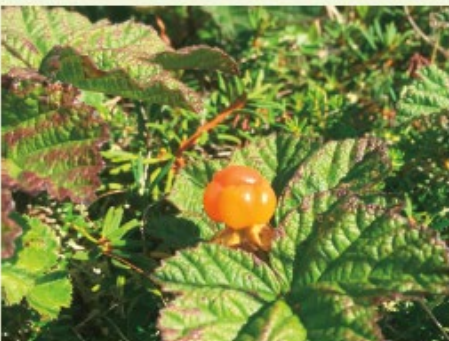




— Alaska Native —
JUSTICE CENTER
Voices for Justice
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A Desk Reference

**For Alaska Tribal
Workers in Indian
Child Welfare
Cases**



Draft, September 2023

Thank you for coming to
preview this ICWA guide
and provide feedback!

Holly Handler, attorney

Casey Groat, ANJC Tribal Justice Facilitator

History of this resource

- Auluk -*To Watch Over, Guard* – Children’s Justice Act (CJA) Grant
 - Deliverables:
 - Community Needs Assessment – NICWA completed survey which was open to respondents 10/28/22-11/21/22, 92 responses received
 - AK-specific ICWA/CINA training resource manual
 - Liz Mering drafted “Guide for Alaska Tribal Workers in ICWA Cases”
 - Create CINA training series for Tribal ICWA workers
 - Including online/webinar series
 - Deliver 4 face-to-face ICWA trainings
 - Convene 3 stakeholder meetings





Purpose and future use

- For Alaska Tribal staff who are working on state cases involving the Indian Child Welfare Act
- Mixture of information and rules from state and federal laws, court rules, and OCS policy
- Legal information to help Alaska Tribal workers when working with families and legal parties in the state child welfare system
- Accept additional written feedback by October 31, 2023 prior to publication and distribution (casey.groat@anjc.net and hollishandler@gmail.com)

How the Desk
Reference is
organized





Please share your
feedback

How does it read/flow?

Can you find what you need?

Is it enough?

Does it meet staff training needs?

ICWA Overview

- What is the Indian Child Welfare Act?
- What Kind of Cases does ICWA apply to?
- What Makes ICWA Cases Different than Other Child in Need of Aid Cases?
- What is an Indian Custodian?
- What are the ICWA placement preferences?
- How Does a Family Member Make a Placement Request?





Role of the ICWA Worker

- It's My First Day at Work and There's a Giant Stack of Paper!
- Cases outside Alaska

OCS' Role

- What Happens when OCS Investigates Reports of Tribal children Being Abused or Neglected?
- Intake and the Protective Services Report (PSR)
- Investigation & Assessment (IA)
- Maltreatment Findings
- I just got an ICWA Notice. What do I do?
- How Does OCS Step In When There's A Serious Concern But No Emergency?
- What is a Team Decision Making (TDM) Meeting?

Tribe's Role in State CINA Court Process

- When and How Does the Tribe Intervene in an ICWA Case?
- What if We Want to Transfer the Case to Tribal Court?
- Transfer to Tribal Court
- Who is involved in a Child in Need of Aid case in Alaska state court?
- How Do I Find Information about Court Zoom or Call-In Information?





Meetings, visitation, supporting youth

- Out of Court Meetings that Occur Throughout an ICWA Case
- Maintaining Family Contact/Visits
- Preparing Foster Youth for Adulthood
- Helping Foster Youth with Documentation
- Youth with Disabilities
- Overlap with Juvenile Delinquency Proceedings

Filing complaints, addressing biases, remembering self care

- Complaints During an OCS Case
- How Can Tribal Representatives Address Bias in Child Welfare?
- Remember Self-Care



Case flowchart, bookmarks, timeline and tips

Child in Need of Aid Investigation & Case Flowchart

ICWA Bookmarks for your Computer

Life of an ICWA Case

What is the Child Welfare Timeline?

General Tips for Hearing Preparation

Hearings

What Is Probable Cause and How Do We Prepare?

What Is Adjudication and How Do We Prepare?

What Is Disposition and How Do We Prepare?

What Is Permanency and How Do We Prepare?

What Is Termination and How Do We Prepare?

Other Hearings

Sample Court Forms

1. Emergency
Petition for Child in
Need of Aid

2. Notice of
Intervention

3. Temporary
Custody Order

4. Sample Non-
Objection to Out of
Preference
Placement Letter

5. Stipulation to
Adjudication and
Disposition

6. Adjudication
Witness List

7. Adjudication
Exhibit List

8. Adjudication
Order

9. Disposition
Order

10. Permanency
Order

11. Petition for
Termination of
Parental Rights

12. Relinquishment
of Parental Rights

13. Termination
Order

14. Guardianship
Order

15. Adoption Order

Next steps

- We will be happy to accept additional written feedback until October 31, 2023
- Holly Handler
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- Casey Groat
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- Thank you!

