



Agindaso Abinoji-yag

"He/she reads or counts children"

Ain Dah Yung Center

1089 Portland Ave Saint Paul, MN 55104

651.227.4184

adycenter.org

By Sadie Hart, ICWA Compliance Monitor

ICWA Compliance Newsletter Q1 2023

A New Name: Agindaso Abinoji-yag

Recently we have been looking back on the ICWA compliance improvements the American Indian child welfare community in Ramsey County has made over the past several years. We felt a new name for this compliance newsletter would be an appropriate way to reflect these positive changes. We asked Elder Nelda Goodman to name our newsletter and she has blessed us with "Agindaso Abinoji-yag," which means "he/she reads or counts children" in Ojibwe. Along with the name she shared this story, clarified by her consulting elder who is Ojibwe and Dakota:

Three women were walking alongside a river and saw a baby floating by. As the first woman jumped in to rescue the baby they spotted other babies floating downstream. All afternoon they rescued babies, but more and more babies floated past them. The second woman decided to go upstream to teach the babies how to swim to stop from drowning, but the number of babies only increased, and she could not teach all of them to swim. Finally, the third woman went further upstream to find out why so many babies were falling into the river.

While ICWA compliance has focused on reacting to American Indian families coming into contact with the child welfare system, we are thankful to see the American Indian child welfare community in Ramsey County is evolving to address the root cause of these issues. Miigwech, Nelda, for blessing us with this name!

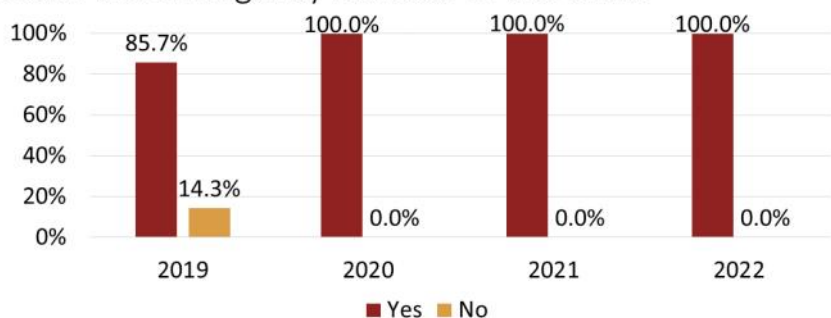
2022 Ramsey County Data Roll Out

We were thankful to see continued improvements in Ramsey County as we rolled out our 2022 Ramsey County data at the Ramsey County ICWA Advisory Board meeting in February. Data is collected at hearings, talking to the parties involved, and reading case files. Please note that this data only reflects hearings the court monitor attended and does not include all Ramsey County ICWA hearings. The following are snapshots highlighting numerous great accomplishments and improvements that have been made over the years!

In This Issue

- A New Name
- 2022 Data Roll Out
- Liaison Lowdown: The Natural Order
- Cherish the Children Powwow
- Court Updates
- Tribal Attendance
- Quarter 1 Data

Did the judge find that the agency made active efforts to prevent the emergency removal of the child?



2019		
Yes	24	85.7%
No	4	14.3%
Grand Total	28	

2020		
Yes	14	100.0%
No	0	0.0%
Grand Total	14	

2021		
Yes	25	100.0%
No	0	0.0%
Grand Total	25	

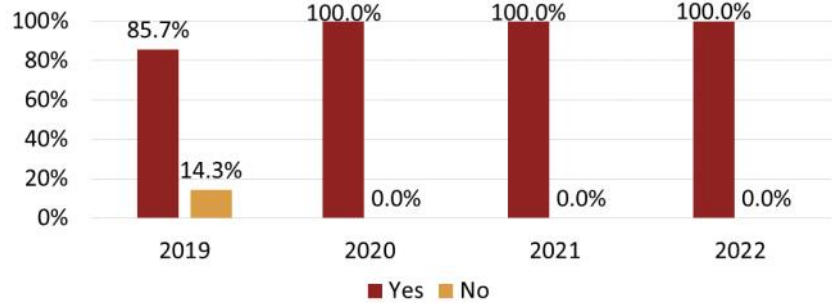
2022		
Yes	8	100.0%
No	0	0.0%
Grand Total	8	

2022 Ramsey County Data Roll Out (Continued from page 1)

Emergency Hearings

There has been a decrease in emergency protective care hearings over the past 4 years. During that same time there has been an increase in discussion about the emergency nature of the removal, the risk of imminent physical harm or damage to the child, and what active efforts were made to prevent the removal of the child or return the child home.

If the judge determined an emergency existed, did the judge make a finding that the emergency removal was necessary to prevent imminent physical damage or harm to the child?



