STATE OF SOUTH DAKOTA ) IN CIRCUIT COURT

) SS.

COUNTY OF       )       JUDICIAL CIRCUIT

)

The People of the State of )

South Dakota in the Interest of, ) COURT FILE NO:       )

**CHILD (DOB)** )

Child(ren), and concerning ) **STATE’S AFFIDAVIT**

) **ABUSE OR NEGLECT**

**MOTHER (DOB)**)

**FATHER (DOB)**)

Respondent(s), )

I,      , Deputy State’s Attorney       County, having been duly sworn, depose and state that the above named Respondent parents have subjected the minor child to an environment that is injurious to the child’s welfare.

1. Referrals and history of the issues presented.
2. Law enforcement contact or other documentation to show the child’s environment is injurious.
3. Address all parents/custodians/guardians responsible for the child’s care.

The Department of Social Services has made active/reasonable efforts to prevent the removal of the child from the home but removal of the child is necessary to prevent imminent physical damage or harm to the minor child (ICWA) or removal of the minor child is necessary as continued presence of the minor child in the home is contrary to the welfare of the minor child (Not ICWA). The Department cannot assure the safety of the minor child in this current situation and thus believes the child to be in imminent danger. The State prays this Court place the minor child in the legal and physical custody of the Department of Social Services, a hearing to be held as soon as possible. The Indian Child Welfare act does or does not apply.

Dated this      day of      , 20

Deputy State’s Attorney

Subscribed and sworn to before me this       day of      , 20

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Notary Public, South Dakota

My Commission Expires: