**Case Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Case #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*Circle: Clear/Convincing Evidence BRD (ICWA) EPP? Y/N*

*THEME:*

**NOTES:**

1. Adj. Dependent/Neglected on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Abandonment if:

□ surrendered physical custody for period of 6 months or more

(date: \_\_\_\_\_\_\_\_\_\_\_\_\_)

□ not manifested firm intention to resume physical custody or to

make permanent legal arrangements for the care of the child.

□ Identity of parent unknown, for more than 3 months, and

reasonable efforts to identify and locate have failed.

3. No appropriate treatment plan can be devised to address the unfitness

of the parent(s) with one of these basis:

□ Emotional illness/behavioral or mental health disorder/or

intellectual or developmental disability of such duration or nature

as to render parent unlikely within a reasonable time to care for the

needs of the child.

□ Single incident resulting in SBI or disfigurement of the child

□ Long-term confinement of the parent, not eligible for parole for

at least 6 years from adj. Or in EPP case, 36 months from adj.

AND finding by C&C that no appropriate treatment plan can be

devised to address unfitness.

□ SBI or death of a sibling due to proven parental abuse or neglect

□ Identifiable pattern of habitual abuse to which the child or

another child has been subjected and as a result of which a court

has adj. another child as dependent or neglected based upon

allegations of sexual or physical abuse, or a court of competent

jurisdiction has determined that such abuse has caused the death

of another child.

□ Identifiable pattern of sexual abuse on the child

□ Torture of or extreme cruelty to the child, a sibling of the child or

another child of either parent.

4. The child is adj. AND ALL OF THE FOLLOWING:

□ Appropriate treatment plan approved by the Court

(on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_)

□ Not been reasonably complied with or has not been successful or

could not be devised.

*□ If EPP: not in compliance/successful if:*

*• Parent has not attended visitation, unless good cause*

*shown*

*• Parent exhibits same problems without adequate*

*improvement (including: with the relationship,*

*unwilling/unable to provide nurturing/safe parenting.*

□ Parent is unfit (must find a basis):

• conduct towards the child of a physically or sexually abusive

nature.

• history of violent behavior

• single incident of SBI, life-threatening, or disfigurement

of the child

• excessive use of alcohol/controlled substances which affects

ability to care for child

• neglect of the child

• injury or death of a sibling due to proven parental abuse

or neglect, murder, manslaughter or where parent aided etc.

• reasonable efforts by child-caring agencies have been

unable to rehabilitate the parent(s)

• prior involvement with DHS due to abuse/neglect with this

child and subsequent incident of abuse/neglect occurs.

• foster care for 15 of the last 22 months unless

◦ with relative

◦ documented finding that TPR not in BIC

◦reasonable efforts have not been provided

◦ its due to circumstances beyond control of the parent

(e.g. reasonable period of incarceration, court continuances

and delays not attributable to the parent, etc.)

• 2 or more occasions a child in the physical custody of the parent

has been adj. in a D&N proceeding.

• 1 or more occasions a parent had his/her rights terminated.

□ The conduct or condition of the parent is unlikely to change

within a reasonable time.

**5. Primary consideration must be given to the physical, mental,**

**emotional conditions/needs of the child:**