

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION-FAMILY PART
COUNTY OF _____

DOCKET NO. F _____

NJSpirit Case # _____

IN THE MATTER OF:

(Child)

NJSpirit Participant #:

(Child)

NJSpirit Participant #:

Indian Child Welfare Act
(ICWA)
Supplemental Order

**TO BE USED WHEN A CHILD IS PLACED OUT-OF-HOME TO DETERMINE AND DOCUMENT
A CHILD'S STATUS UNDER THE INDIAN CHILD WELFARE ACT OF 1978.**

Indian Tribe _____, responded / did not respond
 Tribe's Representative, _____, appeared / did not
appear

ON THIS _____ DAY OF _____ 20 ____, THE COURT FINDS THAT:

Please check only one box and complete corresponding section:

1. The child _____, (DOB) _____ **is** a Native American
child, who is subject to the Indian Child Welfare Act of 1978. The child's tribe is:

The tribe has made the following response and taken the following position:

2. The child _____, (DOB) _____ **may be** a Native
American child, who is subject to the Indian Child Welfare Act of 1978. The supporting
information is:

The tribe has made the following response and taken the following position:

3. The child _____, (DOB) _____ **is not** a Native American
child subject to the Indian Child Welfare Act of 1978 in that the following facts are known:

The tribe has made the following response and taken the following position:

If Paragraph 3 is checked, no other findings are required.

If Paragraph 1 or 2 is checked above and if this order supplements the Order to Show Cause, Initial Court Order or any other order authorizing a child's placement outside of the home, complete paragraphs 4, 5, and 6.

4. The court hereby finds that the Division of Child Protection and Permanency has / has not made **active efforts** to prevent the placement of the child who is or may be a child subject to the **Indian Child Welfare Act** of 1978, including / failing to include the following:

5. The court's placement of this child, who is subject to the **Indian Child Welfare Act**, out of the parents' home, is based on clear and convincing evidence, **including the testimony of a qualified expert witness** that continued custody in the home would likely result in serious emotional or physical damage to the child.

6. The court's placement of this child out of the home is made in accordance with the placement priorities of the **Indian Child Welfare Act** in that:

If Paragraph 1 or 2 is checked above and if this order supplements a permanency order, complete paragraph 7.

7. The Division has / has not provided **active efforts** to finalize the permanency plan, including / failing to include the following:

If Paragraph 1 or 2 is checked above and if this order supplements a Judgment of Guardianship, complete paragraph 8.

8. The court's termination of the parental rights in this matter is based on evidence beyond a reasonable doubt, **including the testimony of a qualified expert witness** that returning custody to the parent(s) would likely result in serious emotional or physical damage to the child. The court's placement of this child out of the home is made in accordance with the placement priorities of the **Indian Child Welfare Act** in that:

If Paragraph 1 or 2 is checked above and if this order supplements any order authorizing a pre-adoptive placement, complete paragraph 9.

9. The court's placement of this child for adoption is made in accordance with the placement priorities of the **Indian Child Welfare Act** in that:

If paragraph 2 is checked above meaning that the child's ICWA status has not been determined, the following section must be completed:

IT IS ORDERED that _____ take the following actions to ascertain if the child is subject to the Indian Child Welfare Act of 1978 and to report all actions and responses to the court and all parties:

AND IT IS FURTHER ORDERED THAT:

, J.S.C.