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Timeline of the Baby Veronica Case

2009

- May ◆ Mother ends relationship with Father, her fiancé
- June ◆ With the help of an adoption attorney, Mother connects with Capobiancos.
- August 21 ◆ Mother's attorney contacts Cherokee Nation concerning enrollment of father and eligibility of Baby for enrollment, but misspells Father's name and provides incorrect an incorrect birthday for him.
 - Because of these errors, the Cherokee Nation is unable to verify Father's enrollment in the tribe. However, they note, "This determination is based on the above listed information exactly as provided by you. Any incorrect or omitted family documentation could invalidate this determination."
- September 15 ◆ Veronica is born. While the Capobiancos are invited to be present, Mother requests that if anyone calls to inquire about her at the hospital she should be reported as "not admitted," leaving Father unaware of the birth.
- September 18 ◆ Adoptive parents file for adoption in South Carolina.
- September 24 ◆ Approval to relocate Veronica from Oklahoma to South Carolina is granted based on documentation provided by Mother stating Veronica was Hispanic. The documentation includes no mention of Veronica's American Indian heritage.
 - The Cherokee Nation has stated that if this documentation had been filed accurately, they would have intervened to stop Veronica's relocation out of state.

2010

- January 6 ◆ The Capobiancos' attorneys wait until 12 days before Father is deployed to Iraq—during a time of extraordinarily intense psychological stress—to send a process server to approach him outside a mall near his military base. Father signs papers titled "Acceptance of Service and Answer of Defendant," thinking the action would relinquish his rights to Mother during his deployment. Immediately, he requests the papers back, wanting to consult an attorney. Process server refuses, threatening Father with criminal prosecution. Father seeks advice of JAG attorney.
- January 11 ◆ Father files a stay of the adoption proceeding in South Carolina.

(over)

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2010

- January 14 ♦ Father files official documentation to establish paternity, child custody, and support of Veronica.
- January 18 ♦ Father is deployed to Iraq where he eventually earns a Bronze Star.
- January ♦ Cherokee Nation identifies father as a registered member, determines that Veronica is eligible for enrollment, thus allowing their intervention in this case as allowed under the Indian Child Welfare Act. (ICWA)
- March 30 ♦ Capobiancos amend their pleadings to acknowledge Father's membership in Cherokee Nation.
- May 25 ♦ Now a party to the case, Father files a response stating he did not consent to the adoption and that he sought custody.
- December 26 ♦ Father returns from Iraq.

2011

- July 12 ♦ Family court finds that ICWA applies to the case.
- September 12-15 ♦ Trial takes place in South Carolina Family Court.
- November 25 ♦ Court denies the Capobiancos' petition for adoption and orders transfer of custody to Father, finding:
 - o ICWA applied to the case,
 - o Father had not voluntarily consented to termination of his parental rights or to the adoption,
 - o The Capobiancos had failed to prove by clear and convincing evidence that Father's parental rights should be terminated or that granting of custody of Baby would result in serious emotional or physical damage to Baby.

2012

- December 31 ♦ Father assumes custody of Veronica.
- July 26 ♦ South Carolina Supreme Court upholds the district court's decision.
- August 23 ♦ South Carolina Supreme Court denies the petition for review.
- October 1 ♦ Petition for a writ of certiorari filed with the U.S. Supreme Court.

2013

- January 4 ♦ Petition for cert granted by the U.S. Supreme Court