



# ACKNOWLEDGEMENTS



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*Note: The results of this pilot project reflect a "snapshot" of ICWA practices during the review period (February 2012-January 2014) and only those practices documented in the Child Welfare Services paper file, the court file and the KIDS data system. Results of this study are not representative of statewide practices and may not provide an accurate depiction of ICWA compliance efforts by CWS and state courts as well as level of involvement in ICWA cases in DHS Region 4.*

# ICWA SNAPSHOT

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# ICWA SNAPSHOT

# Introduction

## Purpose and Overview

This report describes a review of cases involving American Indian children in foster care by a subcommittee of the Oklahoma Tribal State Collaboration Workgroup. A “real-time snapshot” of Indian Child Welfare Act (ICWA) cases in Oklahoma Department of Human Services (DHS) Region 4 was conducted to evaluate ICWA practices by DHS staff and state courts, involvement by tribal child welfare program staff in ICWA cases, and collaboration between state and tribal child welfare workers.

Due to the high number of American Indian children in the state foster care system in Oklahoma, compliance with ICWA and state/tribal collaborative efforts are crucial factors in improving outcomes for those children and their families. To identify trends related to ICWA practices and collaboration between DHS Child Welfare Services and tribal child welfare programs, the Snapshot pilot project examined the child welfare and court records of children identified as American Indian in out-of-home care.

This report describes a review of cases involving American Indian children in foster care by a subcommittee of the Oklahoma Tribal State Collaboration Workgroup.

This report provides insight about the general ICWA practices of state and tribal child welfare workers and state court systems in one selected geographical area in Oklahoma, and it offers next steps for replicating the project’s review methodology and further examining ICWA practices by Child Welfare Services and state court systems and state/tribal collaboration efforts.

## Summary of Findings

Outcomes for American Indian children in out-of-home care in Oklahoma can be impacted significantly by the ICWA practices of CWS and state courts and by the involvement of tribes. Legal notification of court proceedings to a child’s tribe, timely first contact with a child’s tribe, placement of a child with extended family, and prompt tribal participation in a child’s case could all lead to improved outcomes for Indian children in the state foster care system. The Snapshot project findings indicate varying levels of strengths and weaknesses in ICWA practices by CWS, state courts and tribes in one DHS region.

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## Context

### Indian Child Welfare Act

To address the “alarmingly high percentage of Indian families [being] broken up by the removal ... of their children from them by nontribal public and private agencies,” Congress passed the Indian Child Welfare Act in 1978. The purpose of ICWA is to protect the best interests of Indian children by establishing minimum federal standards for their removal and placement by state and private child welfare agencies. ICWA establishes a number of protections to deter the unwarranted removal of Indian children from their families and communities, including requirements related to legal notice of court proceedings, intervention and placement. For more details on each of these key provisions, visit the National Indian Child Welfare Association website, [www.nicwa.org](http://www.nicwa.org).

#### NOTICE

Section 1912 (b) of ICWA requires that notice of “any involuntary proceeding in a State court, where the court knows or has reason to know that an Indian child is involved,” be provided to the parent or Indian custodian and the Indian child’s tribe. The party seeking to place the child in foster care or terminate the rights of the child’s parents is required to send the notice by registered mail with return receipt. The notice also must inform the child’s parent or custodian and tribe of their right to intervene.

#### INTERVENTION

When ICWA applies to a child’s case, the child’s parent or custodian and tribe have the right to intervene at any point in the court proceeding.<sup>1</sup> This provision allows the child’s parent or custodian and tribe the opportunity to be involved in decisions affecting the welfare of the child, including removal from and placement outside of the home.



### PLACEMENT

When placement of an Indian child outside of his or her home is necessary, ICWA mandates that the child be placed in accordance with certain preferences and in the least restrictive setting possible within reasonable proximity to the child's home. These preferences apply to the placement of Indian children in both foster care (or pre-adoptive) and adoptive homes.

"In any foster care or pre-adoptive placement, a preference shall be given, in the absence of good cause to the contrary, to a placement with ... [1] a member of the Indian child's extended family; [2] a foster home licensed, approved, or specified by the Indian child's tribe; [3] an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or [4] an institution for children approved by an Indian tribe or operated by an Indian organization which has a program suitable to meet the Indian child's needs."<sup>2</sup>

For adoptive placements, the order of preference is placement with 1) a member of the child's extended family; 2) other members of the Indian child's tribe; and 3) other Indian families.

In addition, ICWA allows Indian tribes to establish a different order of preferences. When a tribe has established its own order of placement preferences, the state court or agency seeking placement must follow the tribe's preferences.

To ensure placement of an Indian child in a foster or adoptive home "which will reflect the unique values of Indian culture,"<sup>3</sup> placement may be made outside of the placement preferences only upon a finding of good cause by the state court.

### Oklahoma Indian Child Welfare Act

To reinforce or clarify the intent and provisions of ICWA, several states, including Oklahoma, have enacted separate legislation. Oklahoma passed the Oklahoma Indian Child Welfare Act (OICWA) in 1982 to clarify state policies and procedures regarding the implementation of ICWA by DHS, state courts and any other placement agencies. According to OICWA, it is the "policy of the state to cooperate fully with Indian tribes in Oklahoma in order to ensure that the intent and provisions of the federal Indian Child Welfare Act are enforced."<sup>4</sup> For more details on OICWA, visit the Oklahoma State Legislature website, [www.oklegislature.gov/osStatuesTitle.aspx](http://www.oklegislature.gov/osStatuesTitle.aspx).

### Definition of Indian Child

The federal and Oklahoma Indian Child Welfare acts apply to Indian children who are members of a federally recognized tribe or eligible for membership. Both acts define an Indian child as an unmarried person under age 18 who "is either: (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe." The Oklahoma act also defines an Indian child as any "unemancipated person" under the age of 18.

# ICWA SNAPSHOT

## American Indian Tribes/Children

When providing child welfare services to American Indian children, working with American Indian tribes to ensure compliance with the federal and state Indian Child Welfare acts is a significant task for DHS and state courts. According to the Bureau of Indian Affairs, there are 39 federally recognized Indian tribes in Oklahoma. Of the 39 federally recognized tribes, 36 received federal funding through the Title IV-B program to provide child welfare services during Fiscal Year (FY) 2012.<sup>5</sup> For FY 2013, 38 tribes received this funding<sup>6</sup> (Appendix A).

According to the Children's Bureau, the 38 tribes receiving Title IV-B funds for FY 2013 reported their child population under 21 as 234,269. In 2010, American Indians represented 9 percent of the total population in Oklahoma.<sup>7</sup>

In addition and more significantly, the percentage of American Indian children in out-of-home care in Oklahoma increased during FY 2005-2011. During FY 2011, nearly 2,500 children (30 percent) in out-of-home care in Oklahoma were identified as American Indian.<sup>8</sup> According to DHS, of the 7,742 children in care as of January 1, 2012, 28 percent, or 2,168, claimed American Indian as their race.<sup>9</sup> These children represented 49 tribes.

In 2010, American Indians represented 9 percent of the total population in Oklahoma. As of January 1, 2012, 28 percent of the children in out-of-home care in the state claimed American Indian as their race.

## Oklahoma Department of Human Services

The Oklahoma Department of Human Services is the state agency designated to administer programs and services under Title IV-B, Title IV-E, the Child Abuse Prevention and Treatment Act (CAPTA) and the Chafee Foster Care Independence Program. DHS, established in 1936 by the Legislature, operates the following programs: Child Welfare Services (CWS), Family Support Services (Temporary Assistance for Needy Families, Medicaid and Supplemental Nutrition Assistance Program), Developmental Disabilities Services, Child Care Licensing, Child Support Enforcement and Aging Services.

### DHS CHILD WELFARE SERVICES

The Child Welfare Services Division of DHS is responsible for complying with legal mandates regarding the neglect and abuse of children in Oklahoma. CWS works collaboratively with families, their communities and other agencies, including tribal child welfare programs, to "improve the safety, permanence and well-being of children and families involved in the Child Welfare system."<sup>10</sup>

For purposes of service administration, CWS has divided the state into geographic areas. The 77 Oklahoma counties are divided into regions and districts (Appendix B).

### **DHS INITIATIVES**

DHS has implemented strategies focused on collaboration with Oklahoma tribes and improving compliance with the federal and state Indian Child Welfare acts. In 2002, DHS adopted policy to guide the child welfare services provided to American Indian children and promote compliance by DHS staff with the Indian Child Welfare acts. The Tribal State Collaboration Workgroup was formed in 2006 to enhance collaboration between DHS Child Welfare Services and tribal child welfare programs.

### **DHS POLICY**

“Working with Indian Children”<sup>11</sup> outlines procedures for the services delivered to American Indian children by Oklahoma’s foster care system, including emergency removal, placement and permanency planning practices. Provisions of the federal and state Indian Child Welfare acts are integrated into this policy. To guide the practice of child welfare staff, DHS policy also provides instructions for staff when providing services to Indian children and working with tribal child welfare programs.

### **TRIBAL STATE COLLABORATION WORKGROUP**

Created as an approach to develop positive partnerships between DHS Child Welfare Services and tribal child welfare programs, the Tribal State Collaboration Workgroup began meeting on a quarterly basis in 2006. The workgroup, consisting of representatives from tribal child welfare programs and DHS Child Welfare Services, meets to address issues related to child welfare practice, policy/legal, foster care resources and training.

The Tribal State Collaboration Workgroup was formed in 2006 to enhance collaboration between DHS Child Welfare Services and tribal child welfare programs.

Since its inception, the workgroup has made recommendations that resulted in various initiatives, including the establishment of tribal coordinator positions and duties within DHS, planning and implementation of “Completing the Circle” events to promote the importance of cultural connections, and the development of regional ICWA workgroups.

In 2011, the workgroup discussed a concept for “reviewing ICWA data and procedures” during a strategic planning session. Consequently, the ICWA Snapshot pilot project was launched in January 2012.

## ICWA Snapshot Pilot Project

### Methodology

#### REVIEW TEAM

The Snapshot pilot project team initially was organized during the strategic planning session in 2011. Representatives from DHS CWS, DHS Legal Services and tribal child welfare programs who participated in that discussion agreed to serve as project team members and contribute to the development and implementation of the case review.

#### SAMPLE AND PROCEDURES

To capture a snapshot of ICWA practices within a significant number of cases, the project team opted to review all ICWA cases in one of the six DHS CWS areas. Area IV was selected as initial data revealed a large number of active ICWA cases within its 15 counties. Of the 2,168 American Indian children in care on January 1, 2012, 415 (nearly 20 percent) were located in Area IV. In addition, Area IV had the only active DHS tribal coordinator position at the time.

In October 2012, less than a year into the review, DHS began restructuring its child welfare system as outlined in the Oklahoma Pinnacle Plan, DHS' improvement plan for Child Welfare Services. To align with the state's 27 judicial districts, DHS changed its six administrative service areas to five regions. As a result of this restructuring, Area IV became Region 4 and the number of counties in this geographical area increased from 15 counties to 22 (Table 1). Eleven counties were added to Region 4 while four counties were removed.

**TABLE 1**  
**AREA IV/REGION 4 COUNTIES**

Area IV	Region 4
Atoka, Bryan, Choctaw, Coal, Hughes, <b>Johnston, Lincoln, McCurtain, Marshall, Okfuskee, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Seminole</b>  *Counties excluded after restructuring	<b>Adair, Atoka, Bryan, Cherokee, Choctaw, Coal, Creek, Haskell, Hughes, Latimer, LeFlore, McCurtain, McIntosh, Muskogee, Okfuskee, Okmulgee, Pittsburg, Pontotoc, Pushmataha, Seminole, Sequoyah, Wagoner</b>  *Counties added after restructuring

#### CASE SELECTION

To identify the American Indian children with active cases in Region 4, the review team searched DHS' Statewide Automated Child Welfare Information System (SACWIS), referred to as "KIDS." SACWIS, a federally funded case management system, "is the record hub for all children and families receiving child welfare support and contains a complete case management history."<sup>12</sup>

Utilizing KIDS ICWA Report-YI105, which is a DHS Child Welfare Services WebFOCUS report, the review team was able to generate a report listing all American Indian children with an “open removal” between February 2012 and January 2014. An “open removal” is defined as a removal of a child from the home and placement in out-of-home care. The report utilized for the review included only those children identified as American Indian in KIDS and those children with an “open removal” at the time the report was generated.

The Snapshot review tool was designed to capture ICWA practice measures relevant to Oklahoma and focuses on information related to referral, investigations/assessments, court files and current placement.

In addition, although a child was identified as American Indian in KIDS, ICWA may not have applied to the child’s case. During the case review process, when a court file revealed that ICWA did not apply to a child, the child was excluded from the sample. As a result, 50 children initially identified as American Indian by KIDS were not included in final review results.

Prior to DHS’ restructuring of geographical service areas, the number of Indian children identified for the review was 415. With the deletion of four counties (Johnston, Lincoln, Marshall and Pottawatomie) and addition of 11 counties (Table 1), this number changed to 493. Cases previously reviewed for 102 children in the four counties no longer included in the new region were excluded from the sample. The project team reviewed files for another 185 Indian children in the additional 11 counties.

### **CASE REVIEW INSTRUMENT DESIGN**

In developing a review tool to measure practices related to key provisions of the Oklahoma and federal Indian Child Welfare acts, the review team examined various existing ICWA case review instruments, including Washington state’s ICWA Case Review Tool and Minneapolis American Indian Center’s QUICWA Performance Checklist. Since the intent of the pilot project was to capture a real-time snapshot of ICWA practices for a large sample of cases, utilizing a comprehensive instrument was deemed impractical. Consequently, the review team identified specific areas to review related to interaction between tribes, CWS and courts; legal notice; and placement, and created the Snapshot review tool (Appendix C).

The Snapshot review tool, containing 36 items, was designed to capture ICWA practice measures relevant to Oklahoma and focuses on information in the following areas: referral, investigations/assessments, court files and current placement. The tool’s items also recorded identifying information such as a child’s tribe, county of jurisdiction and a child’s current case plan goal.

# ICWA SNAPSHOT

## DATA COLLECTION PROCEDURES

The review team collected case data from three primary sources: the KIDS data system, the CWS paper case file located in the county of jurisdiction, and the court legal file. KIDS data reviews were completed at various DHS offices, as the KIDS data system is accessible from any county office. The CWS paper case files were reviewed onsite at each of the 22 county offices. Legal file case reviews were conducted onsite at county courthouses. The review process began in February 2012 and ended in January 2014.

Information collected from the three sources was documented on the review tool. The review tool also included notes sections to allow reviewers to record additional information, questions and comments. In case files where there was more than one child, only one review tool was utilized. However, relevant case information for every child was noted on the tool.

