In the Matter of A.R.T., --- P.3d ---, 328 Or. App. 191 (Sept. 20, 2023).

- **Holding**: The Department of Human Services, having provided mother timely notice of jurisdictional proceedings via certified mail, thus meeting Indian Child Welfare Act notice requirements, was not required to provide additional notice when hearing date was extended twenty days upon mother's motion for extension.
- **Summary**: Mother appealed juvenile court's orders denying her motions to invalidate a consolidated juvenile dependency proceeding concerning two children, A and L, both of whom are Indian children within the meaning of the Oregon Indian Child Welfare Act (ORICWA) and the federal Indian Child Welfare Act (ICWA), and to dismiss the dependency petitions, asserting that she received inadequate ORICWA and ICWA notice of the jurisdictional proceeding, and the Oregon Department of Human Services (DHS) failed to make active efforts to reunite her family.

  Finding the matter not moot despite the juvenile court's subsequent dismissal of jurisdiction over A and L, the court concluded that notice was adequate because mother had received notice of the jurisdictional proceeding via certified mail 23 days before the hearing. Mother then asked for a 20 day extension, which was granted. The court concluded that DHS was not then required to send a new ICWA/ORICWA notice incorporating the rescheduled hearing date.

  The court upheld the juvenile court's finding that DHS had made active efforts to reunify the family, fulfilling both ORICWA and ICWA requirements, by contacting representatives of A's and L's tribe, providing a visitation plan, and identifying adequate services to mother.
- **Relevant (2023) Deskbook Section**: 13:19, 13:24
- **Comment**: The Confederated Tribes of the Warm Springs Reservation of Oregon, of which A and L are members, participated as a party in the proceedings before the lower court, and filed a notice of intent to participate in the appeal, but declined to respond to mother's assignments of error, asserting that they raised no concerns of tribal jurisdiction.