

Indian Child Welfare Act Conference set for August 10 at Choctaw

August 3, 2017

The Seventh Annual Indian Child Welfare Act Conference will be held Aug. 10 at the Silver Star Convention Center at Choctaw.

Tribal leaders and as many as 200 attorneys, judges, social workers and other professionals who deal with Native American children in a Youth Court setting are expected to attend the conference.

The 8:30 a.m. opening ceremony will include the National Anthem sung in the Choctaw language, a hoop dancer and drummers. Chief Phyllis J. Anderson of the Mississippi Band of Choctaw Indians and Mississippi Department of Child Protection Services Director Dr. David Chandler will speak at 9 a.m.



Sheldon Spotted Elk, a director in the Indian Child Welfare Unit at Casey Family Programs in Denver, will give the keynote address at 9:15 a.m. Spotted Elk, a member of the Northern Cheyenne Nation and an attorney, is a frequent speaker about ICWA regulations and the rights of Indian Children. Before joining Casey Family Programs, Spotted Elk was a guardian ad litem representing best interests of children in matters for the Ute Indian Tribal Court in Utah, and was chief of staff for the Ute Indian Tribe. Casey Family Programs is the nation's largest private foundation focused on foster care and improving the child welfare system.

The annual conference began seven years ago as an effort to educate state judges and social workers on the requirements of ICWA. The U.S. Congress in 1978 set requirements which apply to state child custody proceedings involving any Native American child who is a member of or eligible for membership in a federally recognized tribe. ICWA sets out federal requirements regarding removal and placement of Native American children in foster or adoptive homes.

Spotted Elk, writing for the American Bar Association Children's Rights Litigation Section in March, explained that ICWA forbids removal a child from the natural family "except when there is no alternative to safely keep the child in the home. When a removal does occur, ICWA mandates looking first to relatives and kin for placement, rather than stranger foster care....There is no dispute an abusive environment is harmful to child development. However, those children on the edge of being removed may be served as a matter of a child's right through family preservation efforts rather than child protection removal....An Indian child has a right to culture, tribal citizenship, and identity, and as an extension, a right to community."

Read Spotted Elk's article at this link:

<https://www.americanbar.org/publications/litigation-committees/childrens-rights/articles/2017/rights-of-indian-children-indian-child-welfare-act-regulations.html>.



Two sessions on ICWA basics and ethics will be presented at 10:45 a.m. and 1 p.m. by Tom Lidot and Rose-Margaret Orrantia, consultants with Tribal STAR, Successful Transitions for Adult Readiness. Tribal STAR is a program of the Academy for Professional Excellence at the San Diego State University School of Social Work. Lidot is an enrolled member of Chilkat Indian Village, the Central Council of Tlingit and Haida Indians of Alaska, and is actively involved with local, regional, and national tribal issues related to health, child welfare and self-

determination. Orrantia, a tribal elder and member of the Yaqui tribe of Arizona, has spent most of her professional career working with American Indian foster children in California. She served as program manager for Tribal STAR. She is a member of the National Child Welfare Resource Center for Tribes National Advisory Council. She is former executive director of Indian Child and Family Services in California's San Diego and Riverside counties.

At 2:30 p.m., Angel Smith will talk about landmark cases involving ICWA. Smith, an Oklahoma attorney and member of the Cherokee Nation, is descended from Cherokees who were forcibly removed from Georgia by the U.S. government. As a young child, she lived with a non- Native American foster family and was the subject of ICWA litigation in Oklahoma. As a teenager, she lived with her grandparents in ICWA kinship foster care placement. She has devoted much of her law practice to advocacy to enforce ICWA.

Conference participants will learn more about the tribal culture in the final presentation at 4 p.m. Speakers include Harold "Doc" Comby, deputy director of internal operations for the Mississippi Band of Choctaw Indians, Vice Chief and former Tribal Chief Judge Hilda Nickey, and Tribal Director of Public Information Kendall Grisham.

The ICWA Conference is a collaborative effort among the Tribal Courts of the Mississippi Band of Choctaw Indians, the Attorney General's Office of the Choctaw Tribe, the Children's Bureau Capacity Building Center for Tribes, the Mississippi Administrative Office of Courts, the Mississippi Judicial College, the state Department of Child Protection Services, the National Council of Juvenile and Family Court Judges, and state Youth Court judges and referees.

There is no registration fee. Register through the Mississippi Judicial College website at: http://mjc.olemiss.edu/wp-content/uploads/sites/134/2017/07/2017-ICWA-e-Registration-Form_distributed.pdf. An agenda is available on the website under Special Projects.

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