Following completion of the review, team members entered data related to the three identified focus areas (tribal/CWS/court interaction, legal notice and placement) into a spreadsheet.

## DATA ANALYSIS

Initial analysis of data was completed by the DHS Office of Planning, Statistics, and Research. The Data Advocacy team within Systems Improvement at Casey Family Programs assisted with additional data analysis.



## Limitations of This Review

The ICWA Snapshot pilot project has several limitations, which provide opportunities for future examinations of ICWA practices in Oklahoma. Primarily, the project's use of only one measure (an instrument consisting of 36 data items selected from other review tools) prevented a more comprehensive review of ICWA compliance and tribal/state collaboration efforts. Due to the large number of children's cases reviewed and consequent large volume of quantifiable data, the project team chose not to utilize additional measures to capture information on ICWA practices not reflected in court and case file reviews. For example, the use of other strategies such as structured interviews or focus groups would have allowed both tribal and state child welfare workers to share their perspectives and experiences of ICWA practices.

The ICWA Snapshot pilot project produced valuable information regarding practice trends and can be used as a reference for more rigorous studies of ICWA compliance in the future.

Collecting more in-depth information through supplementary, qualitative measures such as interviews and focus groups would undoubtedly contribute to a broader examination and understanding of ICWA compliance and tribal/state collaborative efforts. However, these additional measures might limit the number of cases reviewed, as gathering information from child welfare workers and other key stakeholders would increase the length of a case review. During this review, interviews and focus groups were not conducted to ensure that a real-time snapshot of ICWA practices for a significant number of children was captured.

Secondly, steps to ensure consistency and increase validity of the Snapshot review tool were not taken. Project team members did not test the instrument on a small sample of KIDS data or court or CWS case files prior to conducting reviews. In addition, team members did not review a file together or compare ratings and information collected on a common set of files to establish a level of inter-rater reliability.

Finally, restrictions for reviewing case files imposed by court staff prevented a review of children's records in one of the 22 counties. Of the 493 children's court cases identified for review, 81 (16 percent) were located in this county. In addition, data from 44 cases (9 percent) in 11 other counties were not available for analysis due to oversight or error by review team members. This lack of court file data significantly limited the project's overall review of ICWA court practices in Region 4.

Despite the limitations outlined above, the ICWA Snapshot pilot project produced valuable information regarding ICWA practice trends and can be used as a reference for more rigorous studies of ICWA compliance in the future.

## Sample Characteristics

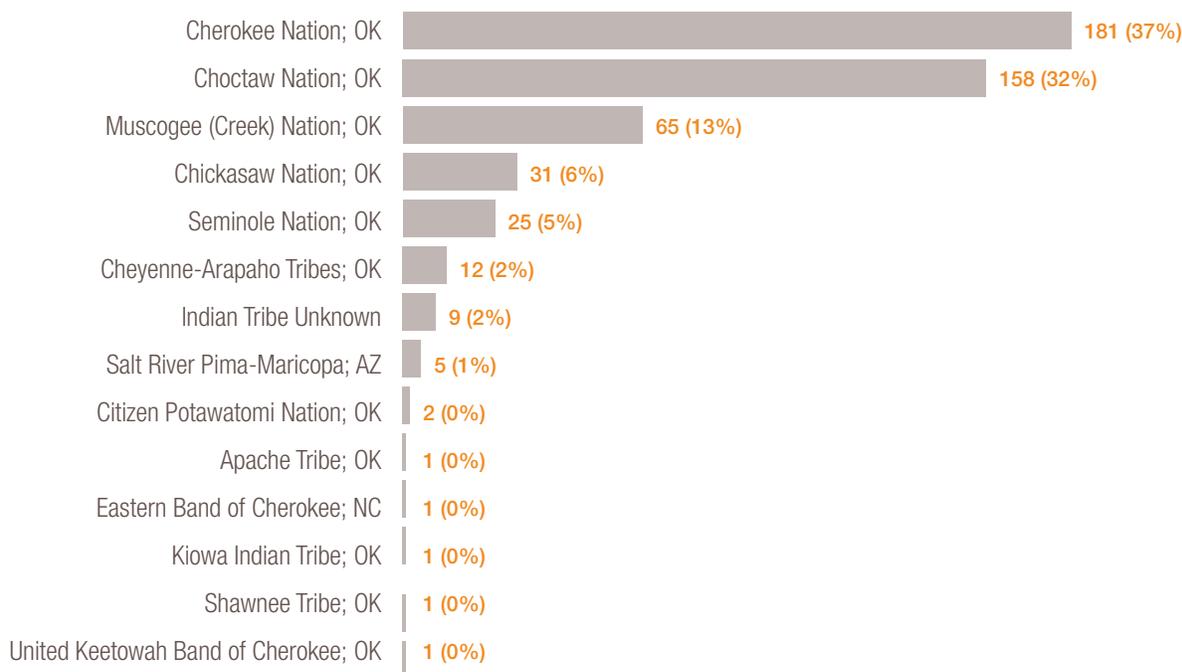
### Tribal Affiliation of Children Included in Review

The Snapshot review tool captured the child’s primary tribe as identified in the KIDS data system. A child is “coded” as American Indian in KIDS when, based on available information, the CWS worker believes that the child is or may be a member of an American Indian tribe or eligible for membership in an American Indian tribe. Although a secondary tribe may be coded for the child, only the child’s primary tribe was recorded on the review tool.

Fourteen American Indian tribes were identified as the primary tribe for the 493 children included in the review (Figure 1). Only one of the 14 tribes was from outside of Oklahoma: the Salt River Pima-Maricopa Community of Arizona had five children included in the project. Three tribes were identified as the primary tribe for more than 80 percent of the children. The Cherokee Nation, with 181 (37 percent), was the tribe with the largest number of children selected for the review. The Choctaw Nation, with 158 (32 percent), had the second largest number of children, followed by the Muscogee (Creek) Nation, with 65 (13 percent). More detail on the percentage breakdown of tribes by county and district can be found in Appendices E and F.

**FIGURE 1**  
**PRIMARY TRIBE**

count of children (% of total)



Note: Due to rounding, percentages may not total 100.

## Review Results

The results of the ICWA Snapshot pilot project are organized and presented in nine areas (see page 27 for complete definitions):

- AREA 1** Time between referral and first contact with tribe
- AREA 2** Time between removal and first contact with tribe
- AREA 3** Legal notice in the court file
- AREA 4** Tribe response to legal notice
- AREA 5** Timeliness of tribe response
- AREA 6** Legal notice and tribe response
- AREA 7** Written report submitted by tribe to court
- AREA 8** Placement type
- AREA 9** Ongoing efforts to place child with extended family

*Note: Data for each area are summarized and displayed graphically in at least one of three ways – aggregately, by county and/or by district. Graphs not displayed in this section are found in the appendices as indicated.*

### Time Between Referral and First Tribe Contact

Information for this area represents data collected from the Referral and Investigation/Assessment sections of the Snapshot review tool and measures ICWA practices related to tribal/CWS interaction.

Using the “Date of Referral” and “Date of First Contact with Tribe,” the review examined the amount of time elapsed between the child abuse and neglect referral and CWS contact of a child’s tribe. The “Date of Referral” refers to the date an accepted referral was received at the CWS statewide hotline alleging abuse and/or neglect of a child. These data were retrieved from the KIDS data system.

The “Date of First Contact with Tribe” refers to the first documented date of any type of contact, including phone calls, letters and email correspondence, by CWS with the child’s tribe. A court appearance by the tribal child welfare worker was also considered as first contact, as attendance at a court hearing could have been the result of CWS providing notice to the tribe about the proceeding. These data were collected from one of the following: the KIDS data system, the CWS paper case file or the court file.

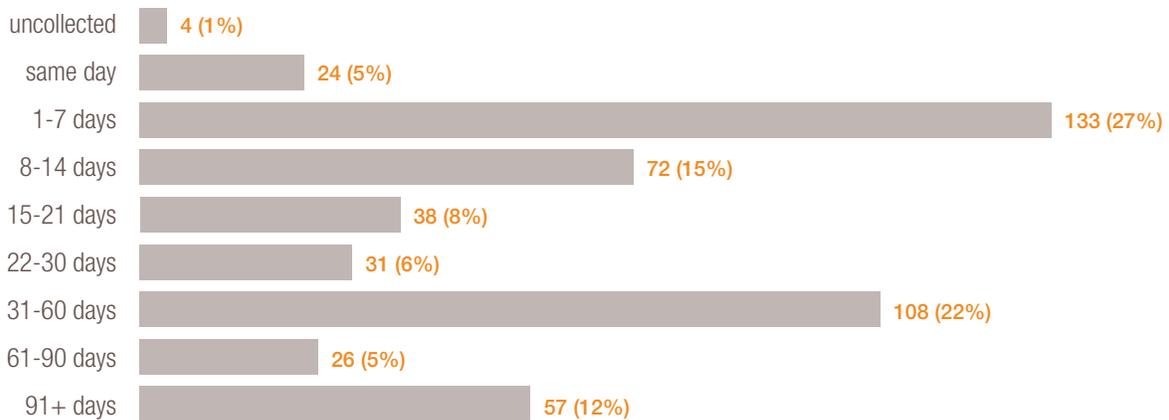
# ICWA SNAPSHOT

In 60 percent (298) of the children’s cases reviewed, CWS made initial contact with the child’s tribe within one month of the referral date (Figure 2). In 38 percent (188) of the cases, CWS took longer than a month after the referral date to make first contact with the child’s tribe. Missing data represented three children initially in tribal custody and later transferred to DHS custody and one child without a referral associated with removal in the KIDS system.

For a more detailed breakdown by county and district, see Appendices G and H.

## FIGURE 2 TIME BETWEEN REFERRAL AND FIRST TRIBE CONTACT

count of children (% of total)



Note: Due to rounding, percentages may not total 100.

## Time Between Removal and First Tribe Contact

Information for this area represents data collected from the Referral and Investigation/Assessment sections of the Snapshot tool and measures ICWA practices related to CWS/tribal interaction. Using the “Date of Removal” and “Date of First Contact with Tribe” items, the review examined the amount of time elapsed between the date the child was removed from his or her home and the date DHS contacted a child’s tribe.

The “Date of Removal” refers to the date the child was removed from his or her caretaker(s) by CWS and placed in out-of-home care. These data were retrieved from the KIDS data system.

The “Date of First Contact with Tribe” refers to the first documented date of any type of contact, including phone calls, letters and email correspondence, by CWS with the child’s tribe. A court appearance by the tribal child welfare worker was also considered as first contact, as attendance at a court hearing could have been the result of CWS providing notice to the tribe about the proceeding. These data were collected from one of the following: the KIDS data system, the CWS paper case file or the court file.

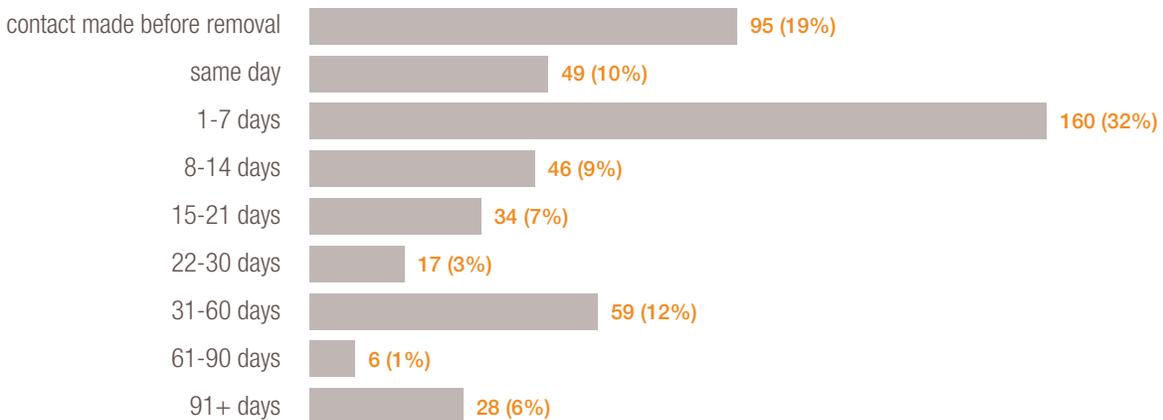
In 62 percent (305) of the children’s cases reviewed, CWS made initial contact with the child’s tribe within one month of the removal date (Figure 3). CWS made first contact with a child’s tribe before removing the child from the home in 19 percent (95) of the cases. It took more than a month to make first contact with the tribe after the child’s removal in 19 percent (93) of the cases.

For a more detailed breakdown by county and district, see Appendices I and J.

**FIGURE 3**

**TIME BETWEEN REMOVAL AND FIRST TRIBE CONTACT**

count of children (% of total)



Note: Due to rounding, percentages may not total 100.

**Legal Notice in the Court File**

Information for this area represents data collected from the Court File Information section of the Snapshot tool and measures tribal/court interaction, specifically court practices related to ICWA notifications of hearings. Data from the “Is Legal Notice in the Court File?” item of the tool examines whether a legal notice from the court was sent to the child’s tribe.

“Legal notice” refers to the formal notification of the filing and pendency of deprived child proceedings in state court by the court or the District Attorney’s Office to the tribe in which the child may be a member or eligible to be a member. These data were collected from court files.

Of the 493 children included in the review, the review team only examined the court files of 369 (75 percent). As indicated in the Limitations section of this report, restrictions for reviewing case files imposed by court staff prevented a review of records for 81 children in Muskogee County. These children represented 16 percent of the total sample population. In addition, data were not collected from the court files for 18 children (3.6 percent) in LeFlore County due to an oversight by the review team. For another 25 children (5 percent) in various counties, court information was not available due to review team oversight or error during the data collection and entry processes.

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To maintain the integrity of the project data, the 124 court files not reviewed are still included in Figure 4 under “uncollected.” As indicated in Figure 4, these court files represented 25 percent of the total number of children (493) included in the review. Consequently, when including this figure in the final analysis, a legal notice was found in 48 percent (237) of the court files for all children included in the review. However, when excluding the “Unknown” data and analyzing only the court files actually reviewed (369), a significantly larger percentage (66 percent) included a legal notice.

Additional analysis of this area by county and district was also performed (Appendices K and L).

## FIGURE 4 LEGAL NOTICE IN THE COURT FILE

count of children (% of total)



## Tribe Response to Legal Notice

Information for this area represents data collected from the Court File Information section of the Snapshot tool and measures ICWA practices related to tribal/court interaction, specifically one method of involvement by tribal child welfare program staff. For purposes of this review, a response by a tribe’s attorney or court is considered to be a response by the child welfare program. The “Response from Tribe” item examines whether a child’s tribe responded to the legal notice sent by the state court or District Attorney’s Office.

