



Understanding the Indian Child Welfare Act

Sample Agenda

Please note: Agenda items are subject to change

Day 1

Introductions

Overview

History of ICWA and current need for ICWA

- Activity
- Federal policy and its effects on Indian children, families, and tribes
- Current status of Indian children in state child welfare systems
- Video: Bringing Our Children Home
http://courts.ms.gov/trialcourts/youthcourt/webhelp/videos/yc_process/icwavideo/index.html

Break

Overview of the child welfare system and court processes

ICWA: When does it apply?

- Application
- Activity

Lunch

ICWA: When does it apply?

- Notice

ICWA: Who gets to hear the case?

- Jurisdiction
- Transfer

Break

ICWA: Emergency removals

ICWA: What is the role of the tribe?

- Intervention

ICWA: What happens when a child is removed and placed outside the home?

- Video: The Heart of ICWA: Becky
<https://www.youtube.com/watch?v=tYMG13pKq4Y>
- Active Efforts
 - Activity
- Standard of proof
- Qualified Expert Witnesses
- Placement preferences

Adjourn for the day

Day 2

Check-in and questions

ICWA: What happens when parental rights are involuntarily terminated and the child is placed for adoption?

- Active efforts
- Burden of proof
- Qualified Expert Witnesses
- Placement preferences

ICWA: How do voluntary placements work?

- Voluntary foster care
- Voluntary adoptions
- Rights of Adult Adoptees
- Video: The Heart of ICWA: Lukas
<https://www.youtube.com/watch?v=quYwcvZQVEM>

Break

Case scenario

Adoptive Couple v. Baby Girl (“Baby Veronica case”)

- Background

Lunch

Adoptive Couple v. Baby Girl

- Who will this affect?
- How does ICWA apply now?

ICWA: How does ICWA interact with my state’s laws?

- Using the highest standard to protect families
- Tribal-State agreements
- State ICWAs
- Activity