

**REVIEW HEARING ORDER
(NON-ICWA)**

STATE OF SOUTH DAKOTA:
SS:

IN CIRCUIT COURT

COUNTY OF _____

_____ JUDICIAL CIRCUIT

THE PEOPLE OF THE STATE OF SOUTH
DAKOTA IN THE INTEREST OF,

File No: _____

(DOB: _____)
Child(ren), and concerning

(DOB: _____)

(DOB: _____)
Respondent(s),

**REVIEW HEARING
ORDER**

(NON-ICWA)

The above-entitled matter having come before the Court for a Review Hearing, on the (DAY) day of (MONTH), (YEAR), the Honorable (ENTER NAME) presiding; the State of South Dakota represented by (STATE'S ATTORNEY / DEPUTY STATE'S ATTORNEY), (ENTER NAME); the South Dakota Department of Social Services appearing through Family Services Specialist (ENTER NAME); (ENTER NAME), the Respondent (MOTHER / FATHER), (APPEARING / NOT APPEARING) (IN PERSON / VIA TELEPHONE / VIA ELECTRONICALLY) (AND / BUT) (REPRESENTED BY COUNSEL / NOT REPRESENTED BY COUNSEL), (ENTER NAME); (ENTER NAME), the Respondent (MOTHER / FATHER), (APPEARING / NOT APPEARING) (IN PERSON / VIA TELEPHONE / VIA ELECTRONICALLY) (AND / BUT) (REPRESENTED BY COUNSEL / NOT REPRESENTED BY COUNSEL), (ENTER NAME); the minor children (APPEARING / NOT APPEARING) in person (AND / BUT) Represented by counsel, (ENTER NAME); CASA (APPEARING THROUGH ITS DESIGNATED AGENT / NOT APPEARING); the

Court, having reviewed the records and files herein and being fully informed in the premises, does now hereby:

ORDER, that the Indian Child Welfare Act does not apply to this case; 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 efforts to achieve the permanent plan of reunification of the children with the Respondent parents and those efforts have been unsuccessful and it would be contrary to the children's welfare to be returned at this time; and it is further

ORDERED, that the least restrictive alternative available commensurate with the best interest of the children is continued custody with the Department of Social Services as return of custody of the minor child to the Respondent parents would be injurious to the minor children's welfare.

Dated this (DAY) day of (MONTH, YEAR) effective, however, the (DAY) day of (MONTH), (YEAR), that being the date of the hearing affording judicial basis for this order.

BY THE COURT:

ATTEST:

Clerk of Court

BY: _____

Deputy (ENTER NAME)

(SEAL)

The Honorable (ENTER NAME)
Judge of the Circuit Court