“Response from Tribe” refers to a formal reply by the child’s tribe to legal notification of the filing and pendency of deprived child proceedings in state court. Responses by tribes primarily consisted of legal notices of intervention. These data were collected from documents in court files, including Letter of Eligibility, Entry of Appearance and court minutes.

Data analysis for this area excludes the children’s cases with missing court file data (see explanation in “Legal Notice in the Court File” section above) and includes only those cases with a legal notice in the court file. Of the 237 children’s court files with a legal notice, the child’s tribe responded in 216 cases, or 91 percent (Figure 5). A child’s tribe did not respond to a legal notice in 21 cases (9 percent).

An analysis by county revealed that a child’s tribe responded to a legal notice in 100 percent of the cases in 11 counties. Most of these counties had fewer legal notices for tribes to respond to compared with other counties (Appendices M and N). Conversely, a few counties had relatively high rates (>20 percent) of cases with no response to a legal notice from a child’s tribe, including Wagoner (40 percent) and Okfuskee (31 percent).

**FIGURE 5**  
**TRIBE RESPONSE TO LEGAL NOTICE**

count of children (% of total)



### Timeliness of Tribe Response to Legal Notice

Information for this area represents data collected from the Court File Information section of the Snapshot tool and measures ICWA practices related to tribal/court interaction, specifically one method of involvement by tribal child welfare program staff. Using data from the “Is Legal Notice in the Court File?”, “Date Sent,” “Response from Tribe,” and “Date Filed” items, the review examined the amount of time elapsed between the date a legal notice was sent by the state court or District Attorney’s Office and the date of response to the legal notice by the child’s tribe. For purposes of this review, a response by a tribe’s attorney or court is considered to be a response by the child welfare program.

“Response from Tribe” refers to a formal reply by the child’s tribe to legal notification of the filing and pendency of deprived child proceedings in state court. Responses by tribes primarily consisted of legal notices of intervention. These data were collected from documents in court files, including Letter of Eligibility, Entry of Appearance and court minutes.

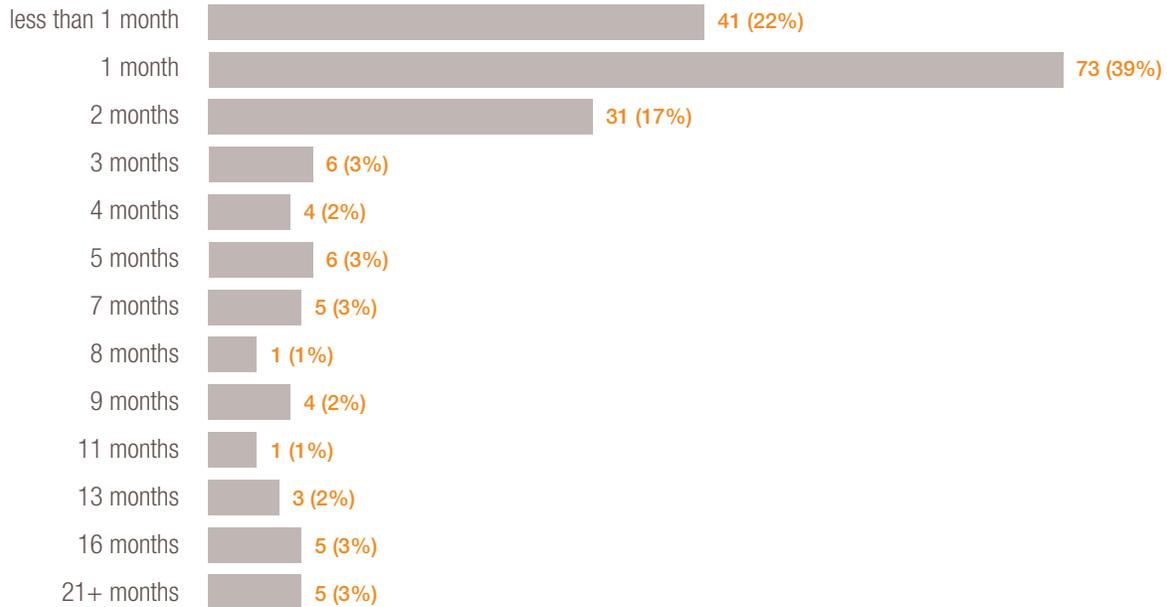
Analysis for this area excludes the children’s cases with missing court file data (see explanation in “Legal Notice in the Court File” section above) and includes only those cases with a response from the child’s tribe. Of the 216 children’s court files with a response from the child’s tribe, 185 are reflected in Figure 6; the values for “Date Sent” and “Date Filed” fields for 31 court files could not be analyzed due to “out-of-range” data. Both the date a legal notice was sent and the date the tribe’s response was filed with the court are used to calculate timeliness of response (in months). For the 31 court files excluded, the child’s tribe responded prior to legal notice being sent.

In 114 (61 percent) of the 185 children’s files analyzed, the child’s tribe responded to a legal notice within a month or less. A child’s tribe took longer than two months to respond in 40 cases (22 percent).

# ICWA SNAPSHOT

**FIGURE 6**  
**TRIBE RESPONSE TIME (N=185)**

count of children (% of total)



Note: This graph excludes out-of-range values where the data do not apply (31 children). Due to rounding, percentages may not total 100.

## Legal Notice and Tribe Response

Information for this area represents data combined and analyzed from two previous sections — Legal Notice in the Court File and Tribe Response to Legal Notice — and measures ICWA practices related to tribal/court interaction, specifically one method of involvement by tribal child welfare program staff. Using the “Is Legal Notice in the Court File?” and “Response from Tribe” items, the review examined the response of a child’s tribe in relation to the legal notice sent by the state court or District Attorney’s Office. These data were collected from court files.

Results for this area include children’s cases with missing and N/A (Not Applicable) court file data (Table 2). For explanation of “missing” and “N/A” data, see explanation in “Legal Notice in the Court File” section above. Among children’s court files with a legal notice, analysis indicated that the child’s tribe responded in 216 (91 percent) of the 237 cases. In 21 (9 percent) of the court files indicating a legal notice was sent to the child’s tribe, a response from the tribe was not documented. Interestingly, among the 132 court files without a legal notice, a response from the child’s tribe was found in 77 percent (101) of the court files.

**TABLE 2**  
**LEGAL NOTICES AND TRIBE RESPONSES**

		Response from tribes?				
		yes	no	n/a	uncollected	total
Is legal notice in court file?	yes	216	21			237
		91%	9%			100%
	no	101	22	9		132
		77%	17%	7%		100%
	uncollected	1			123	124
		1%			99%	100%
	total	318	43	9	123	493
		65%	9%	2%	25%	100%

Note: Due to rounding, percentages may not total 100.

### Written Report Submitted by Tribe to Court

Information for this area represents data collected from the Court File Information section of the Snapshot review tool and measures ICWA practices related to tribal/court interaction, specifically one method of involvement by tribal child welfare program staff. Data from the “Report Submitted by Tribe to Court” item of the tool were used to examine whether a court report was filed by the child’s tribe at any time during the court proceeding.

“Written Report Submitted by Tribe to Court” refers to a written document filed with the state court by the child’s tribe. In general, a court report submitted by a tribe may include the following: details regarding involvement of tribal child welfare workers in the child’s case; updates regarding the family’s progress in court-ordered services provided by the tribe; and recommendations regarding the child’s placement. These data were collected from court files.

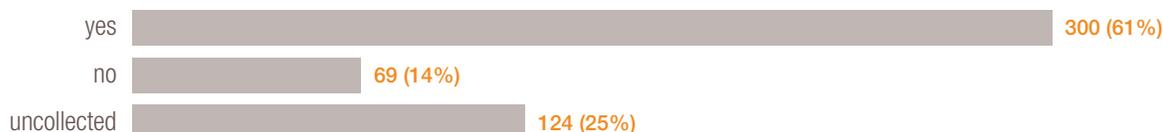
# ICWA SNAPSHOT

Like Figure 4, the 124 court files not reviewed are included in Figure 7 under “uncollected.” “Uncollected” refers to the uncollected court file data in Muskogee and LeFlore counties and collected data not recorded in the data spreadsheet due to review team error. As indicated, these court files represented 25 percent of the total number of children (493) included in the review. Consequently, when including this figure in the final analysis, a court report submitted by the child’s tribe was found in 61 percent (300) of the court files for all children included in the review. This result assumes that a court report was not submitted for 124 children. However, when excluding the “uncollected” data and analyzing only the court files actually reviewed (369), a significantly larger percentage (81 percent, or 300) included a court report while only 19 percent (69) did not.

Additional analysis of data for this area by county and district was performed (Appendices O and P). According to the results of this analysis, the three counties with the largest number of court files reviewed to determine whether a court report was submitted by the child’s tribe were Bryan (51), Okmulgee (47) and Pittsburg (39). Of the 51 court files reviewed in Bryan County, 42 (82 percent) had court reports filed by the child’s tribe. In Okmulgee County, a court report was submitted in 33 (70 percent) of the 47 court files. The child’s tribe submitted a court report in 36 (92 percent) of the 39 court files reviewed in Pittsburg County.

## FIGURE 7 REPORT SUBMITTED BY TRIBE TO COURT

count of children (% of total)



## Placement Type

Information for this area represents data collected from the Current Placement section of the Snapshot tool and measures CWS practices related to the placement preferences provisions of ICWA.

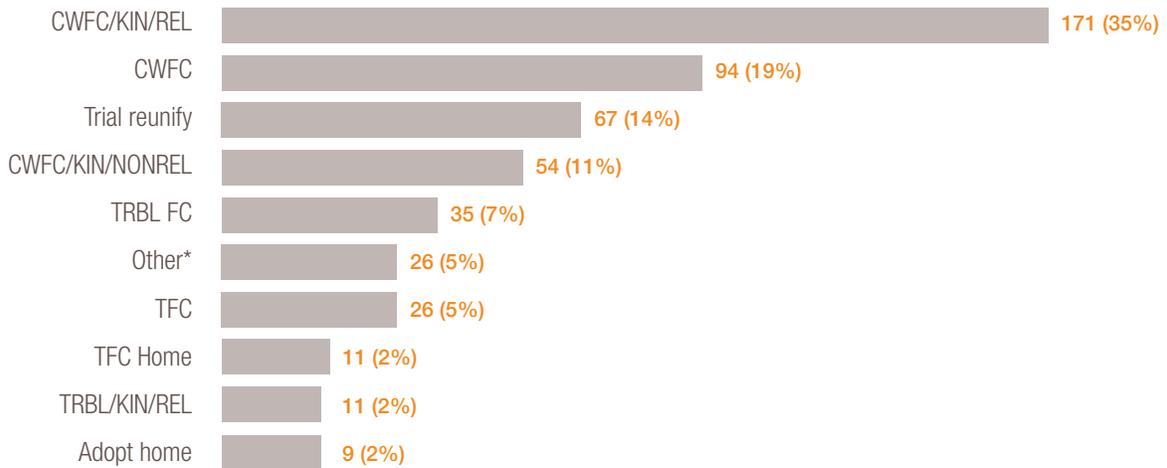
Data from the “Placement Type” item of the tool were used to examine where a child was placed while in out-of-home care. Placement type, also known as resource type, refers to the specific type of placement the child was in at the time of the review (Appendix R). These data were gathered from the KIDS data system.

Results show that one-third of the children (171, or 35 percent) in out-of-home care were placed with a relative (Figure 8). Tribal foster care and kinship/relative placement represented 9 percent (46) of all placements. Additional types of placements can be seen in Figure 8. Placement types that represented 1 percent or less of the total were grouped as “Other.”

Additional analysis of data for this area by county and district was performed (Appendices Q and R). According to this analysis, the three counties with the largest number of placements were Muskogee (81), Bryan (51) and Okmulgee (47).

**FIGURE 8**  
**PLACEMENT TYPE**

count of children (% of total)



\*Other: Includes ACH, Acute/Psych HOS, AWOL, DDSF Foster Family Care, Level E, Level T-Residential, Non DHS Oper, Own Home, Psych Trmt Ctr, Shelter Youth, and Specialized Community Home

Note: See Appendix D for definitions of placement type acronyms.

**Ongoing Efforts to Place Child with Extended Family**

Information for this area represents data collected from the Current Placement section of the Snapshot tool and measures CWS practices related to the placement preferences provisions of ICWA. Using the “Extended Family” and “Are ongoing efforts to place with either of the above documented in the most recent court report?” items, the review examined the efforts of CWS workers to identify and locate extended family for placement of a child. These data were gathered from the KIDS data system.

“Extended Family” refers to “any person as defined by the law or custom of the Indian child’s tribe, or, in absence of such law or custom, a person who is at least 18 years of age and is the Indian child’s grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent.”<sup>13</sup>

# ICWA SNAPSHOT

“Are ongoing efforts to place with either of the above documented in the most recent court report?” refers to the CWS worker’s efforts to place a child with extended family, which were documented in the CWS report submitted to the court prior to the most recent court hearing at the time of the review. Ongoing efforts occur anytime a child is not placed in accordance with the placement preferences of the child’s tribe.

Of the 493 children included in the review, 197 (40 percent) were placed with extended family, while 229 (46 percent) were not (Figure 9). Sixty-seven children (14 percent) were in trial reunification at the time of the review and are listed as “N/A.” A child in trial reunification is in the care of the parent or legal guardian from whom the child was removed.

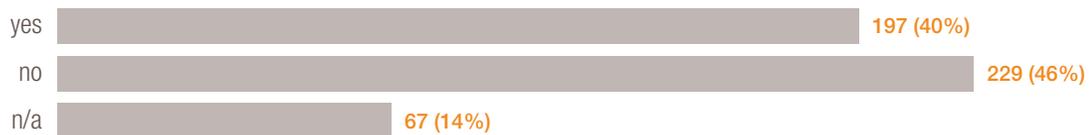
For those children not placed with extended family, the majority (186, or 81 percent) did not have ongoing efforts to place with extended family documented in the most recent court report (Figure 10).

For a more detailed breakdown of data for this area by county and district, see Appendices U and V.

**FIGURE 9**

## CHILD PLACED WITH EXTENDED FAMILY

count of children (% of total)



**FIGURE 10**

## ONGOING EFFORTS TO PLACE CHILDREN WITH EXTENDED FAMILY DOCUMENTED IN COURT REPORT

count of children (% of total)



## Discussion

As a pilot study, the ICWA Snapshot project attempted to identify general trends related to ICWA practices of Child Welfare Services and tribal child welfare workers and state court systems in one DHS region in Oklahoma. Results of this study are not representative of statewide practices and, because of the limitations described in this report, may not provide an accurate depiction of ICWA compliance efforts by CWS and the courts as well as level of tribal involvement in ICWA cases in DHS Region 4. However, project findings do provide insight about general ICWA practices for nearly 500 American Indian children in the Oklahoma foster care system during the review period of February 2012 to January 2014.

