

POLICY AND RESOURCE ROUNDTABLE

SUPPORTING NATIVE AMERICAN YOUTH AND THE INDIAN CHILD WELFARE ACT

DECEMBER 11, 2015

NOTES

ATTENDEES

CENTER FOR NATIVE AMERICAN YOUTH

- Senator Byron Dorgan (ret.), Chairman and Founder
- Erin Bailey, Executive Director
- Erik Stegman, Executive Director
- Allison Binney, CNAY Board Member
- Ryan Ward, Senior Program Associate
- Josie Raphaelito, Program Manager
- Amber Richardson, Program Coordinator
- Teddy McCullough, Fellow
- Brian Barlow, Intern

YOUTH PRESENTERS AND CHAPERONES

- Alecia McConnell, Native Youth, Confederated Tribes of Umatilla Indians
- Elijah Arquette, Native Youth, Nez Perce Tribe
- Jackie Malstrom, Native Youth Chaperone, Pima/Yaqui
- Ryan Oatman, Foster Parent and Chaperone, Nez Perce Tribe

TRIBAL LEADERSHIP

- Kirk Francis, Chief, Penobscot Indian Nation

FEDERAL AGENCY PARTICIPANTS

- Cheryl Andrews-Maltais, Senior Advisor to the Assistant Secretary-Indian Affairs, Assistant Secretary - Indian Affairs, U.S. Department of the Interior
- Amber Blaha, Assistant Section Chief, Environment Division, U.S. Department of Justice
- Karen Diver, Special Assistant to the President for Native American Affairs, The White House
- Fred Fisher, Senior Policy Advisor, IPA, Rural Development, U.S. Department of Agriculture
- R. Juge Gregg, Attorney, Environment Division, U.S. Department of Justice
- Alison Grigonis, Senior Director for Cabinet Affairs, The White House
- Sam Hirsch, Principal Deputy Assistant Attorney General, U.S. Department of Justice
- Gina Jackson, Senior Fellow, IPA, Assistant Secretary, Office of Indian Affairs, U.S. Department of the Interior
- Dan Lewerenz, Attorney-Advisor, Office of the Solicitor, Division of Indian Affairs, U.S. Department of the Interior
- Camille Loya, Director of Policy, Administration for Native Americans

- Sabrina McCarthy, Attorney-Advisor, Office of the Solicitor, Division of Indian Affairs, U.S. Department of the Interior
- Jean Plaschke, Youth Programs Officer, Substance Abuse and Mental Health Services Administration
- Gaynell RealBird, Family Advocate & Prevention Coordinator, Domestic Violence, Bureau of Indian Affairs-Division of Human Services
- Concetta Tsoie de Haro, Intern, Office of the Solicitor, U.S. Department of the Interior
- Sarah Walters, Acting Chief of Staff, Assistant Secretary - Indian Affairs, U.S. Department of the Interior
- Michelle Wert, Faith Based Neighborhood Partnerships Coordinator, Office of Community Engagement, U.S. Department of Agriculture
- Heather Zenone, Senior Advisor, Tribal Children, Administration on Children Youth and Families, Administration for Children and Families

NATIONAL TRIBAL ORGANIZATION PARTICIPANTS

- Richard Guest, Staff Attorney, Native American Rights Fund
- Jackie Johnson Pata, Executive Director, National Congress of American Indians
- Sarah Kastelic, Executive Director, National Indian Child Welfare Association
- Matthew Newman, Staff Attorney, Native American Rights Fund
- David Simmons, Director of Government Affairs and Advocacy, National Indian Child Welfare Association
- Christina Snider, Staff Attorney, National Congress of American Indians

