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Attorney's name and address

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF PIMA

In the Matter of:

) Case No. JD

Child's name

) AFFIDAVIT OF \_\_\_\_\_

DOB:

) INDIAN EXPERT

) WITNESS, IN LIEU OF

) TESTIMONY PURSUANT

) TO 25 U.S.C. SEC. 1912 ET. SEQ.

Person under 18 years of age.

) Assigned to Judge

\_\_\_\_\_ )

I, \_\_\_\_\_, the undersigned, declare:

1. I am currently employed by the \_\_\_\_\_ Tribe as a Social Worker II ICWA. My duties as an ICWA Case Worker include, but are not limited to, assisting State Case Workers develop case plans and case tasks, identifying culturally and traditionally sensitive services that can assist the Indian family, transporting the family to court and to services, supervising visitations, monitoring the family's progress, attending court hearings, identifying family placements, and facilitating the transfer of cases to Tribal Court. My duties also include providing expert witness

1 testimony in Indian Child Welfare Act cases. I have been recognized as a qualified ICWA expert  
2  
3 by the \_\_\_\_\_ Tribe, and have testified as a qualified expert witnesses in numerous cases in  
4 the Pima County Juvenile Court.  
5

6 2. I am an enrolled member of the \_\_\_\_\_ Tribe. I attend the cultural and  
7  
8 religious ceremonies and traditional activities of the \_\_\_\_\_ Tribe. I have lived in or near  
9 a \_\_\_\_\_ community for most of my life. I have experience in the delivery of family  
10 services to \_\_\_\_\_ families and have knowledge of prevailing social and cultural  
11 standards and child rearing practices within the \_\_\_\_\_ Tribe. I have worked as a Case  
12 Manager for the \_\_\_\_\_ Department of Social Services for over \_\_\_\_\_ years, where I have  
13 received training on the Indian Child Welfare Act.  
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16  
17 3. I have reviewed the DCS's Dependency Petition pertaining to \_\_child\_\_\_\_\_, all  
18 Pleadings and court Orders, all Case Reports, and other disclosure received to date.  
19

20  
21 4. \_\_\_\_\_ is not an enrolled member of the \_\_\_\_\_ Tribe, but  
22 is eligible for membership through his mother, \_\_\_\_\_, and his father, \_\_\_\_\_,  
23 both enrolled members of the \_\_\_\_\_ Tribe. OR \_\_\_\_\_ is an enrolled member of the  
24 \_\_\_\_\_ Tribe, Enrollment No. \_\_\_\_\_.  
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26

27 5. The minor is placed with a relative who is a member of the \_\_\_\_\_ Tribe. This  
28 placement is in compliance with the placement preferences of the Indian Child Welfare Act and  
29 the \_\_\_\_\_ Tribe. OR The minor is placed in a State licensed foster home that is not in  
compliance with the placement preferences. The Tribe has not yet been able to locate a family  
member or ICWA compliant placement.

1  
2 6. It is my opinion that active efforts have been made to provide remedial services and  
3 rehabilitative programs designed to prevent the breakup of this Indian family to the mother,  
4 \_\_\_\_\_, and the father, \_\_\_\_\_, and that these efforts have been unsuccessful  
5 to date. The Department has identified and made available necessary and appropriate services for  
6 the mother and father for family reunification, as set forth in the DCS Court Report dated  
7 \_\_\_\_\_ on page \_\_\_\_ (OR list all of the active efforts), as well as offering a Present  
8 Danger Plan, Safety Planning Team Decision Making Meeting, drug testing, paternity testing,  
9 and investigative case management. The parents have not completed any services, so additional  
10 time is needed for the parents to benefit from these services.  
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15 7. Further, it is my opinion, based upon my personal knowledge of this case, that custody  
16 of \_\_\_\_\_ with his mother, \_\_\_\_\_, and his father, \_\_\_\_\_, is likely to result in  
17 serious emotional or physical damage to the minor due to \_\_\_\_\_ and \_\_\_\_\_'s substance  
18 abuse, the child was a substance exposed newborn, domestic violence with each other in the  
19 minor's presence, and unstable mental health. (ADD a John Doe if applicable.)  
20  
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22

23 8. It is in the minor's best interest to remain out of the home at this time.

24  
25 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
26 knowledge and belief.  
27

28 Executed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

29 \_\_\_\_\_  
\_\_\_\_\_, Social Worker II ICWA

SUBSCRIBED and SWORN to by \_\_\_\_\_ before me this date: \_\_\_\_\_

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\_\_\_\_\_  
Notary Public  
My Commission Expires On: \_\_\_\_\_

Original of the foregoing filed  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ with:

Clerk of the Court  
Pima County Juvenile Court  
2225 E. Ajo Way  
Tucson, Arizona 85713

Copies of the foregoing mailed/delivered/placed in mailbox  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ to: