# RESOURCES

## CHILDREN AND FAMILY SERVICES TRAINING CENTER

University of North Dakota Grand Forks, ND <a href="https://und.edu/cfstc">https://und.edu/cfstc</a>



### NATIVE AMERICAN TRAINING INSTITUTE

3333 E Broadway Ave
Suite 1210
Bismarck, ND 58501
https://www.nativeinstitute.org





#### CONTACT INFO

North Dakota Department of Human Services
Children and Families Division
600 E Boulevard Avenue
Department 325
Bismarck, ND 58505-0250
www.nd.gov/dhs
800-472-2662

ND Supreme Court

Court Improvement Program

Bismarck, ND 58505

701-328-4287

Note: This document should not be considered legal advice, and should be used only for informational purposes.

### INDIAN CHILD WELFARE ACT

SUPPORTING POSITIVE OUTCOMES FOR NATIVE AMERICAN FAMILIES

#### WHAT IS ICWA?

ICWA is a set of Federal regulations and guidelines that apply to state child welfare cases and court proceedings involving Indian children who are members or eligible to be members of a Federally Recognized Tribe.

# IS ICWA BASED ON RACE?

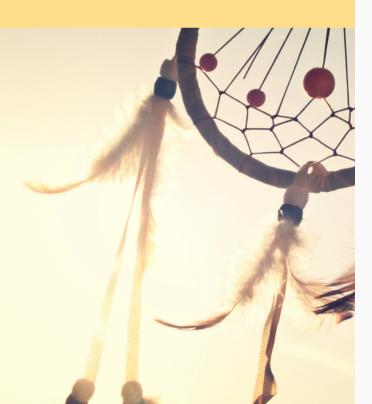
The foundation of ICWA is based on the political relationship between sovereign Tribal Nations and the United States of America. ICWA applies only to Indian Children who are dual citizens: an enrolled or enrollable citizen of a Tribal Nation and a citizen of the United States.

# WHY THE NEED FOR A SPECIAL LAW?

Federal, State, and private agency policies and practices over many generations have resulted in the "wholesale separation of Indian children from their families." ICWA requires a higher standard of care when working with Indian families to prevent the unwarranted removal of Indian children from their families and their Tribe's culture and traditions.

### HOW DOES THE LAW WORK?

ICWA requires that every effort be made to maintain or quickly reunify an Indian child to their family. If a removal occurs, "Active Efforts" must be made to bring the family back together. These efforts must be affirmative of the goal of maintaining or reunifying the family, active, thorough, and timely. This means the agency must do everything possible to help the family resolve the issues that led to unsafe circumstances, including offering services that are sensitive to the family's culture. ICWA also supports placing an Indian child into an ICWA Preferred Placement: (1) relatives, (2) a Tribal family, (3) and Indian family, (4) a Tribally approved institution.



#### HOW CAN YOU PROTECT YOUR CHILDREN?

ICWA is law that works to protect children and families. Learn the law and advocate on your own behalf. All laws come with rights and responsibilities: do your part to ensure the safety and survival of your family. Be brave and allow others to help and support you and your family in times of need.

#### **MHA NATION**

404 Frontage Road New Town, ND 58763 Phone: (701) 627-8168 Fax: (701) 627-4225

#### STANDING ROCK SIOUX NATION

PO Box 770 Fort Yates, ND 58538 Phone: (701) 854-3095 Fax: (701) 854-5575

#### SPIRIT LAKE NATION

PO Box 356 Fort Totten, ND 58335 Phone: (701) 766-4855 Fax: (701) 766-4856

#### TURTLE MOUNTAIN BAND OF CHIPPEWA

PO Box 900 Belcourt, ND 58316 Phone: (701) 477-5688 Fax: (701) 477-5797