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)** ) **\*\*STATE’S PROPOSED\*\***

Child(ren), and concerning ) **FINAL DISPOSITIONAL ORDER** )

 )

**MOTHER (DOB)** ) **(Non ICWA)**

**FATHER (DOB)** )

 Respondent(s). )

The above-entitled matter having come before the Court for a Final Dispositional Hearing on the       day of      , 20     ; the Honorable      , presiding; the State of South Dakota represented by Deputy State’s Attorney,      ; the South Dakota Department of Social Services appearing through Family Services Specialist,      ;      , the Respondent mother, appearing in person and represented by counsel,      ;      , the Respondent father, appearing in person and represented by counsel,      ; the minor child not appearing in person but represented by counsel,      ; CASA appearing through its designated agent; the Court having reviewed the records and files herein and being fully informed in the premises, and having made and entered its Findings of Fact and Conclusions of Law for Final Disposition by clear and convincing evidence does now hereby:

ORDER, that the Indian Child Welfare Act does not apply to these proceedings; and it is further

ORDERED, that the parental rights of the Respondent parents shall not be terminated; and it is further

ORDERED, that the minor child is hereby returned to the full legal and physical custody of the Respondent mother; and it is further

ORDERED, that not terminating the parental rights of the Respondent parents and return of legal and physical custody of the minor child to the Respondent mother is the least restrictive alternative commensurate with the best interests of the minor child; and it is further

ORDERED, that the Department of Social Services has made reasonable efforts to achieve the permanent plan of reunification of the child with his parents and these efforts have been successful with the Respondent mother and unsuccessful with the Respondent father and it would be contrary to the child’s welfare to be returned to the legal and physical custody of the Respondent father; and it is further

ORDERED, that Department of Social Services may close its file and involvement with the family may be ended; and it is further

ORDERED, that the Respondent father’s contact with the minor child shall be at the discretion of the Respondent mother until a Visitation Order is in place; and it is further

ORDERED, that the Respondent parents have the right to appeal this Courts final Order pursuant to South Dakota Law.

Dated this       day of      , 20     , effective the       day of      , that being the date of the hearing affording judicial basis for this order.

BY THE COURT:

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 ATTEST: The Honorable

 Judge of the Circuit Court

 Clerk of Court

 By:

 Deputy

 (SEAL)