

**6.75 Hours of Continuing Education Credit Approved for CJE, GALs, SWs, Court Admin  
CLE Credit event code 255934: 6.75 total (5.25 standard and 1.5 elimination of bias)**

Minnesota Judicial Branch

Minnesota Department of Human Services

CJI

Children's Justice Initiative

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

**Friday May 18, 2018**

Timberlake Lodge  
Event Center  
144 SE 17<sup>th</sup> Street  
Grand Rapids, MN  
Click [here](#) for directions

### **Faculty**

**Hon. Jessica Ryan**, Tribal Attorney; Chief Judge, Lower Sioux Indian Community  
**Shannon Smith**, Executive Director, Indian Child Welfare law Center  
**Maya Tester**, Assistant Hennepin County Attorney  
**Hon. Korey Wahwassuck**, District Court Judge, Itasca County

- |   |   |
|---|---|
| 8:00 – 8:30                             | Registration and Networking ( <i>coffee and soda provided</i> )   |
| 8:30 – 9:00<br>.50 Standard credit      | Opening Ceremony, Introductions and Learning Objectives <ul style="list-style-type: none"><li>• Recognize the historical, philosophical, and legal underpinnings of the ICWA</li><li>• Understand your role in ensuring positive outcomes for Indian children, their families, and tribes</li><li>• Understand how to apply the letter and spirit of ICWA, federal regulations, and MIFPA</li></ul> |
| 9:00 – 9:45<br>.75 Elimination of bias  | Historical and Cultural Perspectives Leading to the ICWA <ul style="list-style-type: none"><li>• Myths and Realities</li><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>   |
| 9:45 – 10:30<br>.75 Elimination of bias | 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>  |
| 10:30 – 10:45                           | Break   |

10:45 – 12:00

1.25 Standard

Understanding and Applying the Requirements of ICWA, Regs, and MIFPA

- Congressional and State Legislative Findings and Goals
- Minnesota Tribal State Agreement (TSA)
- Definitions
- When ICWA Applies
- Exclusive and Concurrent Tribal Court and State Court Jurisdiction
- Transfer to Tribal Court
- Tribal Lineage Inquiry by Social Services Agency and Court

12:00 – 12:45

*Lunch (provided by CJI)*

12:45 – 2:30

1.75 Standard

Understanding and Applying the ICWA Requirements (*continued*)

- Notice of State Court Proceeding by Social Services Agency
- Notice of Hearings by Court Administration
- How to Contact a Tribe
- Intervention in State Court Proceedings
- Full Faith and Credit for Tribal Court Orders
- Standards of Proof and Required Evidence
- Emergency Removal Proceedings
- Improper Removal of Child
- Foster Care Proceedings

2:30 – 2:45

*Break*

2:45 – 4:30

1.75 Standard

Understanding and Applying the ICWA Requirements (*continued*)

- Active Efforts
- Qualified Expert Witnesses
- Placement Preferences
- Appointment of Counsel
- Voluntary Consent to Foster Care and TPR
- Petition to Invalidate Proceedings
- Maintaining and Accessing Records

4:30

Wrap Up and Adjourn

- Action Steps for your CJI Team
- Evaluation

**Faculty and Planning Committee**

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

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

**Judith Nord**, CJI Staff Attorney, State Court Administrator's Office

**Hon. Jessica Ryan**, Tribal Attorney; Chief Judge, Lower Sioux Indian Community

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

**Maya Tester**, Assistant Hennepin County Attorney

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

**Victoria White**, Child Welfare Training System, Minnesota Dept. of Human Services

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