

Work-around for County Agencies using SSIS and the Adoption Assistance Eligibility Determination—when the Tribe has Legal Responsibility

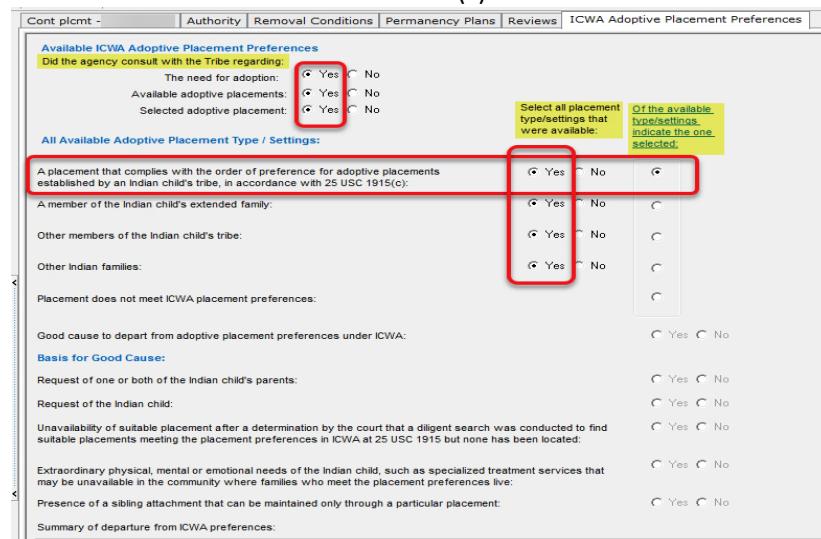
The Adoption Assistance Eligibility Determination logic does not consider whether there has been a prior transfer to tribal court when determining whether ICWA Adoptive Placement Preferences are required when a county agency is financially responsible for the placement, but the tribe has legal responsibility. **This will be fixed in a future release.**

Current work-around for county agencies

If the child needs to have the Adoption Assistance Eligibility Determination created, and they have had a prior transfer to tribal court, but the ICWA Adoptive Placement Preferences are being required on the AA Eligibility Determination:

Create an **ICWA Adoptive Placement Preferences** record for the child on their **Continuous Placement** and answer the following questions as follows:

- “Did the agency consult with the Tribe regarding” – select “Yes” for all
- “Select all placement type/settings that were available” – select “Yes” for all
- “Of the available type/settings, indicate the one selected” – select the first one: “A placement that complies with the order of preference for adoptive placements established by an Indian child’s tribe, in accordance with 25 USC 1915(c)”



Cont plcmt -

Authority Removal Conditions Permanency Plans Reviews ICWA Adoptive Placement Preferences

Available ICWA Adoptive Placement Preferences

Did the agency consult with the Tribe regarding:

The need for adoption: Yes No

Available adoptive placements: Yes No

Selected adoptive placement: Yes No

All Available Adoptive Placement Type / Settings:

A placement that complies with the order of preference for adoptive placements established by an Indian child's tribe, in accordance with 25 USC 1915(c): Yes No

A member of the Indian child's extended family: Yes No

Other members of the Indian child's tribe: Yes No

Other Indian families: Yes No

Placement does not meet ICWA placement preferences:

Good cause to depart from adoptive placement preferences under ICWA:

Basis for Good Cause:

Request of one or both of the Indian child's parents: Yes No

Request of the Indian child: Yes No

Unavailability of suitable placement after a determination by the court that a diligent search was conducted to find suitable placements meeting the placement preferences in ICWA at 25 USC 1915 but none has been located: Yes No

Extraordinary physical, mental or emotional needs of the Indian child, such as specialized treatment services that may be unavailable in the community where families who meet the placement preferences live: Yes No

Presence of a sibling attachment that can be maintained only through a particular placement: Yes No

Summary of departure from ICWA preferences:

This will satisfy the requirement on the Adoption Assistance Eligibility Determination.

Once the fix is installed, the Adoption Assistance Eligibility Determination will check to see if there has been a Transfer to tribal court for each child where ICWA applies = Yes. If there has been a transfer to tribal court, it will display the Date of transfer to tribal court. As long as the "Date of transfer to tribal court" is before the Continuous Placement Discharge Date (which it should be if it transferred prior to the adoption finalization), then the ICWA Adoptive Placement Preferences will not be required.

SSIS Worker/Fiscal - 20.2.2.12 - [Sam]

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Setup Document Properties Discussions Required Documents

2 required fields needed to complete.

Document template: Northstar Adoption Assistance Eligibility Determination

Description: Northstar Adoption Assistance Eligibility Determination

Status: Draft

Status change date: 5/7/2020 1:53:25 Pt Initial submission date:

Document

Document: Northstar Adoption Assistance Eligibility Determination

Agency

Agency: County Test data base

Agency name: County Test data base

Participant

Participant: Samuel Richard

Name: Samuel Richard

Date of birth: 04/08/2013

18th birthday: 04/08/2031

Citizenship status: U.S. Citizen/naturalized citizen

Child ward verification

Child ward: Tribal guardianship 01/15/2020

Legal status: Tribal guardianship

Continuous placement dates: 01/20/2016 - present

Placement location dates: 07/01/2016 - present

Adoptive parent 1: Shirley Jones

Adpt prnt 1 citizenship status:

Adoptive parent 2:

Adpt prnt 2 citizenship status:

Removal from home: Court ordered

Best interest statement: Yes

ICWA applies: Yes

ICWA adopt plcmt pref:

FC pymt prior to guardianship: "ICWA adopt plcmt pref" is required.

IV-E FC pymt during cont plcmt: No

Address

Address: 86 2nd Avenue NW

Action

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