ALLY ORGANIZATION AND FOUNDATION PARTICIPANTS

- Kristi Craig, Sr. Director, Casey Family Programs
- Serena Dávila, Senior Legislative & Federal Affairs Officer, American Psychological Association
- Nicole Dobbins, Executive Director, Voice for Adoption
- Jamie Hinsz, Director of Policy, FosterClub
- Shadi Houshyar, Vice President of Child Welfare Policy, First Focus
- Jaia Lent, Deputy Executive Director, Generations United
- Todd Lloyd, Senior Policy Associate, External Affairs, Jim Casey Youth Opportunities Initiative, The Annie E. Casey Foundation
- Barbara Pryor, Senior Director, Casey Family Programs
- Marlo Nash, Senior Vice President, Public Policy and Mobilization, Alliance for Strong Families and Communities
- Patricia Paluzzi, President and CEO, Healthy Teen Network
- John Sciamanna, Director of Government Affairs, Child Welfare League of America
- Mercedes Scopetta, Dep. Chief Legal & Advocacy Officer, National CASA Association
- Stefanie Sprow, Deputy Director, Child Welfare and Mental Health, Children's Defense Fund
- Scott Trowbridge, Assistant Director, Capacity Building Center for Courts
- K. Shakira Washington, Senior Director, National Crittenton Foundation

KEY MEETING TAKE-AWAYS

WELCOME & OPENING REMARKS – SENATOR BYRON DORGAN (RET.)

- **Key Themes**
 - ICWA is an important law that protects Native children and tribal sovereignty.
 - Opponents of ICWA are well-funded and aggressive.
 - Tribal governments care about their children but are often restricted by lack of funds in what they can do.
- The Goldwater Institute is a conservative think-tank organization anchored in Phoenix, AZ and funded by conservatives that want courts to declare that ICWA is unconstitutional. They are tough, well-funded and fighting hard.
- Blood Struggle by Charles Wilkinson includes a quote: “I think the cruelest trick that the white man has ever done to Indian children is to take them into adoption court, erase all of their records and send them off to some nebulous family ... residing in a white community and he goes back to the reservation and he has absolutely no idea who his relatives are, and they effectively make him a non-person and I think ... they destroy him.”
- Senator Tom Udall authored ICWA with the knowledge of poverty, dropouts, and teen suicide. He knew that Indian children had 18 times the rate of foster care than other children in America, that programs to remove youth and place them with religious families outside of reservation homes had existed, and that some states were paid by the BIA to remove children and place them with non-Indian families.
- Tamara Demaris was a three year old Native girl who was placed in a foster home by a woman handling 125 cases. Her home was not checked and during a drunken party at her home, Tamara had her hair pulled out by the roots and nose and arm broken.
- Her story happens, but it’s not the result of ICWA. It is the result of underfunding social services in Indian Country.
- The George Will story in the Washington Post could have been about any family in America. It is shameful to scapegoat American Indian families to pursue an agenda for the Goldwater Institute to retreat something done to secure good lives for Native American children.

PRESENTATIONS

DAVID SIMMONS AND SARAH KASTELIC – NATIONAL INDIAN CHILD WELFARE ASSOCIATION

- **Key Themes**
 - Purposes of ICWA are:
 - Curtail abusive practices of public and private child welfare whenever an Indian child whenever a child is at risk of being removed or has been removed
 - Formal recognition of tribal sovereignty
 - Federal grant funding to support welfare services for tribes on and off reservations (Even though funds were available in 1979, it wasn’t until 1993 that

all tribes who wanted funding were guaranteed to get it; prior, this was a discretionary application program)

- ICWA is still needed because of continued disparities for Indian children and families and because there continues to be abusive cases in private adoption practices.

- **Background**

- In the early 19th century, lots of federal policies adversely affected American Indians:
 - Civilization Act – Early 1800s: Attempt to Christianize and assimilate Indians mainstream
 - Removal Act – 1830s: Removal of American Indians to western states
 - Boarding School Era – Mid 1800s: Forced removal of Native children from Indian communities and placement in militaristic boarding schools where children were punished for speaking the language and practicing their religion.
 - Allotment Act – 1887: Division of Indian lands to be allotted to non-Indians.
 - Blood quantum was introduced by the federal government – not tribes. Prior to that, tribes had traditional ways of determining who was considered a community member.
 - Indian Adoption Projects – 1850s-1960s: Indian children were removed from Indian families and adopted out to the west to be placed with white children.
 - Public Law 280 – 1953 – Threat to tribal government structure. Took tribal jurisdiction and gave it to states. This is now known as concurrent jurisdiction. Tribes lost some control.
 - Relocation Project – 1950s-60s: Moved families off of reservations and into major urban areas for the purposes of assimilation and supposedly, economic development.
 - In the 1960s & 1970s, an ANA study found that 25-35% of all Indian children removed were in out of home placements. 85% of those placed with non-Indian families.
 - The cumulative effect of these federal policies and efforts sought to diminish the natural helping system that existed in Native communities to protect children. They removed kids from their cultural knowledge, which included parenting skills and the way to become contributing members of society. There is ongoing trauma as a result.

