more than once per month while child remained missing.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Went to known potential locations where child may be more than once per month while child remained missing (or coordinated law enforcement to do such checks if locations posed immediate safety risks).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Actively sought out placement of child with relative and/or family-based placements; and involved child’s family in case.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Involved child in placement decisions.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Asked child if there’s anything you can do to help them feel safe & less likely to go missing.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Safety planned for child including doing everything possible to not refer them to services in a location where someone who has caused child to go missing can locate them or sending child out in public alone when that would put them in danger of going missing.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed if child's presence in specific geographic area puts them at increased risk of going missing.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Immediately obtained protection orders on behalf of child (as child's legal guardian) against person(s) who has caused or may cause child to go missing.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Visitation				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Supported regular visits between child & parents (and Indian Custodians if applicable) in the most natural setting possible.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Supported visitation at home of parents (and Indian Custodians if applicable) as soon as consistent with need to ensure child's safety, health, & welfare.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assisted child & parents (and Indian Custodians if applicable) in maintaining an ongoing familial relationship.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Coordinated visitation between child & siblings as frequently as possible unless unsafe/contrary to welfare.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Arranged for & ensured visitation between child & extended family throughout case unless unsafe or contrary to welfare.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Conducted safety checks of parents' (and Indian Custodians' if applicable) home(s) to determine if visitation safe to occur there. This occurred as early in case as possible & was re-evaluated on recurring basis throughout case. If the home didn't pass safety check, identified specific concerns needing to be remedied & worked to remedy specific issues.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessed circumstances of the family to determine what visitation settings would be most natural; including discussion with child, parents (and Indian Custodians), extended family, and tribe; and sought out potential visitation supervisor/monitor options.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Assessing (on recurring basis) if any capacity issues are affecting visitation occurring consistently.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Coordinating visitation occurring at earliest point possible.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Active Efforts Checklist: Other Considerations

Clients: _____

Time Period: _____

Agency / Worker(s): _____

Timely Efforts				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Assessing if a moment is best possible moment to coordinate services and proceeded accordingly.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Followed up efforts made at point of removal with repeating of these efforts after that date to ensure likelihood of understanding & successful engagement.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If family involved with State Agency in voluntary case or CPS investigation, began Active Efforts prior to removal, protective custody, or filing of dependency petition.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If case commenced suddenly at point of child's removal due to imminent risk, began Active Efforts immediately upon learning of or suddenly moving to enact child's removal.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
When inaccessible/unlocated parent became accessible/located, acted at earliest point possible to make contact & commence efforts to coordinate services/supports.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
When new service need identified/ordered, acted at earliest point possible to commence efforts to coordinate services/supports addressing new issue.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Documentation of Active Efforts				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
There is detailed documentation of Active Efforts in State Agency case record.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
There is detailed clear & convincing evidence of Active Efforts in court record. If TPR is being pursued, there is evidence of Active Efforts documented in detail beyond a reasonable doubt in court record.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Documentation includes specific issues family is facing which State Agency is targeting with Active Efforts.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Documentation includes list of specific Active Efforts State Agency determines would best address specific issues family is facing & State Agency’s reasoning for choosing those specific Active Efforts.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Documentation includes dates, persons contacted, and other details evidencing how the State Agency provided Active Efforts.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Documentation includes results of specific Active Efforts provided; and where results less than satisfactory, whether State Agency adjusted Active Efforts to better address specific issues.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If Active Efforts made but unsuccessful, case record documents specific Active Efforts & explains how/why unsuccessful.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

<p>State Agency submitted affidavit(s) to court with description/explanation of Active Efforts to provide remedial services & rehabilitative programs (in coordination with tribe) designed to prevent breakup of family, avoid need for placement, and reunify family since last hearing; to ensure visitation with child’s parents, siblings, extended family members, and other tribal members to support cultural connections; to coordinate with child’s tribe & family to identify significant cultural & familial events and arrange for child’s attendance; and to contact child’s extended family, tribe, and local Native organizations regarding potential placement options for child. If efforts unsuccessful and/or child can’t be protected from identified problems in home even if services provided, affidavit details why.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
---	---	--	--	---

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

<p>If Termination of Parental Rights Petition is filed, it includes detailed description/explanation of Active Efforts to provide remedial services & rehabilitative programs (in coordination with tribe) designed to prevent breakup of family, avoid need for placement, and reunify family; and to contact child’s extended family, tribe, and local Native organizations regarding potential placement options for child. If efforts unsuccessful and/or child can’t be protected from identified problems in home even if services provided, affidavit details why.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
<p>Other:</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Tribal Consultation				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
<p>Tribes was consulted prior to decisions being made/finalized.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
<p>In scenarios where State Agency under policy/law restrictions as to decisions, this was made clear to tribe and tribe’s position was noted.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
<p>Discussions with tribe occurred including exchange of information & sharing professional opinions.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
<p>If tribe not actively involved/available, efforts to consult continued.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