### ICWA Practice Trends Identified

Project results are organized in nine areas, and each area measures an ICWA practice of CWS child welfare workers, tribal child welfare workers or state court systems. Four areas (1, 2, 8 and 9) primarily examine the efforts of CWS workers to comply with ICWA and work with tribal child welfare programs per DHS policy. Four areas (4, 5, 6 and 7) mainly examine the level of tribal workers' involvement in ICWA cases. The efforts of courts in complying with ICWA notice provisions are examined in one area (3).



## Practice Trends for CWS Workers

### TIME BETWEEN REFERRAL AND FIRST CONTACT WITH TRIBE, AREA 1

According to DHS policy,<sup>14</sup> when a report alleging abuse or neglect of a child identified as Indian or believed to be Indian is received by the CWS statewide centralized hotline and assigned as an investigation or assessment, the “child welfare (CW) specialist” notifies the child’s tribe of the report “either at the time the initial report is assigned or at any time during the investigation or assessment process.”

DHS policy also requires the CW specialist to provide the Indian child welfare worker an opportunity to participate in the assessment or investigation. Data regarding joint CWS/tribal investigations were partially collected during the review but not analyzed. According to DHS policy, the response time for a report assigned as an investigation is five days or less after acceptance. The CW specialist must respond to a report assigned as an assessment in 10 calendar days or less after acceptance.<sup>15</sup>

As results of this study indicated, the time between referral and first contact with a child’s tribe varied widely among the 493 children’s cases (Figure 2), ranging from “same day” (24, or 5 percent) to “91+ days” (57, or 12 percent). Although factors that may impact timeliness of notification (e.g., length of investigation/assessment process, undocumented initial contact) were not evaluated, data collected show that CWS made contact with a child’s tribe more than 14 days after referral in more than half (260) of the cases reviewed.

### TIME BETWEEN REMOVAL AND FIRST CONTACT WITH TRIBE, AREA 2

According to DHS policy,<sup>14</sup> when an “[Indian] child is removed from the home,” the CW specialist “verbally notifies the child’s tribe no later than the next business day.”

Findings for this area varied widely among cases (Figure 3), with tribal contact occurring before removal in 95 cases (19 percent), on the same day of removal in 49 cases (10 percent), and more than 30 days after removal in 93 cases (19 percent). Not considering factors that could impact timeliness of notifications such as verbal contacts left undocumented in the CWS case file, data collected indicate CWS contacted a child’s tribe more than 14 days after the child’s removal in 29 percent (144) of the children’s cases reviewed.

### PLACEMENT TYPE, AREA 8

When an Indian child is removed and placed in out-of-home care, the federal and Oklahoma Indian Child Welfare acts and DHS policy require CWS to place the child according to established placement preferences, and when applicable, the specific preferences of a child’s tribe.

Data for this area captured a child’s current placement at the time of the case review and are categorized as a “placement type.” For purposes of this study, placement types considered to fall within ICWA or tribal placement preferences include “Child welfare foster family care/kinship/relative (CWFC/KIN/REL),” “Tribal foster care (TRBL FC),” and “Tribal foster care/kinship/relative (TRBL/KIN/REL).” (See Appendix D for definitions of placement types.) Data identifying a placement type as a tribal placement preference were collected during the review but not analyzed.

At the time of the case record review for a child in a noncompliant ICWA placement, reasons for placement outside of ICWA or tribal specified preferences (e.g., no available DHS or tribal placement resources, no response from the child's tribe) were not identified. Ongoing CWS efforts to place a child in an ICWA or tribal preferred placement were recorded during the review and results are discussed in the next section. In addition, when a child was not placed with extended family, the Snapshot tool captured "good cause" findings to deviate from placement with extended family, but these data were not analyzed.

Excluding 67 children (14 percent) in trial reunification and 52 (10 percent) in placements (e.g., Other, TFC and TFC Home) for the purpose of meeting "extraordinary or physical or emotional needs," findings show that 57 percent (216) of 379 children in out-of-home care were in one of the three CWS placement types meeting ICWA or tribal placement preferences.

### **ONGOING EFFORTS TO PLACE CHILD WITH EXTENDED FAMILY, AREA 9**

When an "Indian child is not placed in accordance with the Federal and State ICWA because of a lack of resources," DHS policy requires CWS to continue efforts, "in cooperation with the child's tribe," to place the child within ICWA preferences<sup>16</sup> and this "obligation to meet the placement preferences continues throughout the case." In addition, DHS policy requires the "CW specialist" to document efforts in the Contacts and Court Reports screens in the KIDS data system.

According to results, 40 percent (197) of the children included in this study were placed with extended family (Figure 9). Including children in Other, TFC and TFC Home placements, 46 percent (229) were not placed with extended family and subject to CWS efforts to place within ICWA



# ICWA SNAPSHOT

preferences (i.e., extended family). Of those 229 children, efforts to place with extended family or tribal preferred placements were documented in records for only 19 percent (43). Although an unknown number of children in placements sanctioned by a court through a good cause finding and approved by the child's tribe in combination with undocumented ongoing CWS efforts could have ultimately increased this number, findings indicate that CWS practices in this area need further examination.

## Practice Trends for Tribal Workers

Monitoring cases involving children in the state foster care system and intervening in their court proceedings are the primary methods for tribal involvement in ICWA cases. In Oklahoma, because of the high number of American Indian children in the state foster care system, involvement of tribal child welfare workers can be an important factor in cultivating ICWA compliance practices and efforts by CWS and courts.

### **TRIBE RESPONSE TO LEGAL NOTICE, AREA 4 LEGAL NOTICE AND TRIBE RESPONSE, AREA 6**

While federal and Oklahoma ICWAs do not mandate that tribes respond to a legal notice, results of this study show that a high percentage of tribes responded to legal notices of court proceedings in Region 4. According to reviewed court records, a child's tribe responded to a legal notice in slightly more than 90 percent of cases (Figure 5).

This study also examined the response rate of tribes when a legal notice was not documented in court records. Findings indicated that a response was still received from the child's tribe in 77 percent of those cases (Table 2).

A high percentage of tribes responded to legal notices of court proceedings in Region 4. According to reviewed court records, a child's tribe responded to a legal notice in slightly more than 90 percent of cases.

Although the total sample of court files identified for review was significantly reduced, findings from court records for 369 children indicate that tribes did not respond in only 11 percent of cases, regardless of whether a legal notice was sent. Consequently, results suggest that the level of tribal child welfare workers' involvement in these two areas was high in Region 4.

### **TIMELINESS OF TRIBE RESPONSE, AREA 5**

Because CWS workers are required to work in cooperation with tribes to place Indian children in ICWA and tribal-specified placements, the timeliness of responses by tribes to the legal notice is crucial to increasing compliance by CWS with ICWA placement provisions. While response to a legal notice does not always equate to CWS/tribal worker collaboration and communication, this study presumes that delay in responding increases the likelihood that an Indian child will be placed outside ICWA and tribal-specified placements.

Even though a high percentage of tribes responded to legal notices in Region 4, the timeliness of responses varied significantly in the children's cases analyzed (Figure 6).

In 78 percent of the cases, a child's tribe took one month or longer to respond. A child's tribe took longer than one year to formally respond in a small percentage (8 percent) of cases. Other factors that could impact timeliness of response, such as limited tribal child welfare staff and legal resources, were not identified during the review.

### **WRITTEN REPORT SUBMITTED BY TRIBE TO COURT, AREA 7**

Another measure of tribal involvement in ICWA cases is the submission of a written report to state courts. Typically, a tribal court report includes details regarding involvement of tribal child welfare workers in the child's case (e.g., home visits, supervision of visits); updates regarding the family's progress in court-ordered tribal services; and recommendations regarding the child's placement. This study did not examine content of tribal court reports or tribal policies pertaining to the submission of court reports.

According to court files reviewed, a written report was submitted by a child's tribe in 81 percent of the cases. As stated previously, the total sample of court files identified for review was reduced by 25 percent, preventing a complete examination of tribal involvement in Region 4 ICWA cases through the submission of written reports to the court. However, similar to Areas 4 and 6, collected results indicate a significant level of involvement by tribal child welfare workers in this area.

## Practice Trends for Courts

### **LEGAL NOTICE IN THE COURT FILE, AREA 3**

Section 1912 (b) of ICWA requires that notice of "any involuntary proceeding in a State court, where the court knows or has reason to know that an Indian child is involved," be provided to the parent or Indian custodian and the Indian child's tribe.

According to results of court file reviews, a legal notice was sent to the child's tribe in 237 (66 percent) of the 369 children's court files actually reviewed (see Legal Notice in the Court File section and Figure 4). Results varied widely among counties, with a legal notice in 100 percent of court files in one county and only 4 percent of court files in another (Appendix K), indicating that ICWA practices for some courts in Region 4 need further examination.

## Conclusion

Outcomes for American Indian children in out-of-home care in Oklahoma can be impacted significantly by the ICWA practices of CWS and state courts and the involvement of tribes in ICWA cases. Legal notification of court proceedings to a child's tribe, timely first contact with a child's tribe, placement of a child with extended family, and prompt tribal participation in a child's case could all lead to improved outcomes for Indian children in the state foster care system. Consequently, compliance with ICWA, adherence to DHS policy, and tribal involvement are critical to achieving positive results for those children and their families.

These findings should be utilized to initiate discussions and guide future reviews of ICWA compliance, evaluation of ICWA training efforts, and tribal/state collaboration efforts.

Overall, ICWA Snapshot project results indicated varying levels of ICWA practices by CWS and state courts and tribal involvement in one DHS region. These findings — which show strengths (e.g., legal notice sent by the court to a child's tribe in more than 90 percent of the cases in three counties) and weaknesses (e.g., ongoing efforts by CWS to place a child with extended family not documented in any of the cases in 10 counties) in practices by CWS, courts and tribes — should not be viewed as a definitive depiction of ICWA compliance in Oklahoma and tribal involvement in ICWA cases. Instead, project results should be utilized to initiate discussions between CWS, courts and tribes and guide future CWS reviews of ICWA compliance, evaluation of ICWA training efforts by CWS and state court systems, and tribal/state collaboration efforts.

## Next Steps

### **FUTURE REVIEWS**

The methodology utilized by the pilot project team yielded a real-time snapshot of practice trends in a large number of Indian Child Welfare Act cases. Though not a comprehensive review, findings of the project established baseline data for ICWA practices in Region 4. Future examinations of ICWA practices in other Oklahoma DHS regions using the ICWA Snapshot review tool are encouraged.

However, before the Snapshot methodology is replicated, the project team recommends an evaluation of the review tool for necessary modifications. During the review process, team members identified tool elements that could be modified to increase consistency and efficiency of data collection procedures. Modifications to the tool were not made during the review.

Additional recommendations include reviewers testing the tool on a small sample of KIDS data, court or CWS case files prior to conducting reviews and comparing information collected to increase the consistency of measurements.

### **EVALUATION OF ICWA TRAINING**

Education on the goals and provisions of ICWA is crucial to compliance efforts by state child welfare workers and courts. Although current training strategies implemented by CWS and court systems to facilitate compliance with the federal and Oklahoma ICWAs were not examined by the project team, review findings suggest that existing ICWA training efforts, including those on DHS policy for CWS staff, could be evaluated. An evaluation of ICWA training strategies, both initial and ongoing, to determine their correlation to ICWA compliance efforts is another step in examining and ultimately improving ICWA compliance by CWS and state courts.

Any evaluation of ICWA training should include qualitative measures such as structured interviews and focus groups. Through these approaches, participants (i.e., CWS child welfare workers and state court judges) would be able to share their perspectives of and experiences with ICWA training and practices, which would lead to a more comprehensive evaluation of the effectiveness of current ICWA strategies.

### **TRIBAL/STATE COLLABORATION EFFORTS**

The ICWA Snapshot project originated as a result of collaborative efforts between CWS and tribal child welfare programs during a strategic planning session of the Tribal State Collaboration Workgroup. Because the project produced valuable information regarding ICWA practices in one DHS region, similar initiatives to address issues related to child welfare practice and policy (e.g., ICWA compliance efforts) should continue to be planned and implemented by the Tribal State Collaboration Workgroup in other regions.

In September 2012, the workgroup began an initiative to develop ICWA workgroups in each of the five DHS regions. These regional workgroups are being developed to address child welfare practice, policy/legal issues, foster care resources and training on a local level. Each regional workgroup will be co-chaired by a CWS tribal coordinator and a tribal child welfare representative.

Consequently, the regional ICWA workgroups could be responsible for implementing ICWA Snapshot reviews (or more comprehensive reviews when appropriate) and ICWA training evaluations. A Snapshot review can establish baseline data for ICWA practices in DHS Regions 1, 2, 3 and 5 and empower the regional workgroups, including Region 4, to adapt or expand current ICWA training strategies following suggested examinations of those training efforts.

As a joint effort between CWS and tribal child welfare programs, the regional ICWA workgroups should continue to serve as methods for improving state/tribal collaboration efforts, ICWA compliance and outcomes for American Indian children in out-of-home care.

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15. Oklahoma Administrative Code 340:75-3-130. Oklahoma Department of Human Services Abuse and Neglect Hotline
16. Oklahoma Administrative Code 340:75-19-14. Placement preferences for the Indian child

# APPENDICES

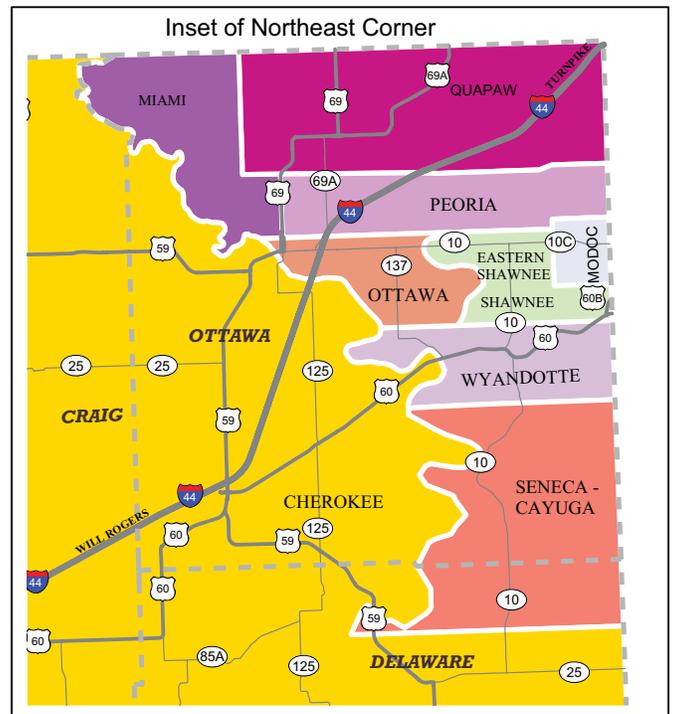
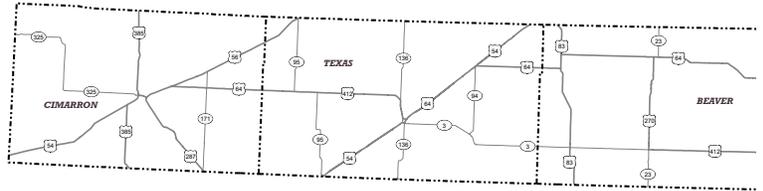


As a joint effort between CWS and tribal child welfare programs, the regional ICWA workgroups should continue to serve as methods for improving state/tribal collaboration efforts, ICWA compliance and outcomes for American Indian children in out-of-home care.

# Appendix A

## Tribal Jurisdictions in Oklahoma

# TRIBAL

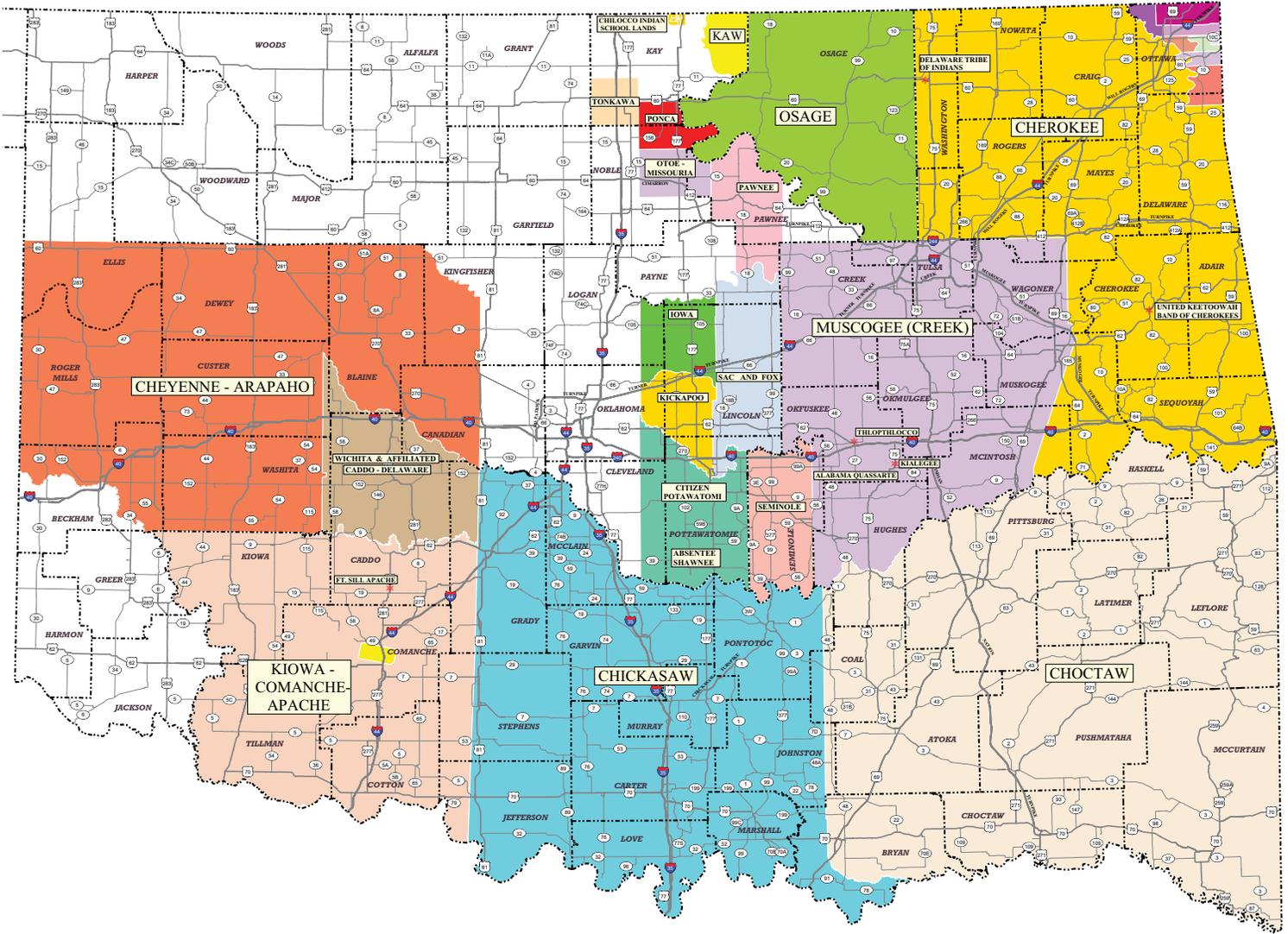


OKLAHOMA DEPARTMENT OF TRANSPORTATION  
 PLANNING & RESEARCH DIVISION  
 GIS MANAGEMENT BRANCH  
 200 N.E. 21ST STREET  
 OKLAHOMA CITY, OKLAHOMA 73105

- |                               |                           |
|-------------------------------|---------------------------|
| ABSENTEE SHAWNEE TRIBE        | CHOCTAW NATION            |
| ALABAMA QUASSARTE TRIBAL TOWN | CITIZEN POTAWATOMI TRIBE  |
| APACHE TRIBE                  | COMANCHE NATION           |
| CADDO TRIBE                   | DELAWARE NATION           |
| CHEROKEE NATION               | DELAWARE TRIBE OF INDIANS |
| CHEYENNE - ARAPAHO TRIBES     | EASTERN SHAWNEE TRIBE     |
| CHICKASAW NATION              | FT. SILL APACHE           |

# ICWA SNAPSHOT

## JURISDICTIONS IN OKLAHOMA



### 38 FEDERALLY RECOGNIZED TRIBES

(Tribal Boundaries provided by the Bureau of Land Management)

IOWA TRIBE	MUSCOGEE (CREEK) NATION	QUAPAW TRIBE	UNITED KEETOOWAH BAND OF CHEROKEES
KAW NATION	OSAGE NATION	SAC AND FOX NATION	WICHITA & AFFILIATED TRIBE
KIALEGEE TRIBAL TOWN	OTOE - MISSOURIA TRIBE	SEMINOLE NATION	WYANDOTTE NATION
KICKAPOO TRIBE	OTTAWA TRIBE	SENECA - CAYUGA TRIBE	
KIOWA TRIBE	PAWNEE NATION	SHAWNEE TRIBE	
MIAMI NATION	PEORIA TRIBE	THLOPHTLOCCO TRIBAL TOWN	
MODOC TRIBE	PONCA NATION	TONKAWA TRIBE	

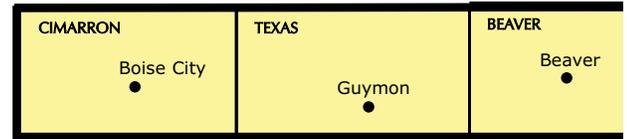


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## Appendix B

### DHS Child Welfare Services Regions and Districts

# CHILD WELFARE



Effective 10/16/2012

**Region 1** Amy Whitson, Deputy Director  
Office (580) 816-8600, Fax (580) 816-8610  
1401 Lera Drive, Suite 4  
Weatherford, OK 73096

**Region 2** Rick Steen, Deputy Director  
Office (580) 250-3750, Fax (580) 250-3757  
2609 S.W. Lee Blvd.  
Lawton, OK 73505

**Region 3** Calvin Kelley, Deputy Director  
Office (405) 767-2500, Fax (405) 767-2517  
5905 N. Classen Court, Suite 401  
Oklahoma City, OK 73118

**Region 4** Tricia Howell, Deputy Director  
Office (918) 684-5335, Fax (918) 684-5399  
729 S. 32<sup>nd</sup> St.  
Muskogee, OK 74401

**Region 5** Kelly Johnson, Deputy Director  
Office (918) 794-7500, Fax (918) 794-7580  
6128 E. 38<sup>th</sup> St., Suite 5500  
Tulsa, OK 74135-5832

### Region 1

County	Dst#
Alfalfa	26
Beaver	1
Beckham	2
Blaine	4
Canadian	4
Cimarron	1
Custer	2
Dewey	26
Ellis	2
Garfield	4
Grant	4
Harper	1
Kay C/A	8
Kingfisher	4
Logan	9
Major	26
Noble	8
Osage	10
Pawnee	10
Payne	9
Roger Mills	2
Texas	1
Washita	2
Woods	26
Woodward	26

### Region 2

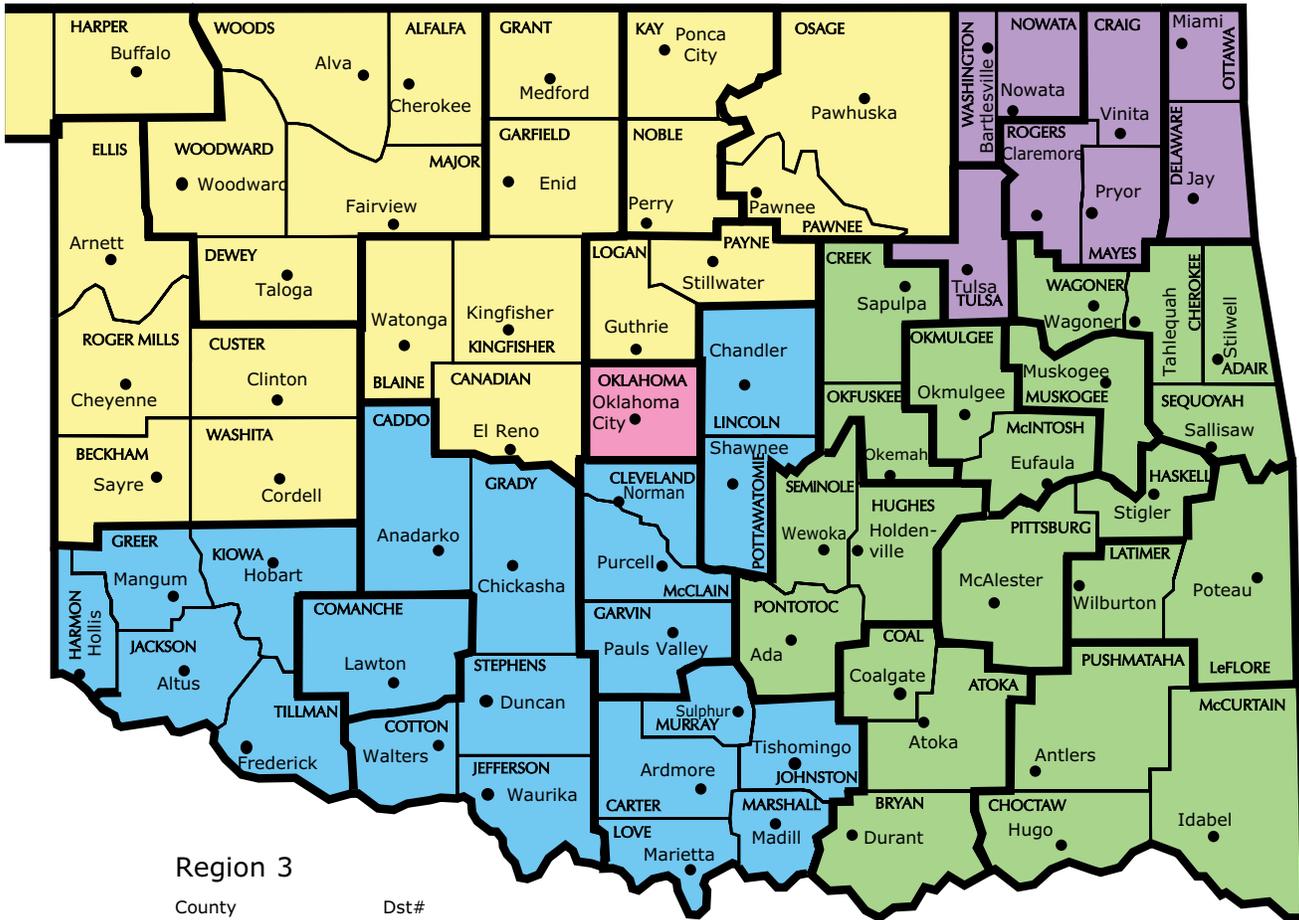
County	Dst#
Caddo	6
Carter	20
Cleveland A	21
Cleveland C	21
Comanche	5
Cotton	6
Garvin	21
Grady	6
Greer	3
Harmon	3
Jackson	3
Jefferson	6
Johnston	20
Kiowa	3
Lincoln	23
Love	20
Marshall	20
McClain	21
Murray	20
Pottawatomie	23
Stephens	6
Tillman	3

<http://www.okdhs.org>

Thick line denotes district border  
Thin line denotes county border

# ICWA SNAPSHOT

## SERVICES REGIONS AND DISTRICTS



### Region 3

County	Dst#
Oklahoma A	7
Oklahoma B	7
Oklahoma D	7
Oklahoma F	7
Oklahoma H	7

### Region 4

County	Dst#
Adair	27
Atoka	19
Bryan	19
Cherokee	27
Choctaw	17
Coal	19
Creek	24
Haskell	18
Hughes	22
Latimer	16
LeFlore	16
McCurtain	17
McIntosh	25
Muskogee	15
Okfuskee	24
Okmulgee	25
Pittsburg	18
Pontotoc	22
Pushmataha	17
Seminole	22
Sequoyah	27
Wagoner	27

### Region 5

County	Dst#
Craig	12
Delaware	13
Mayes	12
Nowata	11
Ottawa	13
Rogers	12
Tulsa D	14
Tulsa G	14
Washington	11



M13-02

Issued 2-21-2013

## Appendix C

### Snapshot Review Tool

#### ICWA SNAPSHOT

KK: \_\_\_\_\_ Case Name: \_\_\_\_\_ County: \_\_\_\_\_

Court Case #: \_\_\_\_\_

Child's Name: \_\_\_\_\_ Tribe: \_\_\_\_\_

Current Case Plan Goal: \_\_\_\_\_

#### REFERRAL

Date of referral: \_\_\_\_\_ Referral #: \_\_\_\_\_

Date of removal: \_\_\_\_\_

NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### INVESTIGATION/ASSESSMENTS

Date of first contact with Tribe: \_\_\_\_\_ Joint investigation:  Yes  No

Type of contact: \_\_\_\_\_

DCFS-59 in file:  Yes  No Signed by Tribe:  Yes  No

NOTES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# ICWA SNAPSHOT

## COURT FILE INFO

Is Legal Notice in the Court File:  Yes  No      Date sent: \_\_\_\_\_

Obtain a copy of notice. Proof of receipt to tribe: \_\_\_\_\_

Response from Tribe:  Yes  No      Date filed: \_\_\_\_\_

Adjudicated:  Yes  No      Date of Adjudication: \_\_\_\_\_

Petition to Terminate Parental Rights filed:  Yes  No       Mother  Father

Report submitted by Tribe to court:  Yes  No

NOTES: \_\_\_\_\_

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## CURRENT PLACEMENT

Placement Type: \_\_\_\_\_ Resource #: \_\_\_\_\_

Extended Family:  Yes  No      Child's Tribes Placement Preference:  Yes  No

Are ongoing efforts to place with either of the above documented in most recent court report?