- **Key Provisions of ICWA**

- ICWA passed in 1978 after eleven years of hearings aimed at helping Congress understand what was going on. Purposes of ICWA are:
 - 1) curtail abusive practices of public and private child welfare whenever an Indian child whenever a child is at risk of being removed or has been removed
 - 2) formal recognition of tribal sovereignty

- 3) federal grant funding to support welfare services for tribes on and off reservations (Even though funds were available in 1979, it wasn't until 1993 that all tribes who wanted funding were guaranteed to get it; prior, this was a discretionary application program)
 - ICWA applies to voluntary and involuntary proceedings. Notice must be given to the child and parents. Tribal intervention and transfer of jurisdiction are available for those who want to participate. Requires informed consent for parents seeking to relinquish their rights.
 - Provides full faith and credit regarding court orders by state, tribal and other federal entities
- ICWA is still needed because of continued disparities for Indian children and families and because there continues to be abusive cases in private adoption practices.

SARAH WALTERS – SARAH WALTERS, ACTING CHIEF OF STAFF, INDIAN AFFAIRS – U.S. DEPARTMENT OF INTERIOR

- **Key Themes**
 - Interagency coordination (DOI, DOJ and HHS) has been instrumental in pushing for updated guidelines and proposed regulations.
 - Updated guidelines and robust, defensible rules are important to the success of ICWA going forward.
- **DOI and Partner Efforts Supporting ICWA Compliance and Implementation at Federal Level**
 - ICWA passed in 1978 and in 1979 BIA released guidelines for implementation of ICWA for state courts.
 - The *Babygirl* case emphasized the need to do something to reinforce consistency and compliance. Secretary Washburn directed staff to look at BIA guidelines and determine whether they needed to be updated and thus DOI undertook to update the guidelines.
 - Under this administration, there has been robust interagency coordination between HHS, DOI, and DOJ as a result of Obama's commitment to Native youth. HHS and DOJ partnered to review BIA guidelines, during which they held meetings and listening sessions to learn about implementation on the ground. The guidelines were updated and release in 2015.
 - Updated guidelines: <http://www.bia.gov/cs/groups/public/documents/text/idc1-029637.pdf>
 - Summary and background: https://www.michigan.gov/documents/dhs/BIA-Guidelines-for-State-Courts-2015_482687_7.pdf
 - DOI then issued a proposed rule that was developed out of comments received on 1979 guidelines. The comment period was open last spring and they are now in review.
 - DOI/DOJ/HHS have partnered to prepare to draft a potential final rule.
 - The updated guidelines have been challenged in federal court, including litigation happening in eastern district of VA.
 - Robust and defensible rules are critically important to the success of ICWA.

AMBER BLAHA – ASSISTANT SECTION CHIEF, ENVIRONMENT DIVISION, U.S. DEPARTMENT OF JUSTICE

- **Key Themes**
 - ICWA does not have an enforcement provision.
 - DOJ is actively promoting ICWA compliance among state courts.
- ICWA does not include a provision for federal government to bring in reinforcements for violations. Instead it relies on individual parents, tribes, councils for children, and – too often – state courts to report violations.
- **Three focuses of the initiative:**
 - Litigation
 - ICWA doesn't have an enforcement provision.
 - Focusing on amicus litigation.
 - Defensive litigation is taking up lots of time.
 - Promoting ICWA compliance and working with state courts.
 - Compliance
 - There is little data about compliance and limited tools to collect data.
 - HHS's engagement in this process focuses on collecting information about what's going on in the states, which is important to the federal government and advocates. Collaborating with DOJ on this and working as integrated team on all efforts.
 - Outreach and Training
 - Working with NICWA to build expertise on Indian child welfare.
 - Child welfare systems vary across states and tribes.
 - Outreach geared toward states. BIA program focused on tribes, but implementation is happening in state courts and by state agencies, so the initiative is trying to increase its presence in the child welfare world more generally, instead of being just tribe-specific.
 - Sending the message that federal government is paying attention to this issue.

