Table of Contents (p.2)

1. Montana Resources (p. 6)
   1. Montana Code Annotated (p. 7)
      1. Child Abuse and Neglect (p. 8)
         1. § 41-3-101, et seq. – General (p. 9)
         2. § 41-3-201, et seq. – Reports and Investigations (p. 39)
         3. § 41-3-301, et seq. – Protective Care (p. 61)
         4. § 41-3-401, et seq. – Abuse and Neglect Proceedings (p. 74)
      2. Termination (p. 120)
         1. § 41-3-601, et seq. – State Termination of Parental Rights (p. 121)
         2. § 42-2-601, et seq. – Private Termination of Parental Rights (p. 133)
         3. § 40-6-1001, et seq. – Private Termination of Parental Rights – Sexual Abuse (p. 153)
         4. § 42-2-401, et seq. – Voluntary Relinquishment (p. 159)
      3. Interstate Compact on the Placement of Children (ICPC) (p. 178)
      4. Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) (p. 192)
      5. Emancipation (p. 215)
      6. Family Policy Act (p.221)
      7. Other Private Proceedings (p. 226)
         1. § 72-5-201, et seq. – Guardianship of Minors (p. 227)
         2. § 40-9-101, et seq. – Grandparent-Grandchild Contact (p. 242)
   2. CFS Policy Manual (p. 250)
      1. Investigation and Child Protective Services (p. 251)
         1. 201-1 – Legal Base (p. 252)
         2. 201-2 – Philosophy (p. 258)
         3. 202-1 – Reports of Abuse and Neglect (p. 266)
         4. 202-3 – Investigation/Assessment of Report (p. 270)
         5. 202-4 – Documentation of Investigation/Assessment and Opening a Case (p. 288)
         6. 205-1 – Child Protective Services – In Home/Reunification Services (p. 301)
      2. Legal Procedure (p. 311)
         1. 302-1 – Immediate Protections and EPS (p. 312)
         2. 302-4 – Guardianship (p. 327)
      3. Substitute Care (p. 332)
         1. 401-1 – Philosophy (p. 333)
         2. 402-1 – Placement Procedures – Voluntary and Involuntary Placements (p. 336)
         3. 402-3 – Concurrent Planning and Placement (p. 341)
         4. 402-4 – Placement in Unlicensed Kinship Care (p. 349)
         5. 402-7 – ICPC (p. 369)
         6. 404-1 – CSED Referrals (p. 385)
   3. Montana Cases and Summaries (p. 395)
      1. Matter of Paternity of “Adam” 903 P. 2d 207 (1995) (p. 396)
      2. In the Matter of A.C., T.C., and C.W. 2004 MT 320 (p. 401)
      3. J.D. v. C.P. and G.P. 2005 MT 297 (p. 404)
      4. In re A.N.W. 2006 MT 42 (p. 419)
      5. In the Matter of T.S.B. 2008 MT 23 (p. 437)
      6. In re S.S. and S.S. 2012 MT 78 (p. 448)
      7. In re M.J. 2013 MT 60 (p. 455)
      8. In re K.B. 2016 MT 73 (p. 460)
      9. In the Matter of J.H. 2016 MT 35 (p. 466)
      10. In re A.J.C. 2018 MT 234 (p. 473)
      11. In the Matter of B.N. 2019 MT 188N (p. 482)
      12. In re E.Y.R. 2019 MT 189 (p. 487)
      13. In re A.B. 2020 MT 64 (p. 524)
      14. In re K.M.V. and D.R.V. 2020 MT 66N (p. 554)
   4. Montana Judicial District Parenting Guidelines (p. 561)
      1. Montana Fourth Judicial District Parenting Guidelines (p. 562)
      2. Montana Fifth Judicial District Parenting Guidelines (p. 569)
      3. Montana Tenth Judicial District Parenting Guidelines (p. 572)
2. Federal Resources (p. 583)
   1. Indian Child Welfare Act (ICWA) (p. 584)
      1. 25 U.S.C. 1901, et seq. (p. 585)
      2. Quick Reference Sheets (p. 586)
      3. ICWA Guidelines (p. 588)
   2. CFR (p. 681)
      1. § 1355.25 – Principles of Child and Family Services (p. 682)