Yes  No      Date of most recent court hearing: \_\_\_\_\_

Describe efforts: \_\_\_\_\_

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Has the court made Good Cause findings to deviate from extended family placement?

Yes  No      Date: \_\_\_\_\_

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix D

### DHS Placement Type Definitions

**ACH - DDS (Agency Companion Home - Developmental Disabilities Service):** A living arrangement developed to meet the specific needs of the member that includes a live-in companion providing supervision, supportive assistance and training in daily living skills provided in a shared home owned or rented by the member or companion or in a mutually rented or owned home; available to members 18 years of age or older who are eligible for services through Community or Homeward Bound Waivers.

**Acute/Psych Hos (Acute Psychiatric Hospital):** A facility that provides inpatient mental health treatment to patients requiring intensive treatment.

**Adopt Home:** A resource home providing security for and meeting the developmental needs of a child by legally transferring ongoing parental responsibilities for that child from the parent or legal guardian to the adoptive parent, and, in the process, creating a new kinship network that links the birth family and the adoptive family through the child.

**AWOL (Absence Without Leave):** Absence without leave from placement.

**CWFC (Child Welfare Foster Family Care):** An essential temporary Child Welfare Services (CWS) service for the child and parent, legal guardian or custodian provided when the child's safety cannot be ensured in his or her own home due to the threat of child abuse, neglect or special circumstances necessitating out-of-home care on a temporary basis in a home away from the child's parent, legal guardian or custodian. A service of continuous care is provided for the child requiring out-of-home placement in a home environment including, but not limited to, the care, supervision, guidance and rearing of the child by a Bridge resource parent who is approved by and under contract with DHS.

**CWFC/KIN/NONREL (Child Welfare Foster Family Care/Kinship/Non Relative):** Continuous care for the child requiring out-of-home placement provided by a responsible adult who has a bond or tie with the child or a family relationship role with the child's parent or the child prior to the child's entry into foster care.

**CWFC/KIN/REL (Child Welfare Foster Family Care/Kinship/Relative):** Continuous care for the child requiring out-of-home placement provided by a relative, meaning a grandparent, great-grandparent, brother or sister of whole or half blood, aunt, uncle or any other person related to the child.

**DDSD (Developmental Disabilities Service Division) Foster Family Care:** Residences maintained by persons biologically related to a person receiving services.

**Level E:** Provides 24-hour awake supervision for the child 6 through 17 years of age with a goal of remediation of behavioral or emotional problems through a focus on therapeutic issues. The child served exhibits severely disturbed excessive anti-social behaviors and is aggressive toward himself or herself and others.

**Level T-Residential (No longer available):** A group home providing Level D+ services for 16 youth or more.

**Non DHS Oper:** Residential facilities providing specialized services to custody children/youth.

# ICWA SNAPSHOT

**Own Home:** A child's place of residence prior to removal.

**Psychiatric Treatment Center:** A facility that provides inpatient mental health treatment to patients who do not meet medical necessity criteria for acute services.

**Shelter Youth:** Provides temporary placement for children ages 0 to 17 years of age who have been removed from their homes due to abuse or neglect.

**Specialized Community Home:** A structured program for up to four children in DHS custody, operated by an individual in his/her own home. Residents attend public schools, participate in community-based services and do not require 24-hour awake supervision.

**TFC (Therapeutic Foster Care):** Serves children in DHS custody who are 3 through 17 years of age, and youth up to 19 years of age or until completion of high school who have requested extended services, and: (A) meets medical necessity criteria established by the Oklahoma Health Care Authority (OHCA); (B) responds to close relationships within a family setting; (C) requires more intensive behavioral health services than available in traditional foster family settings, when additional supports are not available or have failed to stabilize the child in a lesser restrictive placement; and does not require 24-hour awake supervision.

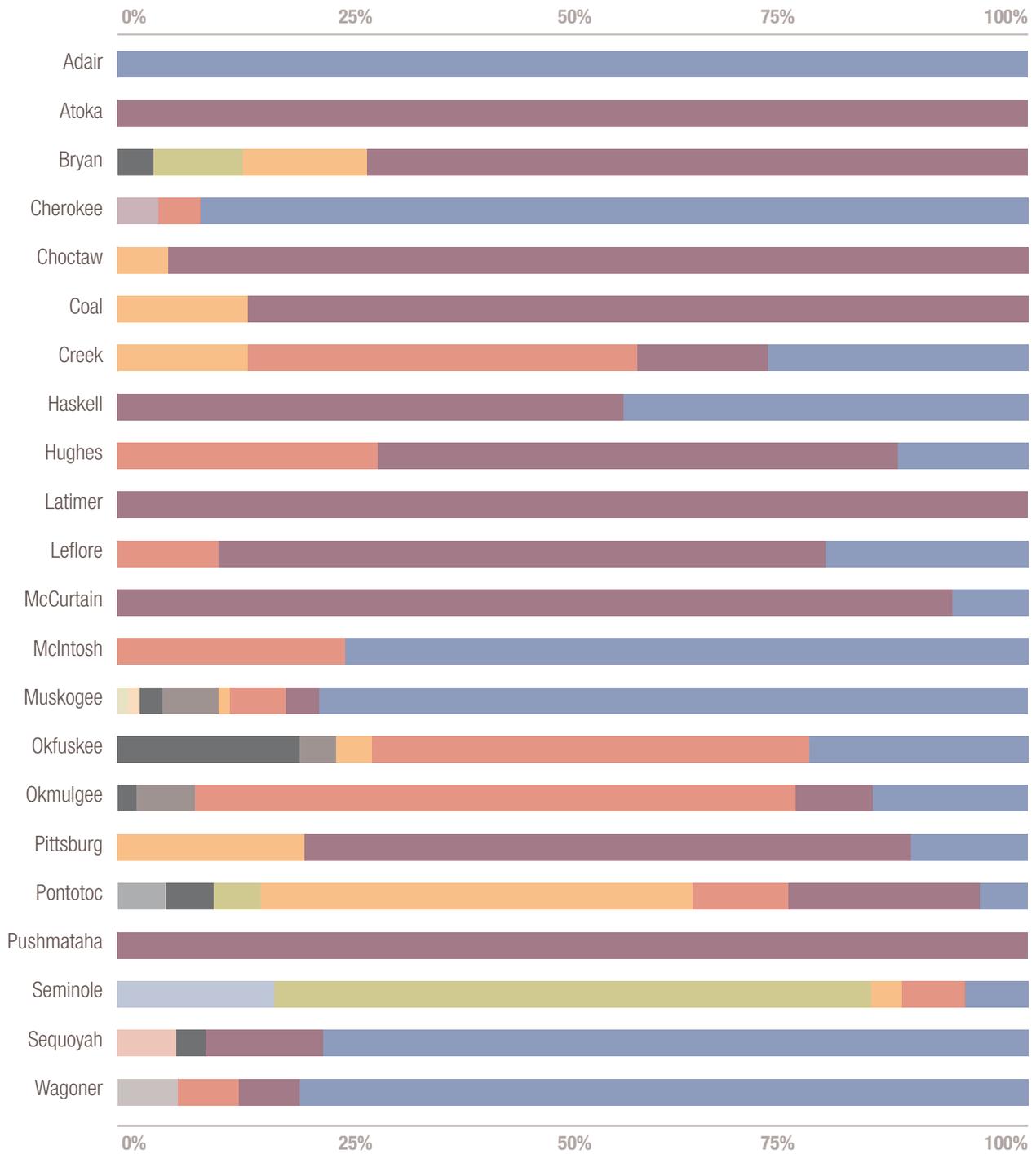
**Trial Reunification:** The court may order a trial home reunification and return the child to the care of the parent or legal guardian from whom the child was removed for a period not to exceed six months, provided when determined necessary, the court may extend the period of trial reunification to a specific date, by entering an extension order prior to the expiration of the initial six-month trial reunification period.

**Tribal FC (Foster Care):** An essential temporary tribal service for the child and parent, legal guardian, or custodian provided when the child's safety cannot be ensured in his or her own home due to the threat of child abuse, neglect or special circumstances necessitating out-of-home care on a temporary basis in a home away from the child's parent, legal guardian or custodian. A service of continuous care is provided for the child requiring out-of-home placement in a home environment including, but not limited to, the care, supervision, guidance and rearing of the child by a tribal resource parent who is approved by the tribe.

**TRBL/KIN/REL (Tribal/Kinship/Relative):** An essential temporary tribal service for the child and parent, legal guardian or custodian provided when the child's safety cannot be ensured in his or her own home due to the threat of child abuse, neglect or special circumstances necessitating out-of-home care on a temporary basis in a home away from the child's parent, legal guardian or custodian. A service of continuous care is provided for the child requiring out-of-home placement in a home environment including, but not limited to, the care, supervision, guidance and rearing of the child by extended family. Extended family means an adult relative by blood or kinship ties, and is not to be inclusive to the tribe's definition of extended family according to customary practices or tribal code.

## Appendix E

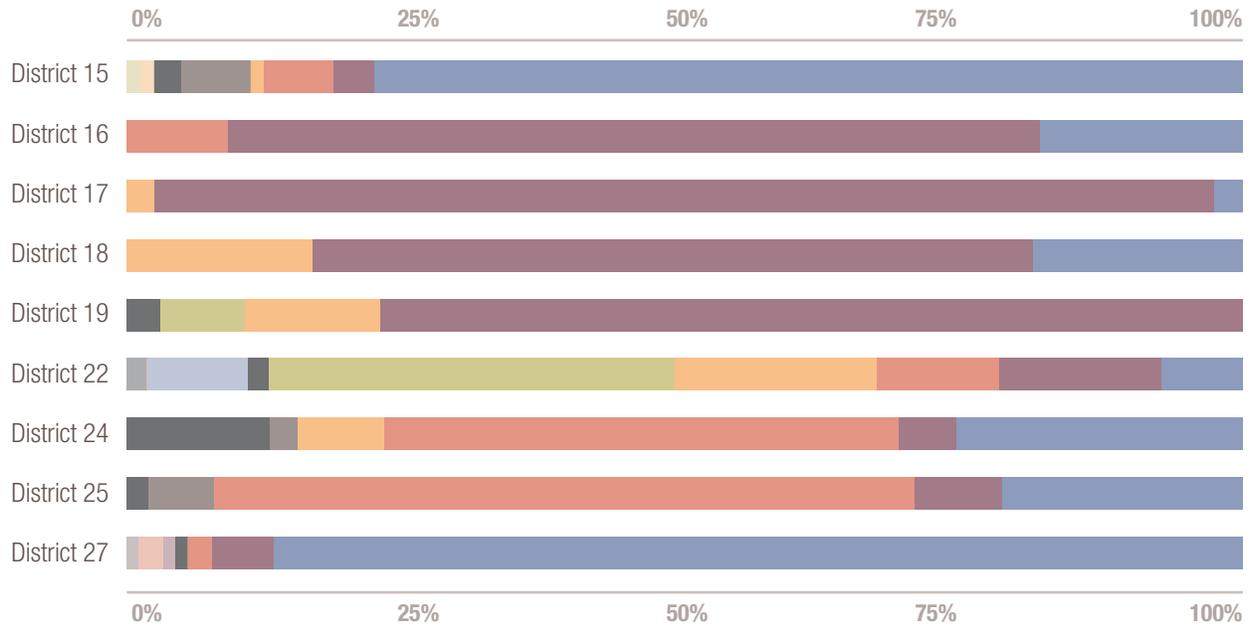
### Primary Tribe by County



# ICWA SNAPSHOT

## Appendix F

### Primary Tribe by District



## Appendix G

### Crosstabulation of Time between Referral and First Tribe Contact by County

county	time elapsed	children	percentage
Adair	1-7 days	14	61
	8-14 days	1	4
	61-90 days	2	9
	91+ days	6	26
	Total	23	100
Atoka	1-7 days	5	63
	31-60 days	2	25
	91+ days	1	13
	Total	8	100
Bryan	same day	3	6
	1-7 days	10	20
	8-14 days	16	31
	15-21 days	2	4
	22-30 days	4	8
	31-60 days	11	22
	91+ days	5	10
	Total	51	100
Cherokee	same day	2	9
	1-7 days	9	41
	15-21 days	1	5
	22-30 days	3	14
	31-60 days	4	18
	61-90 days	1	5
	91+ days	2	9
	Total	22	100

# ICWA SNAPSHOT

county	time elapsed	children	percentage
Choctaw	1-7 days	2	11
	8-14 days	3	17
	15-21 days	4	22
	31-60 days	5	28
	61-90 days	4	22
	Total	18	100
Coal	1-7 days	2	29
	15-21 days	1	14
	31-60 days	4	57
	Total	7	100
Creek	1-7 days	5	36
	22-30 days	2	14
	31-60 days	5	36
	91+ days	2	14
	Total	14	100
Haskell	1-7 days	1	11
	8-14 days	4	44
	31-60 days	1	11
	61-90 days	3	33
	Total	9	100
Hughes	same day	3	43
	1-7 days	1	14
	22-30 days	1	14
	91+ days	2	29
	Total	7	100
Latimer	uncollected	1	25
	1-7 days	2	50
	15-21 days	1	25
	Total	4	100

*Appendix G — cont.*

county	time elapsed	children	percentage
Leflore	1-7 days	7	39
	15-21 days	1	6
	22-30 days	1	6
	31-60 days	6	33
	91+ days	3	17
	Total	18	100
McCurtain	uncollected	3	25
	1-7 days	3	25
	8-14 days	1	8
	31-60 days	4	33
	61-90 days	1	8
	Total	12	100
McIntosh	1-7 days	2	50
	8-14 days	1	25
	31-60 days	1	25
	Total	4	100
Muskogee	same day	2	2
	1-7 days	14	17
	8-14 days	13	16
	15-21 days	7	9
	22-30 days	5	6
	31-60 days	18	22
	61-90 days	7	9
	91+ days	15	19
	Total	81	100