R. JUGE GREGG, ATTORNEY, ENVIRONMENT DIVISION, U.S. DEPARTMENT OF JUSTICE

- Interagency coordination and collaboration has been key to recent ICWA efforts.
- Amicus support has been core to the work since *Babygirl* case.
- A new initiative is intentionally trying to find cases to participate in, where it would help inform courts on US view of critical aspects of ICWA, as opposed to hearing about a case from other stakeholders.
 - Being proactive about identifying cases and issues that the US should weigh in on. Don't assume we know about a case.
 - They are tough to catch because they're almost exclusively taking place in state courts.
 - Let DOJ know about cases we should be paying attention to.
- Since *Babygirl*, DOJ has filed amicus briefs in support of ICWA.

- 4 others have been filed from the Alaska Supreme Court to the Federal District Court in South Dakota.
- They cover issues range from court jurisdictional issues to notice provisions, placement preference issues, activating preferred placements, etc.
- DOJ has also weighed in on interpretations of the *Babygirl* case.
- ICWA proponents had a favorable ruling from the case in the eastern district of VA, dismissing the challenge to the BIA guidelines.

JACKIE PATA, EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS

- **Key Themes**
 - The opposition has a compelling and organized media strategy.
 - Tribes are hamstrung by funding challenges and thus have vulnerabilities in child welfare systems.
 - The ICWA Defense Project is working on a media strategy and is monitoring anti-ICWA cases.
- The *Babygirl* case caused an outcry and the opposition’s campaign was media-based with lots of public engagement.
 - They did a better job with media placements than us. There’s lots of misinformation out there because of their efforts.
- The ICWA Defense Project’s job (and allies) is to correct that misinformation and inform decision makers.
- Historically, the “best interest of the child” has come from a perspective not of our communities.
- NCAI has been working with NICWA and NARF to talk through strategies, which include the need for a good foundation of education before becoming very visible.
- There are several competing challenges in Indian Country combined with the fact that we have vulnerabilities in our child welfare systems in tribal communities, mostly because of lack of resources and capacity building.
 - Tribes don’t get the same kind of revenues as other governments.
 - The US Commission on Civil Rights’ report: Quiet Crisis shows that tribes do not get the same implementation and systems development dollars to develop child welfare systems.
- Constitutionality: tribes being considered as a race rather than a political subdivision.
 - The history of relationship between tribes and the federal government causes ongoing challenges on a regular basis. This Administration has been incredibly helpful in improving this relationship.
- The Congressional climate is concerning. Recent hearings on federal recognition and states’ rights are difficult for tribes.
 - A too-early response on ICWA could be detrimental.

- The ICWA Defense Project game plan includes: public media, education, Congressional conversations, the right timing, and a focus on courts.
- The most important key is to be solid with messaging, united in our front, and united in our educational strategy.
 - Don't rock the boat to create more of a poke with Congress until know we have our Champions in place.
- NICWA, NCAI, NARF has hired a media firm to help with collective media strategy.

MATTHEW NEWMAN, STAFF ATTORNEY, NATIVE AMERICAN RIGHTS FUND

- **Key Themes**
 - Anti-ICWA organizations are filing lawsuits across the country challenging ICWA and state ICWAs.
 - The ICWA Defense Project is working with tribes to intervene in litigation.
- There are currently five federal lawsuits in district courts around the US challenging federal ICWA and state ICWAs.
 - Some states passed their own ICWA acts intended to strengthen provisions of federal acts and those are also under attack.
- **Federal ICWA Attacks**
 - Virginia – eastern district – filed by nonprofit organizations, adoption advocates
 - Challenged on constitutional grounds – equal protection, due process
 - 10th amendment state rights argument that the BIA guidelines commandeer state courts and agencies to implement federal law
 - Judge Lee found that ICWA as federal law is not commandeering and therefore would not violate the 10th amendment. Dismissed that lawsuit.
 - BIA guidelines are the federal government's views on how the law should be implemented. They are nonbinding.
 - Judge Lee ruling made the distinction that American Indians/Alaska Natives constitutes deadline with a political class, not a racial class.
 - Opinion will be important in Goldwater case in federal district in AZ
 - Goldwater Case
 - Challenges ICWA generally, claiming that it discriminates against Indian kids and families by giving them differential treatment. Constitutional claims are similar to the VA case.
 - Goldwater sought class certification of Indian children served by ICWA. Judge Wake ruled that until motions to dismiss the case are resolved, class certification will be stayed. Next week, there will be an oral argument on Phoenix concerning the judge's motion to dismiss in assistance to fed arguments.

