

Children's Justice Initiative

Understanding and Applying ICWA: Purpose, Strategies, Practice, and Resources

Thursday, January 19, 2017

Hennepin County Juvenile Justice Center
Conference Room C-30 (Lower Level)
590 Park Avenue, Minneapolis, MN 55415

Faculty:

Hon. Anne McKeig, Associate Justice, Minnesota Supreme Court
Jessica Ryan, Tribal Attorney, Ryan Skeesuck Law Firm, P.C.
Shannon Smith, Executive Director, Indian Child Welfare Act Law Center
Hon. Korey Wahwassuck, District Court Judge, Itasca County

- | | |
|---------------|--|
| 8:00 – 8:30 | Registration and Networking <i>(coffee and soda provided)</i> |
| 8:30 – 8:35 | Welcome
<i>Judy Nord</i> |
| 8:35 – 8:50 | Welcome Song
<i>Tribal Singers</i> |
| 8:50 – 9:00 | Introductions and Learning Objectives
<i>Hon. Korey Wahwassuck</i> |
| 9:00 – 10:00 | Historical and Cultural Perspectives Leading to the ICWA
<i>Jessica Ryan and Shannon Smith</i> <ul style="list-style-type: none"> • Myths and Realities • Federal Indian Policy: Dealing With the “Indian Problem” • Boarding Schools & Adoption Project: Policies and Practices Necessitating the ICWA |
| 10:00 – 10:15 | Break |
| 10:15 – 11:00 | Trauma: Historical, Personal, and Intergenerational
<i>Jessica Ryan and Shannon Smith</i> <ul style="list-style-type: none"> • Disproportionality Then and Now • What Disproportionality Means for Indian Children |
| 11:00 – 11:45 | Understanding and Applying the ICWA Requirements
<i>Hon. Anne McKeig and Hon. Korey Wahwassuck</i> <ul style="list-style-type: none"> • Congressional Findings and Policy • When the ICWA Applies • Exclusive Jurisdiction and Concurrent Tribal Court / State Court Jurisdiction • Tribe's Intervention in State Court Proceedings |

- 11:45 – 12:30 Lunch (*provided by CJI*)
- 12:30 – 1:30 Understanding and Applying the ICWA Requirements (*continued*)
Hon. Anne McKeig and Hon. Korey Wahwassuck
- Inquiry – is the child an “Indian child”
 - Agency and court notices
 - Appointment of counsel
 - Examination of documents filed with court
- 1:30 – 2:15 Understanding and Applying the ICWA Requirements (*continued*)
Hon. Anne McKeig and Hon. Korey Wahwassuck
- Active efforts
 - Involuntary foster care placement orders
 - Involuntary termination of parental rights orders
 - Voluntary consent to foster care or termination of parental rights
- 2:15 – 2:30 Break
- 2:30 – 4:00 Understanding and Applying the ICWA Requirements (*continued*)
Hon. Anne McKeig, Jessica Ryan, Shannon Smith, Hon. Korey Wahwassuck
- Petition to invalidate
 - Placement preferences
 - Evidentiary burdens
 - Qualified expert witnesses
 - Emergency removal
 - Best interests of Indian child
- 4:00 – 4:10 Next Steps
Judy Nord
- Action Steps for your CJI Team
 - Electronic Evaluation
- 4:10 – 4:30 Concluding the Training
Tribal Drummers
- 4:30 Adjourn

Planning Committee:

Hon. Anne McKeig, Associate Justice, Minnesota Supreme Court
Judith Nord, Staff Attorney and CJI Manager, State Court Administration
Jessica Ryan, Tribal Attorney, Ryan Skeesuck Law Firm, P.C.
Shannon Smith, Executive Director, Indian Child Welfare Act Law Center
Hon. Korey Wahwassuck, District Court Judge, Itasca County
Victoria White, Child Welfare Training System, Minnesota Dept. of Human Services

Funding for this training is provided under the 2016 State Court Improvement Program Grants (Training Grant and Data Grant), U.S. Department of Health and Human Services, Administration for Children and Families, Appropriation No. 75-4-1512, in accordance with Section 438 of the Social Security Act