

## Children's Justice Initiative

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

**Wednesday, December 22, 2021**

*Virtual Training via Zoom*

#### Faculty

**Hon. Anne McKeig**, Associate Justice, Minnesota Supreme Court  
**Jessica Ryan**, Attorney, Hennepin County Adult Representation Services  
**Maya Tester**, Assistant Hennepin County Attorney

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|-------------|--|
| 1:00 – 1:15 | Introductions and Learning Objectives  |
| 1:15 – 1:45 | Historical and Cultural Perspectives Leading to the ICWA <ul style="list-style-type: none"> <li>• History of Federal Indian Policy: Dealing With the “Indian Problem”</li> <li>• Boarding Schools &amp; Adoption Project: Policies and Practices Necessitating the ICWA</li> </ul>   |
| 1:45 – 2:15 | Trauma: Historical, Personal, and Intergenerational <ul style="list-style-type: none"> <li>• Overview of Trauma</li> <li>• Disproportionality Then and Now</li> <li>• What Disproportionality Means for Indian Children</li> </ul>   |
| 2:15 – 2:30 | Break  |
| 2:30 – 3:45 | Understanding and Applying the Requirements of ICWA, Regs, and MIFPA <ul style="list-style-type: none"> <li>• Legal Authority and Definitions</li> <li>• When ICWA Applies, Standards of Proof and Required Evidence</li> <li>• Emergency Removal Proceedings</li> <li>• Foster Care Proceedings</li> <li>• Qualified Expert Witnesses (QEWs)             <ul style="list-style-type: none"> <li>○ When Testimony is Required</li> <li>○ Qualifications</li> <li>○ Who May Serve as QEW</li> <li>○ Strategies for Engaging QEW Early in CHIPS cases</li> </ul> </li> </ul> |
| 3:45 - 4:00 | Questions, Wrap Up and Adjourn   |

#### Faculty and Planning Committee

**Lynn Brave Heart**, ICWA Liaison, State Guardian ad Litem Board

**Hon. Jamie Cork**, District Court Judge, Dakota County

**Hon. Anne McKeig**, Associate Justice, Minnesota Supreme Court

**Judith Nord and Rebecca Vanden Hanen**, CJI Staff Attorneys, State Court Administrator's Office

**Jessica Ryan**, Tribal Attorney in private practice

**Shannon Smith**, Executive Director, Indian Child Welfare Act Law Center

**Maya Tester**, Assistant Hennepin County Attorney

**Hon. Corey Wahwassuck**, District Court Judge, Itasca County