

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

JD42900

8/15/2023

HONORABLE TODD F. LANG

CLERK OF THE COURT
L. Lopez
Deputy

IN THE MATTER OF:

AUGUSTINE JOSEPH ALTAHA
F1197836

DOB: 7/2/2015

CONNER TERRY ALTAHA
F1197837

DOB: 10/31/2018

DALLAS ELISHA LEE ALTAHA
F1197838

DOB: 3/7/2020

VEISLEY REAGAN RENEE
F1197839

DOB: 6/10/2022

DIANA THEOS

JORDAN A IGO

VALERIE RUIZ

ROBIN OPAL REESE

JUSTINE R JIMMIE

SAN CARLOS APACHE TRIBE

REPORT AND REVIEW HEARING

11:03 a.m. This matter is digitally recorded in Courtroom 9.

This is the time set for Report and Review Hearing.

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Present telephonically/virtually: Assistant Attorney General Jordan Igo, counsel for the Department; DCS Child Safety Specialist Annalise Mansfield; Diana Theos, counsel for the children; Deputy Public Advocate Robin Reese, counsel for the father; Deputy Legal Defender Valerie Ruiz, counsel for the mother; Justine Jimmie, counsel for the San Carlos Apache Tribe; and Aaron Begay, ICWA Coordinator with the San Carlos Apache Tribe.

The Court has read and considered the DCS child safety specialist's report dated 8/11/2023.

THE COURT FINDS mother and father have failed to appear without good cause.

Discussion is held.

IT IS ORDERED directing the tribe to look into and assist the family (placement) with an air conditioning window unit, trash removal, and water heater.

IT IS ORDERED appointing a resource coordinator to look into possible subsidies that could pay for air conditioning window unit, trash removal, and a new water heater.

Upon request made by counsel for the father,

IT IS ORDERED GRANTING the name change request as to child Veisley, the amended name shall be "Veisley Reagan-Renee Altaha."

IT IS FURTHER ORDERED directing the Department to obtain a new birth certificate for the child Veisley.

LET THE RECORD REFLECT the Court vacates its findings as to father's failure to participate in services as he is incarcerated.

Based on the matters presented,

THE COURT FINDS that the children continue to be dependent according to the statutes.

IT IS ORDERED that the above-named children remain a ward of the Court in the legal care, custody and control of the Department of Child Safety.

IT IS ORDERED affirming current legal custody and placement orders.

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THE COURT FINDS that there is a need for out-of-home care based upon the information presented, foster care being necessary to protect the children's welfare.

IT IS ORDERED reassigning this matter to the Foster Care Review Board to review this matter at least every six months as long as the children remain(s) in out-of-home care to determine what efforts have been made by the Department of Child Safety to carry out the plan for permanent placement.

THE COURT FINDS by clear and convincing evidence, including testimony from a qualified expert witness, that the continued custody of the children by the parent is likely to result in serious emotional or physical danger to the children.

THE COURT FINDS that the placement of the children complies with ICWA placement preferences for the children.

THE COURT FURTHER FINDS that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family, and that the efforts have proven unsuccessful.

Counsel for the Department having submitted ASFA Findings, and there being no objection,

IT IS ORDERED adopting same and signing the formal, written Order this date.

IT IS ORDERED setting this matter for Dependency - Uncontested Report & Review

on 11/16/2023
at 10:45 AM
before Honorable Todd F Lang
at the Maricopa County Juvenile Court Center
Durango Facility, 3131 W. Durango St., Phoenix, AZ 85009

IT IS ORDERED that the father appear telephonically for the above referenced hearing. (A separate minute entry will issue in this matter).

All parties should appear via the TEAMS link: tinyurl.com/ibaznrc-lui0-l. All parties and participants are encouraged to participate via the TEAMS application or website on their phone or computer. If that is not possible, they may appear by phone by calling Honorable Todd Lang at (917)781-4590, Access Code: 683-327-907.

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The DCS child safety specialist shall provide a report to the Court and the parties at least fifteen (15) days prior to the hearing which shall address:

1. The placement of the child;
2. The services being provided to the child and family;
3. The progress the parties have made in achieving the case plan goals; and
4. Whether the child continues to be dependent.

Any party seeking an evidentiary hearing on any issue shall file a motion requesting that the matter be set for a contested hearing. The motion shall identify the issues to be litigated, the names and addresses of all witnesses and the estimated time the parties will need to present evidence. The Court may reset the matter or proceed with the hearing as scheduled.

This Courtroom utilizes an electronic recording system for the Court's record. If a court reporter is needed, a written request must be filed with the Clerk of the Court and a copy provided to the assigned judicial officer at least 72 hours before the commencement of the proceeding.

To order a recording of the hearing, please contact the Court's Electronic Recording Services at ERS@jbazmc.maricopa.gov or (602) 506-7100. When placing your request, please provide the case number, hearing date(s), your name, telephone number, and mailing address.

For electronic and in-person exhibit submission, please visit, <https://www.clerkofcourt.maricopa.gov/services/exhibits-submission>. The webpage will provide instructions and guidance for electronic submission as well as locations for in-person submission of exhibits. Please note that not all divisions are accepting electronic exhibits at this time. For divisions that are accepting electronic exhibits, please note that the Clerk's Office is currently only accepting electronic exhibits for trials and contested evidentiary hearings.

11:16 a.m. Court adjourns.

Filed:

ASFA Findings Re: Reasonable Efforts to Finalize the Permanency Plan

IT IS ORDERED, pursuant to A.R.S. § 15-141, that any and all schools, school districts and personnel thereof shall fully cooperate with juvenile probation officers, DCS Child Safety Specialists, and attorneys or guardians ad litem or court appointed special advocates representing a child in a dependency or delinquency action by allowing them reasonable access to the child on school premises for court related information gathering and access by them to all educational records of the child, including but not limited to records pertaining to school attendance,

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behavior, academic progress, and psychological evaluations, and shall discuss the contents and meaning thereof with them to assist the court in effectively serving the child.

WARNING

As a parent, it is your responsibility to cooperate with all services offered, and work toward return of your children. A failure to do so, within a reasonable period of time, may mean losing your children forever through termination of your rights and adoption.

8/28/2023
DATE

/s/ HONORABLE TODD F. LANG
HONORABLE TODD F. LANG