# ICWA SNAPSHOT

county	time elapsed	children	percentage
Okfuskee	same day	4	16
	1-7 days	1	4
	8-14 days	1	4
	22-30 days	1	4
	31-60 days	10	40
	61-90 days	5	20
	91+ days	3	12
	Total	25	100
Okmulgee	same day	2	4
	1-7 days	10	21
	8-14 days	2	4
	15-21 days	5	11
	22-30 days	3	6
	31-60 days	14	30
	61-90 days	1	2
	91+ days	10	21
	Total	47	100
Pittsburg	same day	1	3
	1-7 days	19	49
	8-14 days	8	21
	15-21 days	7	18
	22-30 days	1	3
	31-60 days	3	8
	Total	39	100
Pontotoc	same day	6	32
	1-7 days	2	11
	8-14 days	7	37
	31-60 days	2	11
	91+ days	2	11
	Total	19	100

*Appendix G — cont.*

county	time elapsed	children	percentage
Pushmataha	1-7 days	4	40
	8-14 days	1	10
	15-21 days	4	40
	31-60 days	1	10
	Total	10	100
Seminole	1-7 days	11	38
	8-14 days	8	28
	15-21 days	2	7
	22-30 days	5	17
	91+ days	3	10
	Total	29	100
Sequoyah	1-7 days	7	23
	8-14 days	2	6
	15-21 days	3	10
	22-30 days	4	13
	31-60 days	13	42
	61-90 days	1	3
	91+ days	1	3
	Total	31	100
Wagoner	same day	1	7
	1-7 days	2	13
	8-14 days	4	27
	22-30 days	1	7
	31-60 days	4	27
	61-90 days	1	7
	91+ days	2	13
	Total	15	100
Grand Total		493	100

# ICWA SNAPSHOT

## Appendix H

### Crosstabulation of Time between Referral and First Tribe Contact by District

district	time elapsed	children	percentage
District 15	same day	2	2
	1-7 days	14	17
	8-14 days	13	16
	15-21 days	7	9
	22-30 days	5	6
	31-60 days	18	22
	61-90 days	7	9
	91+ days	15	19
	Total	81	100
District 16	uncollected	1	5
	1-7 days	9	41
	15-21 days	2	9
	22-30 days	1	5
	31-60 days	6	27
	91+ days	3	14
	Total	22	100
District 17	uncollected	3	8
	1-7 days	9	23
	8-14 days	5	13
	15-21 days	8	20
	31-60 days	10	25
	61-90 days	5	13
	Total	40	100

*Appendix H — cont.*

district	time elapsed	children	percentage
District 18	same day	1	2
	1-7 days	20	42
	8-14 days	12	25
	15-21 days	7	15
	22-30 days	1	2
	31-60 days	4	8
	61-90 days	3	6
	Total	48	100
District 19	same day	3	5
	1-7 days	17	26
	8-14 days	16	24
	15-21 days	3	5
	22-30 days	4	6
	31-60 days	17	26
	91+ days	6	9
	Total	66	100
District 22	same day	9	16
	1-7 days	14	25
	8-14 days	15	27
	15-21 days	2	4
	22-30 days	6	11
	31-60 days	2	4
	91+ days	7	13
	Total	55	100

# ICWA SNAPSHOT

district	time elapsed	children	percentage
District 24	same day	4	10
	1-7 days	6	15
	8-14 days	1	3
	22-30 days	3	8
	31-60 days	15	38
	61-90 days	5	13
	91+ days	5	13
	Total	39	100
District 25	same day	2	4
	1-7 days	12	24
	8-14 days	3	6
	15-21 days	5	10
	22-30 days	3	6
	31-60 days	15	29
	61-90 days	1	2
	91+ days	10	20
Total	51	100	
District 27	same day	3	3
	1-7 days	32	35
	8-14 days	7	8
	15-21 days	4	4
	22-30 days	8	9
	31-60 days	21	23
	61-90 days	5	5
	91+ days	11	12
Total	91	100	
Grand Total		493	100

## Appendix I

### Crosstabulation of Time between Removal and First Tribe Contact by County

county	time elapsed	children	percentage
Adair	contact made before removal	2	9
	1-7 days	15	65
	8-14 days	1	4
	22-30 days	5	22
	Total	23	100
Atoka	same day	1	13
	1-7 days	4	50
	31-60 days	2	25
	91+ days	1	13
	Total	8	100
Bryan	contact made before removal	17	33
	same day	2	4
	1-7 days	9	18
	8-14 days	10	20
	15-21 days	2	4
	22-30 days	1	2
	31-60 days	6	12
	91+ days	4	8
	Total	51	100
Cherokee	same day	5	23
	1-7 days	9	41
	15-21 days	3	14
	22-30 days	1	5
	31-60 days	3	14
	91+ days	1	5
	Total	22	100

# ICWA SNAPSHOT

county	time elapsed	children	percentage
Choctaw	contact made before removal	3	17
	same day	1	6
	1-7 days	7	39
	8-14 days	2	11
	15-21 days	2	11
	31-60 days	2	11
	61-90 days	1	6
	Total	18	100
Coal	contact made before removal	4	57
	1-7 days	2	29
	8-14 days	1	14
	Total	7	100
Creek	contact made before removal	2	14
	1-7 days	4	29
	15-21 days	1	7
	31-60 days	5	36
	91+ days	2	14
	Total	14	100
Haskell	same day	1	11
	1-7 days	4	44
	8-14 days	3	33
	31-60 days	1	11
	Total	9	100
Hughes	contact made before removal	1	14
	same day	4	57
	91+ days	2	29
	Total	7	100

*Appendix I — cont.*

county	time elapsed	children	percentage
Latimer	same day	1	25
	1-7 days	1	25
	15-21 days	1	25
	61-90 days	1	25
	Total	4	100
Leflore	contact made before removal	2	11
	same day	2	11
	1-7 days	7	39
	15-21 days	1	6
	22-30 days	1	6
	31-60 days	3	17
	91+ days	2	11
	Total	18	100
McCurtain	contact made before removal	2	17
	1-7 days	6	50
	31-60 days	4	33
	Total	12	100
McIntosh	1-7 days	3	75
	22-30 days	1	25
	Total	4	100

# ICWA SNAPSHOT

county	time elapsed	children	percentage
Muskogee	contact made before removal	12	15
	same day	8	10
	1-7 days	30	37
	8-14 days	5	6
	15-21 days	6	7
	22-30 days	4	5
	31-60 days	8	10
	61-90 days	3	4
	91+ days	5	6
	Total	81	100
Okfuskee	contact made before removal	12	48
	same day	3	12
	1-7 days	3	12
	8-14 days	2	8
	31-60 days	2	8
	91+ days	3	12
	Total	25	100
Okmulgee	contact made before removal	10	21
	same day	2	4
	1-7 days	8	17
	8-14 days	7	15
	15-21 days	6	13
	22-30 days	1	2
	31-60 days	9	19
	91+ days	4	9
	Total	47	100

*Appendix I — cont.*

county	time elapsed	children	percentage
Pittsburg	contact made before removal	10	26
	same day	9	23
	1-7 days	14	36
	8-14 days	3	8
	15-21 days	1	3
	31-60 days	2	5
	Total	39	100
Pontotoc	contact made before removal	2	11
	same day	5	26
	1-7 days	5	26
	8-14 days	3	16
	31-60 days	2	11
	91+ days	2	11
	Total	19	100
Pushmataha	same day	1	10
	1-7 days	4	40
	8-14 days	1	10
	15-21 days	4	40
	Total	10	100
Seminole	contact made before removal	6	21
	same day	1	3
	1-7 days	13	45
	8-14 days	4	14
	15-21 days	2	7
	91+ days	3	10
	Total	29	100

# ICWA SNAPSHOT

county	time elapsed	children	percentage
Sequoyah	contact made before removal	2	6
	1-7 days	9	29
	8-14 days	1	3
	15-21 days	3	10
	22-30 days	3	10
	31-60 days	11	35
	61-90 days	1	3
	91+ days	1	3
	Total	31	100
Wagoner	contact made before removal	4	27
	same day	3	20
	1-7 days	3	20
	8-14 days	3	20
	15-21 days	2	13
	Total	15	100
Grand Total		493	100

## Appendix J

### Crosstabulation of Time between Removal and First Tribe Contact by District

district	time elapsed	children	percentage
District 15	contact made before removal	12	15
	same day	8	10
	1-7 days	30	37
	8-14 days	5	6
	15-21 days	6	7
	22-30 days	4	5
	31-60 days	8	10
	61-90 days	3	4
	91+ days	5	6
	Total	81	100
District 16	contact made before removal	2	9
	same day	3	14
	1-7 days	8	36
	15-21 days	2	9
	22-30 days	1	5
	31-60 days	3	14
	61-90 days	1	5
	91+ days	2	9
	Total	22	100
District 17	contact made before removal	5	13
	same day	2	5
	1-7 days	17	43
	8-14 days	3	8
	15-21 days	6	15
	31-60 days	6	15
	61-90 days	1	3
	Total	40	100

# ICWA SNAPSHOT

district	time elapsed	children	percentage
District 18	contact made before removal	10	21
	same day	10	21
	1-7 days	18	38
	8-14 days	6	13
	15-21 days	1	2
	31-60 days	3	6
	Total	48	100
District 19	contact made before removal	21	32
	same day	3	5
	1-7 days	15	23
	8-14 days	11	17
	15-21 days	2	3
	22-30 days	1	2
	31-60 days	8	12
	91+ days	5	8
	Total	66	100
District 22	contact made before removal	9	16
	same day	10	18
	1-7 days	18	33
	8-14 days	7	13
	15-21 days	2	4
	31-60 days	2	4
	91+ days	7	13
	Total	55	100

*Appendix J — cont.*

district	time elapsed	children	percentage
District 24	contact made before removal	14	36
	same day	3	8
	1-7 days	7	18
	8-14 days	2	5
	15-21 days	1	3
	31-60 days	7	18
	91+ days	5	13
	Total	39	100
District 25	contact made before removal	10	20
	same day	2	4
	1-7 days	11	22
	8-14 days	7	14
	15-21 days	6	12
	22-30 days	2	4
	31-60 days	9	18
	91+ days	4	8
Total	51	100	
District 27	contact made before removal	8	9
	same day	8	9
	1-7 days	36	40
	8-14 days	5	5
	15-21 days	8	9
	22-30 days	9	10
	31-60 days	14	15
	61-90 days	1	1
	91+ days	2	2
	Total	91	100
Grand Total		493	100



# ICWA SNAPSHOT

## Appendix K

### Crosstabulation of Legal Notice in the Court File by County

county	yes		no		uncollected		grand total	
	children	% of total	children	% of total	children	% of total	children	% of total
Adair	20	87	3	13			23	100
Atoka	8	100					8	100
Bryan	2	4	45	88	4	8	51	100
Cherokee	20	91	1	5	1	5	22	100
Choctaw	15	83	3	17			18	100
Coal	2	29	4	57	1	14	7	100
Creek	4	29	10	71			14	100
Haskell	6	67	3	33			9	100
Hughes	4	57	3	43			7	100
Latimer	1	25	1	25	2	50	4	100
Leflore					18	100	18	100
McCurtain	5	42	7	58			12	100
McIntosh	2	50	2	50			4	100
Muskogee					81	100	81	100
Okfuskee	16	64	9	36			25	100
Okmulgee	31	66	10	21	6	13	47	100
Pittsburg	35	90	3	8	1	3	39	100
Pontotoc	18	95	1	5			19	100
Pushmataha	4	40	6	60			10	100
Seminole	12	41	10	34	7	24	29	100
Sequoyah	22	71	8	26	1	3	31	100
Wagoner	10	67	3	20	2	13	15	100
Grand Total	237	48	132	27	124	25	493	100

## Appendix L

### Crosstabulation of Legal Notice in the Court File by District

district	yes		no		uncollected		grand total	
	children	% of total	children	% of total	children	% of total	children	% of total
District 15					81	100	81	100
District 16	1	4.5	1	4.5	20	90.9	22	100
District 17	24	60	16	40			40	100
District 18	41	85.4	6	12.5	1	2.1	48	100
District 19	12	18.2	49	74.2	5	7.6	66	100
District 22	34	61.8	14	25.5	7	12.7	55	100
District 24	20	51.3	19	48.7			39	100
District 25	33	64.7	12	23.5	6	11.8	51	100
District 27	72	79.1	15	16.5	4	4.4	91	100
Grand Total	237	48.1	132	26.8	124	25.2	493	100

# ICWA SNAPSHOT

## Appendix M

### Crosstabulation of Tribe Response to Legal Notice by County

county	yes		no		grand total	
	children	% of total	children	% of total	children	% of total
Adair	20	100			20	100
Atoka	8	100			8	100
Bryan	2	100			2	100
Cherokee	20	100			20	100
Choctaw	13	87	2	13	15	100
Coal	2	100			2	100
Creek	3	75	1	25	4	100
Haskell	6	100			6	100
Hughes	4	100			4	100
Latimer	1	100			1	100
McCurtain	5	100			5	100
McIntosh	2	100			2	100
Okfuskee	11	69	5	31	16	100
Okmulgee	30	97	1	3	31	100
Pittsburg	34	97	1	3	35	100
Pontotoc	16	89	2	11	18	100
Pushmataha	4	100			4	100
Seminole	11	92	1	8	12	100
Sequoyah	18	82	4	18	22	100
Wagoner	6	60	4	40	10	100
Grand Total	216	91	21	9	237	100

## Appendix N

### Crosstabulation of Tribe Response to Legal Notice by District

district	yes		no		grand total	
	children	% of total	children	% of total	children	% of total
District 16	1	100			1	100
District 17	22	92	2	8	24	100
District 18	40	98	1	2	41	100
District 19	12	100			12	100
District 22	31	91	3	9	34	100
District 24	14	70	6	30	20	100
District 25	32	97	1	3	33	100
District 27	64	89	8	11	72	100
Grand Total	216	91	21	9	237	100

## Appendix O

### Crosstabulation of Report Submitted by Tribe to Court by County

county	yes		no		uncollected		grand total	
	children	% of total	children	% of total	children	% of total	children	% of total
Adair	23	100					23	100
Atoka	8	100					8	100
Bryan	42	82	5	10	4	8	51	100
Cherokee	21	95			1	5	22	100
Choctaw	15	83	3	17			18	100
Coal	6	86			1	14	7	100

# ICWA SNAPSHOT

county	children	% of total						
Creek	11	79	3	21			14	100
Haskell	6	67	3	33			9	100
Hughes	4	57	3	43			7	100
Latimer	2	50			2	50	4	100
Leflore					18	100	18	100
McCurtain	11	92	1	8			12	100
McIntosh	4	100					4	100
Muskogee					81	100	81	100
Okfuskee	16	64	9	36			25	100
Okmulgee	33	70	8	17	6	13	47	100
Pittsburg	36	92	2	5	1	3	39	100
Pontotoc	11	58	8	42			19	100
Pushmataha	10	100					10	100
Seminole	9	31	13	45	7	24	29	100
Sequoyah	25	81	5	16	1	3	31	100
Wagoner	7	47	6	40	2	13	15	100
Grand Total	300	61	69	14	124	25	493	100