      2. § 1356 et seq. – Requirements Applicable to Title IV-E (p. 683)
   3. Adoption and Safe Families Act (ASFA) (p. 723)
      1. 42 U.S.C. 601, et seq. (p. 724)
   4. U.S. Supreme Court Cases and Summaries (p. 725)
      1. Troxel v. Granville 530 U.S. 57 (p. 726)
3. Practice Standards (p. 746)
   1. Representation of Parents in Dependent/Neglect Cases (p. 747)
      1. Montana Office of the State Public Defender (p. 748)
      2. ABA Standards of Practice (p. 757)
   2. Representation of Children in Dependent/Neglect Cases (p. 799)
      1. Montana Office of the State Public Defender (p. 800)
      2. ABA Standards of Practice (p. 806)
   3. Representation of CASA/GAL in Dependent/Neglect Cases (p. 830)
      1. Montana Office of the State Public Defender (p. 831)
4. Memorandums, Articles, and Research (p. 837)
   1. Trauma Caused by Separation (p. 838)
      1. ABA Memorandum, Trauma Caused by Separation of Children from Parents (p. 839)
   2. Drug Use and Parenting (p. 872)
      1. NAPW Memorandum to File re Parental Drug Use in Child Welfare Cases (p. 873)
      2. International Guidelines on Human Rights and Drug Policy (p. 880)
   3. Other (p. 882)
      1. Kids in Care: Analysis of Population Trends and Management Processes in Montana’s Foster Care System (DPHHS, Dec. 2021) (p. 883)
5. Other Resources (p. 884)
   1. 2013 Montana Dependency and Neglect Best Practice Manual (p. 885)
      1. ABA Child Safety Guide Bench Cards (p. 959)
   2. ICWA – Active Efforts Notes (p. 977)
6. Forms, Motions, and Briefs (p. 978)
   1. Intake (p. 979)
      1. Intake Checklist (p.980)
   2. Emergency Protective Services (p. 982)
      1. Motion for Emergency Protective Services Hearing (Hearing Request) (p. 983)
      2. Mother’s Request for Emergency Protective Services Hearing and Preliminary Legal Memo (p. 986)
   3. Treatment Plan (p. 1004)
      1. Mother’s Proposed Treatment Plan (p. 1005)
      2. Mother’s Response and Objections to State’s Proposed Treatment Plan (p. 1017)
      3. Refrigerator List for client (p. 1020)
   4. Motion to Intervene (p. 1022)
      1. Mother’s Response to Grandparent’s Motion to Intervene (p. 1023)
      2. Mother’s Response to Motion to Intervene (Foster Placement) (p. 1029)
   5. Transfer (ICWA) (p. 1034)
      1. Petition to Transfer Jurisdiction to Tribal Court (p. 1035)
      2. Order to Accept Jurisdiction and for Immediate Protection and Emergency Protective Services (p. 1045)
      3. Order to Dismiss (Transf. to CSKT) (p. 1052)
      4. Parent’s Joint Motion to Dismiss for Lack of Jurisdiction (Transf. to CSKT) (p. 1053)
   6. Other (p. 1058)
      1. Memo in Support of Granting Temporary Legal Custody for the Mother (p. 1059)
      2. Mother’s Memo in Support of Denying the State’s Petition to Terminate (p. 1070)
      3. Motion for Finding of Lack of Reasonable Efforts and Order for Immediate Placement with Mother (p. 1081)
      4. Motion to Appoint Counsel (for Children) (p.1092)
      5. Motion for Order Finding no Active Efforts and Order for Visitation Schedule (p. 1106)
      6. Motion for Determination of Parent-child Relationship Between X and the Youth (p. 1126)
      7. Reply to Mother’s Response to Father’s Motion for Determination of Parent-child Relationship between x and the Youth (p. 1134)
      8. Lack of RE before Adj (p. 1138)
      9. Motion to Dismiss Attorney for Youth and CASA (p. 1144)