- Yesterday US filed opinion from eastern district of VA in which judge reviewed decision on issues, as supplemental authority with the court in AZ. AZ judge will have that opinion in hand for oral argument next week.
- **State ICWA Attacks**
 - Being filed in federal district courts, but focusing on states that passed their own ICWAs that enhance the federal ICWA.
 - Doesn't require that families be given notice in voluntary cases. Provisions are for involuntary cases. MN, MI, OK passed their own ICWA and in those states include notice requirements in voluntary cases. Those provisions have been attacked in other federal cases, naming states as defendants.
 - MN: Adoption advocate in Indian Country filed over summer, challenged MN ICWA, notice provision, tribal court provision. Motioned to be dismissed. Awaiting order. Based on comments, confident that case will be headed toward dismissal.
 - OK – Challenging state ICWA, notice, transfer grounds. Currently in briefing. Motion to dismiss from Cherokee Nation.
 - MI – Litigated by same MN adoption advocate. Case in briefing. Motion to dismiss. Challenge to notice provisions.
- **Child Welfare Working Group**
 - ICWA Defense Project – partnership between NICWA, NARF and NCAI.
 - Joined by appellate law clinic at MI State University
 - Working with tribes to come up with litigation response to these cases.
 - Project has filed amicus briefs in VA, AZ, supporting US efforts to dismiss those cases.
 - Assisted tribal attorneys in drafting briefings.
 - Big challenge still yet to come: challenges to ICWA regulations once they become final rules. VA and Goldwater help us preview content of arguments.

TRIBAL LEADER AND NATIVE YOUTH PERSPECTIVES

Key Themes

- ICWA is an important law that protects Native youth and helps them stay connected to the culture.
- ICWA needs to be followed in all cases so that Native youth to slip through and get placed in non-Native homes

Alecia McConnell, Native Youth, Confederated Tribes of Umatilla Indians

- Father adopted out when 2 years old to Irish family two states away in Idaho. The disconnection began with that first adoption.
- Alecia and siblings grew up in shelters and moved from hotel to hotel. Placed in foster care at age 8.
- Always identified as Native but because dad was adopted, records were sealed and Alecia was unable enroll.

- Alecia and siblings all placed in same non-Native home. Great at first but very different. Much more structure, attended church every Sunday.
- After foster family gained guardianship, no one came to check on the kids and make sure the placement was ok. Foster parents began to pay less attention to kids. Kids not allowed to attend powwows or do anything that “wasn’t of God,” which included all cultural activities. Stayed with this placement for 8 years.
- Older sister left the home at 17 and eventually returned to birth mom. Pressure in the home shifted to Alecia. Alecia blamed for whatever when wrong in the home. As punishment, she was locked outside of the house and foster parents fed her less. Believes this wouldn’t have happened in a Native home.
- At 16, Alecia wrote a letter to the judge presiding over her case, asking for case review. Alecia asked for guardianship to be dismissed and re-entered herself into the foster care system. Difficult because they were her parents for 8 years. Little brother is 4 years old with FAS and still lives there. Visitation is controlled by foster parents. Alecia sees her brother for 1 hour once a month. 12 hours per year.
- Had ICWA been implemented, Alecia believes she would have been in a Native foster home and things would have turned out differently.

Elijah Arquette, Native Youth, Nez Perce Tribe

- ICWA was followed in Elijah’s case and he started in the foster care system when he was 15.
- Elijah was placed in a truant’s home after his mother was incarcerated. Frightening experience because he’d heard stories of kids being placed with white families and losing their (long) hair, culture, and the ability to see their families.
- Met Ryan Oatman who is now his foster parent. Ryan worked with Elijah as a mentor and supported him in trying to get Elijah placed with his family.
- Elijah had experience with drugs and was traumatized by his uncle’s violent death. Truant home staff was nice, provided opportunities and Elijah had friends there. Ryan Oatman motivated him to stay on the right track while there.
- Elijah was eventually placed with Ryan as his foster parent. Placement was close to home, close to Elijah’s family. Mom is the biggest part of his life. Being with Ryan allowed him to check on her and his brother.
- “If ICWA hadn’t been followed, I would probably be with a white family, searching for drugs, being lost. I think ICWA is a great law and I’m glad that it was part of my story. Don’t know where I would be without it.”
- “This runs in our family. My mom got placed with Mormons. I’m breaking the chain for my family – ICWA, drugs, everything.”