## Appendix P

Crosstabulation of Report Submitted by Tribe to Court by District

district	yes		no		uncollected		grand total	
	children	% of total	children	% of total	children	% of total	children	% of total
District 15					81	100	81	100
District 16	2	9			20	91	22	100
District 17	36	90	4	10			40	100
District 18	42	88	5	10	1	2	48	100

*Appendix P — cont.*

district	children	% of total						
District 19	56	85	5	8	5	8	66	100
District 22	24	44	24	44	7	13	55	100
District 24	27	69	12	31			39	100
District 25	37	73	8	16	6	12	51	100
District 27	76	84	11	12	4	4	91	100
Grand Total	300	61	69	14	124	25	493	100

## Appendix Q

### Crosstabulation of Placement Type by County

*Note: Acronyms are defined in Appendix D.*

county	placement type	children	percentage
Adair	CWFC/KIN/REL	11	48
	CWFC	7	30
	CWFC/KIN/NONREL	2	9
	TRBL FC	2	9
	TFC HOME	1	4
	Total	23	100
Atoka	TRIAL REUNIFY	4	50
	TRBL FC	1	13
	TFC	3	38
	Total	8	100

# ICWA SNAPSHOT

county	placement type	children	percentage
Bryan	CWFC/KIN/REL	9	18
	CWFC	5	10
	TRIAL REUNIFY	2	4
	CWFC/KIN/NONREL	13	25
	TRBL FC	8	16
	TFC	3	6
	TRBL/KIN/REL	6	12
	ACUTE/PSYCH HOS	1	2
	AWOL	1	2
	SHELTER - YOUTH	1	2
	SPECIALIZED COMMUNITY HOME	1	2
	LEVEL T-RESIDENTIAL	1	2
	Total	51	100
	CHEROKEE	CWFC/KIN/REL	4
CWFC		7	32
TRIAL REUNIFY		5	23
CWFC/KIN/NONREL		1	5
TRBL FC		1	5
ADOPT HOME		4	18
Total		22	100

Appendix Q — cont.

county	placement type	children	percentage
Choctaw	CWFC/KIN/REL	4	18
	CWFC	7	32
	TRIAL REUNIFY	5	23
	CWFC/KIN/NONREL	1	5
	TRBL FC	1	5
	ADOPT HOME	4	18
	Total	22	100
	CWFC/KIN/REL	7	39
	CWFC	3	17
	TRIAL REUNIFY	5	28
	CWFC/KIN/NONREL	1	6
	TRBL FC	1	6
	LEVEL E	1	6
	Total	18	100
	Coal	CWFC/KIN/REL	4
CWFC		1	14
TRIAL REUNIFY		2	29
Total		7	100
Creek	CWFC/KIN/REL	5	36
	CWFC	6	43
	TRIAL REUNIFY	1	7
	TRBL FC	1	7
	TFC	1	7
	Total	14	100

# ICWA SNAPSHOT

county	placement type	children	percentage
Haskell	CWFC	6	67
	TFC	1	11
	ADOPT HOME	1	11
	NON DHS OPER	1	11
	Total	9	100
Hughes	TRIAL REUNIFY	1	14
	CWFC/KIN/NONREL	4	57
	TRBL FC	2	29
	Total	7	100
Latimer	CWFC/KIN/REL	3	75
	CWFC	1	25
	Total	4	100
Leflore	CWFC/KIN/REL	8	44
	CWFC	5	28
	TRBL FC	4	22
	TRBL/KIN/REL	1	6
	Total	18	100
McCurtain	CWFC	4	33
	TRIAL REUNIFY	2	17
	CWFC/KIN/NONREL	3	25
	TRBL FC	2	17
	ACH HOME	1	8
	Total	12	100
McIntosh	CWFC	1	25
	TRBL FC	1	25
	NON DHS OPER	1	25
	ACUTE/PSYCH HOS	1	25
	Total	4	100

*Appendix Q — cont.*

county	placement type	children	percentage
Muskogee	CWFC/KIN/REL	43	53
	CWFC	15	19
	TRIAL REUNIFY	12	15
	CWFC/KIN/NONREL	4	5
	TRBL FC	2	2
	ADOPT HOME	1	1
	ACUTE/PSYCH HOS	1	1
	LEVEL E	1	1
	SHELTER - YOUTH	1	1
	SPECIALIZED COMMUNITY HOME	1	1
	Total	81	100
Okfuskee	CWFC/KIN/REL	14	56
	CWFC	2	8
	TRIAL REUNIFY	2	8
	CWFC/KIN/NONREL	3	12
	TFC	1	4
	LEVEL E	1	4
	AWOL	1	4
	DDSD Foster Family Care	1	4
	Total	25	100

# ICWA SNAPSHOT

county	placement type	children	percentage
Okmulgee	CWFC/KIN/REL	14	30
	CWFC	12	26
	TRIAL REUNIFY	6	13
	TRBL FC	1	2
	TFC HOME	6	13
	TRBL/KIN/REL	3	6
	ADOPT HOME	3	6
	NON DHS OPER	2	4
	Total	47	100
Pittsburg	CWFC/KIN/REL	18	46
	CWFC	4	10
	TRIAL REUNIFY	6	15
	CWFC/KIN/NONREL	4	10
	TRBL FC	3	8
	TFC	1	3
	TRBL/KIN/REL	1	3
	LEVEL E	1	3
	PSYCH TRMT CTR	1	3
	Total	39	100
Pontotoc	CWFC/KIN/REL	4	21
	TRIAL REUNIFY	2	11
	CWFC/KIN/NONREL	7	37
	TRBL FC	1	5
	TFC	3	16
	NON DHS OPER	1	5
	AWOL	1	5
	Total	19	100

*Appendix Q — cont.*

county	placement type	children	percentage
Pushmataha	CWFC/KIN/REL	7	70
	TRIAL REUNIFY	1	10
	CWFC/KIN/NONREL	1	10
	TRBL FC	1	10
	Total	10	100
Seminole	CWFC/KIN/REL	11	38
	CWFC	2	7
	TRIAL REUNIFY	3	10
	CWFC/KIN/NONREL	9	31
	TRBL FC	1	3
	TFC	2	7
	PSYCH TRMT CTR	1	3
	Total	29	100
Sequoyah	CWFC/KIN/REL	4	13
	CWFC	9	29
	TRIAL REUNIFY	9	29
	TRBL FC	3	10
	TFC HOME	4	13
	ACUTE/PSYCH HOS	1	3
	PSYCH TRMT CTR	1	3
	Total	31	100
Wagoner	CWFC/KIN/REL	5	33
	CWFC	4	27
	TRIAL REUNIFY	4	27
	CWFC/KIN/NONREL	2	13
	Total	15	100

# ICWA SNAPSHOT

county	placement type	children	percentage
Grand Total		493	100

## Appendix R

### Crosstabulation of Placement Type by District

district	placement type	children	percentage
District 15	CWFC/KIN/REL	43	53.1
	CWFC	15	18.5
	TRIAL REUNIFY	12	14.8
	CWFC/KIN/NONREL	4	4.9
	TRBL FC	2	2.5
	ADOPT HOME	1	1.2
	ACUTE/PSYCH HOS	1	1.2
	LEVEL E	1	1.2
	SHELTER - YOUTH	1	1.2
	SPECIALIZED COMMUNITY HOME	1	1.2
	Total	81	100.0
District 16	CWFC/KIN/REL	11	50.0
	CWFC	6	27.3
	TRBL FC	4	18.2
	TRBL/KIN/REL	1	4.5
	Total	22	100.0

*Appendix R — cont.*

district	placement type	children	percentage
District 17	CWFC/KIN/REL	14	35.0
	CWFC	7	17.5
	TRIAL REUNIFY	8	20.0
	CWFC/KIN/NONREL	5	12.5
	TRBL FC	4	10.0
	LEVEL E	1	2.5
	ACH HOME	1	2.5
	Total	40	100.0
District 18	CWFC/KIN/REL	18	37.5
	CWFC	10	20.8
	TRIAL REUNIFY	6	12.5
	CWFC/KIN/NONREL	4	8.3
	TRBL FC	3	6.3
	TFC	2	4.2
	TRBL/KIN/REL	1	2.1
	ADOPT HOME	1	2.1
	NON DHS OPER	1	2.1
	LEVEL E	1	2.1
	PSYCH TRMT CTR	1	2.1
	Total	48	100.0

# ICWA SNAPSHOT

district	placement type	children	percentage
District 19	CWFC/KIN/REL	13	19.7
	CWFC	6	9.1
	TRIAL REUNIFY	8	12.1
	CWFC/KIN/NONREL	13	19.7
	TRBL FC	9	13.6
	TFC	6	9.1
	TRBL/KIN/REL	6	9.1
	ACUTE/PSYCH HOS	1	1.5
	AWOL	1	1.5
	SHELTER - YOUTH	1	1.5
	SPECIALIZED COMMUNITY HOME	1	1.5
	LEVEL T-RESIDENTIAL	1	1.5
	Total	66	100.0
	District 22	CWFC/KIN/REL	15
CWFC		2	3.6
TRIAL REUNIFY		6	10.9
CWFC/KIN/NONREL		20	36.4
TRBL FC		4	7.3
TFC		5	9.1
NON DHS OPER		1	1.8
AWOL		1	1.8
PSYCH TRMT CTR		1	1.8
Total		55	100.0

*Appendix R — cont.*

district	placement type	children	percentage
District 24	CWFC/KIN/REL	19	48.7
	CWFC	8	20.5
	TRIAL REUNIFY	3	7.7
	CWFC/KIN/NONREL	3	7.7
	TRBL FC	1	2.6
	TFC	2	5.1
	LEVEL E	1	2.6
	AWOL	1	2.6
	DDSD Foster Family Care	1	2.6
	Total	39	100.0
District 25	CWFC/KIN/REL	14	27.5
	CWFC	13	25.5
	TRIAL REUNIFY	6	11.8
	TRBL FC	2	3.9
	TFC HOME	6	11.8
	TRBL/KIN/REL	3	5.9
	ADOPT HOME	3	5.9
	NON DHS OPER	3	5.9
	ACUTE/PSYCH HOS	1	2.0
	Total	51	100.0

# ICWA SNAPSHOT

district	placement type	children	percentage
District 27	CWFC/KIN/REL	24	26.4
	CWFC	27	29.7
	TRIAL REUNIFY	18	19.8
	CWFC/KIN/NONREL	5	5.5
	TRBL FC	6	6.6
	TFC HOME	5	5.5
	ADOPT HOME	4	4.4
	ACUTE/PSYCH HOS	1	1.1
	PSYCH TRMT CTR	1	1.1
	Total	91	100.0
Grand Total		493	100.0

## Appendix S

Crosstabulation of Child Placed with Extended Family by County

county	yes		no		uncollected		grand total	
	children	% of total	children	% of total	children	% of total	children	% of total
Adair	13	57	10	43			23	100
Atoka	1	13	3	38	4	50	8	100
Bryan	15	29	33	65	3	6	51	100
Cherokee	7	32	10	45	5	23	22	100
Choctaw	7	39	6	33	5	28	18	100
Coal	4	57	1	14	2	29	7	100
Creek	7	50	6	43	1	7	14	100

*Appendix S — cont.*

county	yes		no		uncollected		grand total	
	children	% of total	children	% of total	children	% of total	children	% of total
Haskell			9	100			9	100
Hughes			6	86	1	14	7	100
Latimer	3	75	1	25			4	100
Leflore	9	50	9	50			18	100
McCurtain	1	8	10	83	1	8	12	100
McIntosh			4	100			4	100
Muskogee	46	57	23	28	12	15	81	100
Okfuskee	14	56	9	36	2	8	25	100
Okmulgee	15	32	26	55	6	13	47	100
Pittsburg	21	54	12	31	6	15	39	100
Pontotoc	4	21	13	68	2	11	19	100
Pushmataha	7	70	2	20	1	10	10	100
Seminole	11	38	15	52	3	10	29	100
Sequoyah	5	16	17	55	9	29	31	100
Wagoner	7	47	4	27	4	27	15	100
Grand Total	197	40	229	46	67	14	493	100

# ICWA SNAPSHOT

## Appendix T

### Crosstabulation of Child Placed with Extended Family by District

district	yes		no		uncollected		grand total	
	children	% of total	children	% of total	children	% of total	children	% of total
District 15	46	57	23	28	12	15	81	100
District 16	12	55	10	45			22	100
District 17	15	38	18	45	7	18	40	100
District 18	21	44	21	44	6	13	48	100
District 19	20	30	37	56	9	14	66	100
District 22	15	27	34	62	6	11	55	100
District 24	21	54	15	38	3	8	39	100
District 25	15	29	30	59	6	12	51	100
District 27	32	35	41	45	18	20	91	100
Grand Total	197	40	229	46	67	14	493	100

## Appendix U

Crosstabulation of Ongoing Efforts to Place Children with Extended Family Documented in the Court Report by County

county	yes		no		grand total	
	children	% of total	children	% of total	children	% of total
Adair	3	30	7	70	10	100
Atoka			3	100	3	100
Bryan	8	24	25	76	33	100
Cherokee	4	40	6	60	10	100
Choctaw			6	100	6	100
Coal			1	100	1	100
Creek			6	100	6	100
Haskell	4	44	5	56	9	100
Hughes			6	100	6	100
Latimer			1	100	1	100
Leflore			9	100	9	100
McCurtain	3	30	7	70	10	100
McIntosh	1	25	3	75	4	100
Muskogee			23	100	23	100
Okfuskee	2	22	7	78	9	100
Okmulgee	6	23	20	77	26	100
Pittsburg	4	33	8	67	12	100
Pontotoc	4	31	9	69	13	100
Pushmataha			2	100	2	100
Seminole	1	7	14	93	15	100
Sequoyah	3	18	14	82	17	100
Wagoner			4	100	4	100
Grand Total	43	19	186	81	229	100

# ICWA SNAPSHOT

## Appendix V

Crosstabulation of Ongoing Efforts to Place Children with Extended Family Documented in the Court Report by District

district	yes		no		grand total	
	children	% of total	children	% of total	children	% of total
District 15			23	100	23	100
District 16			10	100	10	100
District 17	3	17	15	83	18	100
District 18	8	38	13	62	21	100
District 19	8	22	29	78	37	100
District 22	5	15	29	85	34	100
District 24	2	13	13	87	15	100
District 25	7	23	23	77	30	100
District 27	10	24	31	76	41	100
Grand Total	43	19	186	81	229	100