<p>Tribe was consulted upon receipt of CPS intake involving child known to be or potentially connected to tribe; during CPS investigation (if applicable); during decision-making regarding potentially removing child into custody (if applicable); at point of removal of child (if applicable); and at point court action initiated (if applicable).</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Tribe was consulted during shelter care & fact-finding stage of legal case.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Following establishment of dependency, tribe was consulted during review periods between hearings until case was closed/dismissed.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Following removal, tribe was consulted for decision-making regarding reunification, permanency planning, termination of parental rights, and case closure.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Tribe consulted for assessment of risk of harm to child.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Tribe consulted for background on circumstances child/parents including strengths & obstacles; identification of family's support system; and identification of relative placement options.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Tribe consulted regarding placement changes and for identification of tribal/ community member potential placement options.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>
<p>Tribe consulted regarding available services/resources known to tribe.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>			<p><input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____</p>

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Tribe consulted regarding short and long-term decision-making.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Amount of Active Efforts Required				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
All areas of risk, capacity, obstacle, issue, and service need applicable to case are clearly identified & documented.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Applicable Active Efforts occurred & documented as to every area of risk, capacity, obstacle, issue, and service need; and not just as to some areas.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
All Active Efforts provided have been given adequate time/opportunity to demonstrate if successful or unsuccessful; and if unsuccessful, the explanation has been determined and all Active Efforts were made to resolve obstacle.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Each applicable Active Effort occurred at least once per review period.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If provision of Active Efforts is obstructed due to inability to locate parent; all Active Efforts were made to locate & engage parent each review period.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

Determining When Active Efforts Have Proved Unsuccessful				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
All Active Efforts & services provided have been given adequate time/opportunity to demonstrate if successful or unsuccessful.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
State Agency assessed (including family's impression) if Active Efforts & services have been successful, and how they may need changes to obtain success.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If any Active Effort or service was unsuccessful, the explanation/reason for not being successful was determined.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If any service was unsuccessful, they were adjusted accordingly, and all Active Efforts were made to resolve the obstacle to success.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
After services were adjusted to better obtain success, they were still unsuccessful.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Active Efforts have occurred (and been documented) at necessary level throughout duration of case & throughout involvement with State Agency; but haven't resulted in remedying imminent risk of harm or obstacles to reunification.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
State Agency has consulted service providers on regular basis to determine if obstacles to success exist.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
State Agency has consulted tribe on regular basis regarding potential obstacles to success.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
--------	---	--	--	--

Culturally Appropriate Services				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
Sought consultation from parents, child, Indian custodians (if applicable), child & parents’ tribes, and family members to inquire what “culturally appropriate” means to them and what they consider cultural norms.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Sought consultation from parents, child, Indian custodians (if applicable), child & parents’ tribes, and family members to assess/determine what types of culturally appropriate services could be provided to family.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
After determining what services available, arranged for best-fitting culturally appropriate services out of those options.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Utilized Positive Indian Parenting curriculum if available.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Integrated cultural elements/practices into services	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Utilized/incorporated tribal/Native spiritual practices & providers whenever possible	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Utilized trauma-informed counseling services which incorporate best practices in addressing historical & intergenerational trauma if counseling services apply	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Utilized tribal-specific services as 1st preference if available, more general Native-based services if tribal-specific program not available, and services that aren't Native-based if neither option available.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
If parent has cultural practices in which there are interaction protocols, coordinated provider/ service environments which best fit within protocols.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Utilized services operated by child/parent's tribe whenever possible.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Coordinated services occurring in most culturally appropriate location possible.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

TERMINATING PARENTAL RIGHTS				
Specific Active Effort	Done this Period?	Date(s) Done	Details	Where Documented in Detail?
All applicable Active Efforts have occurred consistently since dependency case opened & all Active Efforts documented in detail in record since that time.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
All applicable Active Efforts have proved unsuccessful after having been given adequate time/opportunity to demonstrate success.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
All applicable Active Efforts towards reunification continued as long as parental rights intact.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
ASFA's Termination of Parental Rights timeline not being used to override or in lieu of ICWA's Active Efforts requirements.	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____

COMPREHENSIVE GUIDE TO ACTIVE EFFORTS – LUMMI CHILD WELFARE

Other	<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Case Notes <input type="checkbox"/> Petition <input type="checkbox"/> Court Report <input type="checkbox"/> Other: _____
-------	---	--	--	--