KIRK FRANCIS, CHIEF, PENOBSCOT INDIAN NATION

Key Themes

- Tribal leaders and tribes need to be a large part of these efforts.
- There is a need to be pro-active, not reactive when it comes to these attacks.
- Maine is seeing great successes when tribes and the state work together.
- Tribes are representing the local response, as self-governing entities.
- Penobscot is using a Truth & Reconciliation Committee to exercise local control over issues and courts are working with tribal courts and entities.

- His grandfather was at Carlisle Indian School. Trauma trickles down to family. Quantifying the loss is impossible for tribal communities – great lives were lost, along with much of the ability to overcome disparities.
- Most of the time, 4E funding doesn't follow the child so a tribe has to come up with resources to fill the gap when the youth transition to their system.
- Successes
 - Maine: Wabanki Child Welfare Coalition – 25% of Wabanki were in foster care. Micmac numbers were approaching 50% and over half were never identified as Native American.
 - In 1998, Natives were in foster care at five times the rate of non-Native children.
 - In 1999, tribes formed the Wabanki Child Welfare Coalition to and started conversations with state offices. Began a 9-year process of educating people on the effects of ICWA noncompliance. Created good state relationships with tribes, which was unusual.
 - There is a need to be proactive and get ahead on these issues.
 - When cases make it to the Supreme Court, that's a bad sign.
 - Need tribal leaders to champion these issues and the USET executive committee is committed.
 - First Light video: <https://vimeo.com/141218300>

GOLDWATER INSTITUTE VIDEO DECONSTRUCTION – DAVID SIMMONS, NICWA

- Propaganda Video Deconstruction
 - The video talks about tribes as clubs or cultural groups instead of political entities.
 - It attempts to diminish purpose of ICWA. Blames Indian families for trauma incurred and implies that it's impossible to find suitable Indian homes for Indian children. Doesn't talk about unnecessary removals, and removals in which any available non-Native home was used for placement, regardless of best interest of the child.
 - Highlights Spirit Lake Reservation and generalizes story to condemn all tribal child welfare systems. Suggests that tribes are routinely placing kids in unsafe situations (emphasis on identified sex offenders in video). Argues that tribes have no interest in children and are just trying to bolster tribal enrollment numbers.
 - Adoptive Couple story suggests that tribes can control state court proceedings, which is simply not true. Tribes' preferences/interests are considered regarding birth mothers. Judge has great discretion to place child within placement preferences or find good cause to place child with another family. The popular perception is a myth that tribes have veto power. They don't have that. Tribal knowledge – extended families, can render options that take removal need away.
 - Where's the data? Video says 8,600 children are in foster care. What are we doing to build capacity to prevent lack of support for Indian children?

DISCUSSION

- Fact sheets in myth-busting format would be helpful.
 - Another participant later said that myth-busting documents can be harmful in that they reinforce the myths you're trying to debunk.
- **Scott Trowbridge, Capacity Building Center for Courts:**
 - State child welfare systems fail children.
 - It is universal and not tribe-specific
 - Classist implications in video (broken strollers, basketball goal, etc.) presented in stark contrast to "shiny" adoptive home.

