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| STATE OF SOUTH DAKOTA: SS:COUNTY OF Click or tap here to enter text. | IN CIRCUIT COURTChoose an item. JUDICIAL CIRCUIT |
| THE PEOPLE OF THE STATE OF SOUTH DAKOTA IN THE INTEREST OF,Click or tap here to enter text. **(**Click or tap to enter a date.**)**Click or tap here to enter text. **(**Click or tap to enter a date.**)**Child(ren), and concerningClick or tap here to enter text. (Click or tap to enter a date.)Click or tap here to enter text. **(**Click or tap to enter a date.**)**Respondent(s),Click or tap here to enter text.Click or tap to enter a date.**)**Indian Custodian,Click or tap here to enter text.Intervenor |  Court File No: Click or tap here to enter text.**STATE’S PROPOSED****ADJUDICATORY ORDER****(ICWA)** |

 The above-entitled matter having come before the Court for an Adjudicatory Hearing on the Click or tap here to enter text. day of Click or tap here to enter text., 20Click or tap here to enter text.; the Honorable Click or tap here to enter text., presiding; the State of South Dakota represented by Choose an item., Click or tap here to enter text.; the South Dakota Department of Social Services appearing through Family Services Specialist, Click or tap here to enter text.; Click or tap here to enter text., the Respondent Choose an item., Choose an item. in person Choose an item. Choose an item., Click or tap here to enter text.; Click or tap here to enter text., the Respondent Choose an item., Choose an item. in person Choose an item. Choose an item., Click or tap here to enter text.; the minor child(ren) Choose an item. in person Choose an item. represented by counsel, Click or tap here to enter text.; the Tribe Choose an item. Choose an item. Choose an item. , Click or tap here to enter text.; CASA Choose an item.; the Court, having reviewed the records and files herein and being fully informed in the premises, and having made and entered its Adjudicatory Findings of Fact and Conclusions of Law by clear and convincing evidence does now hereby:

ORDER, the minor children are adjudicated to be abused or neglected children as defined by SDCL §26-8A-2 through the actions and/or omissions of the Respondent mother; and it is further

ORDERED, that the minor children are adjudicated to be abused or neglected children as defined by SDCL §26-8A-2(5) through no fault of the Respondent father; and it is further

ORDERED, that the minor children shall remain in the Department of Social Services’ legal and physical custody through the pendency of the proceedings; and it is further

ORDERED, that the Department of Social Services has made reasonable and active efforts to achieve the permanent plan of reunification of the children with their parents, and these efforts have been unsuccessful, and it would be contrary to the children’s welfare to be returned home; and it is further

ORDERED, that returning custody of the children to the parents would likely result in serious emotional and/or physical damage to the minor children; and it is further

ORDERED, that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and these efforts have proven unsuccessful; and it is further

ORDERED, that the least restrictive alternative available in the child’s best interest if continued legal and physical custody with the Department of Social Services; and it is further

ORDERED, that there is good cause to place outside the ICWA placement preference.

Dated this Click or tap here to enter text. day of Click or tap here to enter text., effective however the Click or tap here to enter text. day of Click or tap here to enter text., Click or tap here to enter text., that being the date of the hearing affording judicial basis for this order.

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|   | BY THE COURT: |
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| ATTEST:  | The Honorable Click or tap here to enter text. |
|   | Judge of the Circuit Court |
| Clerk of Court |
| BY:  |  |  |
| Deputy Click or tap here to enter text. |
| (SEAL) |