

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

In the Matter of E. M. B.,
a Child.

DEPARTMENT OF HUMAN SERVICES,
Petitioner-Respondent,

v.

A. M. G.,
aka A. G.,
Appellant.

Marion County Circuit Court
16JU02244; A164955 (Control)

In the Matter of F. P. G.,
a Child.

DEPARTMENT OF HUMAN SERVICES,
Petitioner-Respondent,

v.

A. M. G.,
aka A. G.,
Appellant.

Marion County Circuit Court
16JU02245; A164956

In the Matter of G. F. G.,
a Child.

DEPARTMENT OF HUMAN SERVICES,
Petitioner-Respondent,

v.

A. M. G.,
aka A. G.,
Appellant.

Marion County Circuit Court
16JU02246; A164957

Heidi O. Strauch, Judge pro tempore.

Submitted November 14, 2017.

Shannon Storey, Chief Defender, Juvenile Appellate Section, and Valerie Colas, Deputy Public Defender, Office of Public Defense Services, filed the briefs for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Jordan R. Silk, Assistant Attorney General, filed the brief for respondent.

Before Lagesen, Presiding Judge, and DeVore, Judge, and James, Judge.

PER CURIAM

Appeal dismissed.

PER CURIAM

This is a consolidated appeal from review hearing judgments in dependency cases involving mother's three children. The case is governed by the Indian Child Welfare Act (ICWA). Mother assigns error to the juvenile court's determination in the judgments on appeal that the Department of Human Services (DHS) had made active efforts to reunify the family as required by ICWA. However, the review judgments on appeal did not alter the status quo of the dependency cases, deny any affirmative relief sought by mother, or otherwise adjust the rights and duties of the parties. Under those circumstances, the judgments are not appealable, notwithstanding mother's disagreements with the trial court's "active efforts" determination. *Dept. of Human Services v. A. B. B.*, 285 Or App 409, 413-15, 396 P3d 306, *rev allowed*, 361 Or 885 (2017) (where review judgment does not alter existing conditions of a juvenile court wardship, and juvenile court did not rule on any affirmative requests for relief at review hearing or otherwise adjust the rights and duties of the parties, review judgments are not appealable under ORS 419A.200(1), notwithstanding a party's desire to challenge "active efforts" finding). Although mother contends that *A. B. B.* and the case to which it adhered, *State ex rel Juw. Dept. v. Vockrodt*, 147 Or App 4, 934 P2d 620 (1997), were wrongly decided, we decline to overrule them. The Supreme Court has allowed review in *A. B. B.* and, thus, the correctness of the *Vockrodt* line of cases is now an issue to be decided by that court.

Appeal dismissed.