- Placing emphasis on monetary opportunities.
 - Gina Jackson worked on a product that highlights the value of connections to tribe and culture:
 - <http://www.acf.hhs.gov/hhsgrantsforecast/index.cfm?switch=grant.view&gffID=72987>
- **Jackie Pata, National Congress of American Indians:** There is a need for basic 101 training for folks not familiar with tribes. NCAI has a book and PowerPoint they're sharing with civil rights organization and others with whom we can grow potential alliances. It's helpful to explain that we are governments, not social clubs. Basic education on tribes is important in addition to the more specific education that has to happen around ICWA.
 - [http://www.ncai.org/tribalnations/introduction/Tribal Nations and the United States An Introduction-web-.pdf](http://www.ncai.org/tribalnations/introduction/Tribal+Nations+and+the+United+States+An+Introduction-web-.pdf)
- **David Simmons, National Indian Child Welfare Act:** NICWA working on vignettes that focus on adult adoptees and their experiences.
 - NICWA has entire page for advocates:
 - http://nicwa.org/government/ICWA_Regs_Resources.asp
- **Patricia Paluzzi, Healthy Teen Network:** I'm noting folks that I want to connect with so I can be an informed ally. We have a good dissemination mechanism and can engage folks who work with teens so they can be better informed and also become advocates.
- **Karen Diver, White House:**
 - It's important for ally organizations to be the bridge between institutions out there. Those entities can step in to support state-tribal relationships.
 - The goal is to improve outcomes in terms of supporting systems.
 - The messaging around ICWA should come from ally groups, as well.
 - Tribes do not always have access to judicial systems, trade associations, the National Association of Counties.
 - Reach matters and we need to expand our reach into nontraditional avenues.
- **Sabrina McCarthy, Office of the Solicitor, US Department of the Interior**
 - Nonprofits and ally groups – is there training that is offered to state court judges and state child welfare agencies on this?
 - **Scott Trowbridge:** Capacity Building Center for Courts is working one that we piloted and adapted for states. Capacity Building Center for Courts has developed a comprehensive training guide for judges for Court Improvement Programs.
 - The curriculum includes training on the statute, new Guidelines, but also has advice for how to be culturally responsive in delivering it, best practices for judges on and off the bench in showing leadership around ICWA, and tools to assess the effectiveness of training. Contact Scott.Trowbridge@americanbar.org for more info.
 - **Jackie Pata:** During NCAI conferences, we set up meetings with district courts and tribal leaders and those have been successful because they increase familiarity with Indian law and allow for questions and discussion in a less formal setting.
 - Briefings don't allow you to go deep with the information. This type of education has spurred some training in the 9th circuit court. Good relationship building.
- **Nicole Dobbins, Voice for Adoption:**
 - Helpful to have ongoing updates with where the litigation is. Monthly blasts would be helpful in disseminating succinct information.
- **Christina Snider, National Congress of American Indians:**

- ICWA Defense Group – In January, will have monthly calls on legislative, legal, PR updates. Email csnyder@ncai.org to get on the list.
- **Barbara Pryor, Casey Family Programs:**
 - Title IV-B has grants for states and tribal courts for judicial training. Also includes Promoting Safe and Stable Families (PSSF)
- **Fred Fisher, Casey Family Programs/US Department of Agriculture:**
 - Youth development is important in all of this – preparing youth like those in the room to be leaders and future decision makers.
- **Jaia Lent, Generations United:**
 - Partnership with National Foster Care Association and North American Council on Adoption Consideration.
 - Working to identify issues of common ground.
 - Dialogues with dialogues with National Foster Parent Association around importance of connective with relatives and preserving culture.
 - NICWA helpful in developing policy agenda. NFPA signed on to ICWA regulations and took a lot of heat for that.
 - Need more safe spaces with folks who are really familiar with the issue and those who are struggling to understand it from foster parents’ perception. Easy to be frustrated and angry, but need safe space to have those conversations.
- **Jackie Malstrom, Native Adoptee:**
 - The adopted parents in the video are like my parents. Their view was that they were saving me from a dangerous environment.
 - I didn’t know I was Native until I turned 18. My mom did want me to have a better life, but being raise away from culture and trying to reconnect is really hard. It’s hard for my white parents to relate to me as a person trying to find my identity. It’s also hard for me to relate to my tribal people. I feel like I’m floating in a void.
 - If interested adoptive parents who have a child of tribal descent had classes or could engage with outreach, which would be helpful. My father was in prison and he didn’t know I was adopted until after his release. He didn’t have the means to challenge what had happened. My parents were terrified and didn’t know what their rights were. They didn’t know about ICWA. They were afraid that their children could be stolen at any time.
 - Laws like these are not “us versus them”. They are not meant to attack foster and adoptive parents. Children like me might fall through the cracks in private adoption cases, but there are other resources out there on how to help the child that are coming from a good place.
 - Need to couple “caring parent” message with “kid with history” message into pro-ICWA messaging

FOLLOW-UP

Please visit the CNAV’s Dropbox website to view and download presentations, handouts, participant lists, and other items shared during the December 11 roundtable.