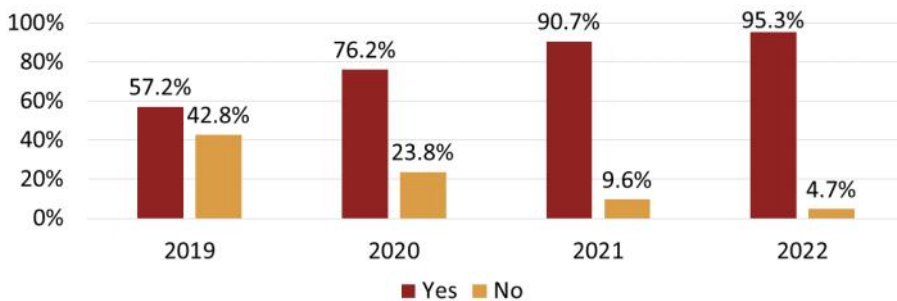
2019		
Yes	24	85.7%
No	4	14.3%
Grand Total	28	

2020		
Yes	14	100.0%
No	0	0.0%
Grand Total	14	

2021		
Yes	25	100.0%
No	0	0.0%
Grand Total	25	

2022		
Yes	8	100.0%
No	0	0.0%
Grand Total	8	

Was testimony presented to support the active efforts finding?



2019		
Yes	115	57.2%
No	86	42.8%
Grand Total	201	

2020		
Yes	61	76.2%
No	19	23.8%
Grand Total	80	

2021		
Yes	97	90.7%
No	10	9.6%
Grand Total	107	

2022		
Yes	102	95.3%
No	5	4.7%
Grand Total	107	

Active Efforts

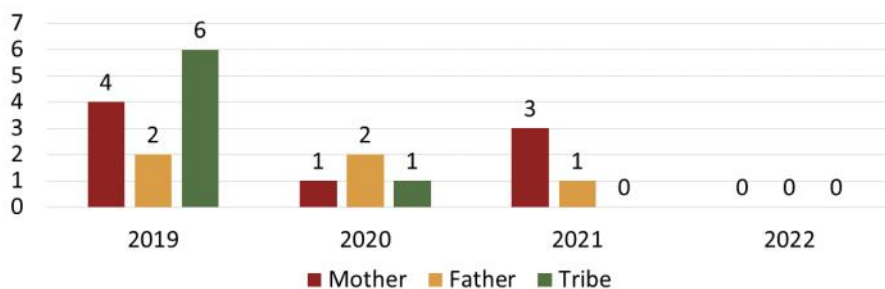
From 2019 to 2022 there has been an increase in testimony regarding active efforts from 57.2% of the time to 95.3% of the time.

This in court discussion about active efforts to support the family and arrange services creates more transparency in the process and provides the court with the information needed to make informed decisions.

The overall number of disputes regarding whether active efforts were made decreased from 12 in 2019 to 0 in 2022.

Previous disputes were often related to communication issues, the unavailability of services needed to complete case plan requirements, or the lack of visitation options. This decrease in active efforts disputes shows the great partnership between the county and families!

If active efforts were disputed, who disputed active efforts?



2019		
Mother	4	33.3%
Father	2	16.7%
Tribe	6	50.0%
Grand Total	12	

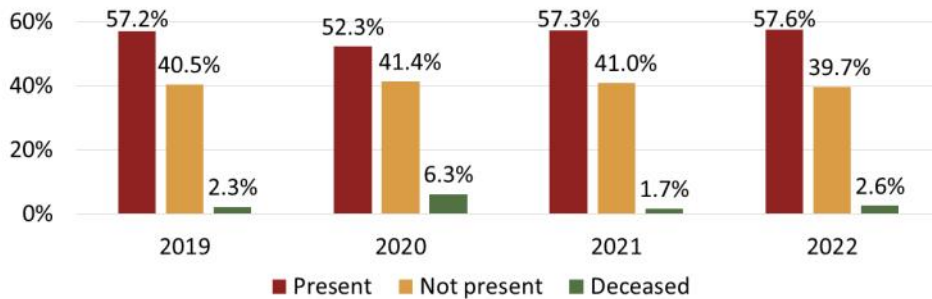
2020		
Mother	1	25.0%
Father	2	50.0%
Tribe	1	25.0%
Grand Total	4	

2021		
Mother	3	75.0%
Father	1	25.0%
Tribe	0	0.0%
Grand Total	4	

2022		
Mother	0	0.0%
Father	0	0.0%
Tribe	0	0.0%
Grand Total	0	

2022 Ramsey County Data Roll Out (Continued from page 2)

Attendance of Mothers



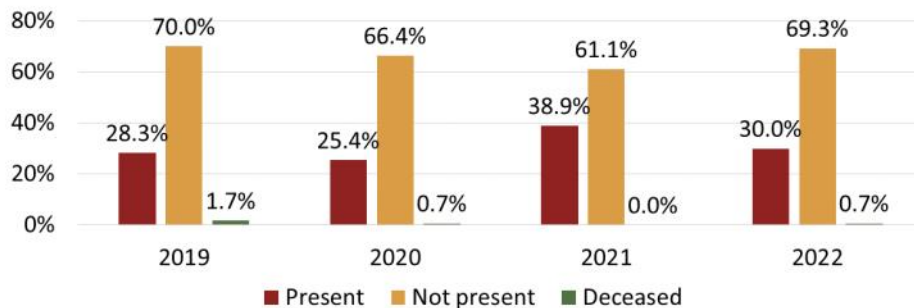
2019		
Present	174	57.2%
Not present	123	40.5%
Deceased	7	2.3%
Grand Total	304	

2020		
Present	67	52.3%
Not present	53	41.4%
Deceased	8	6.3%
Grand Total	128	

2021		
Present	99	57.3%
Not present	71	41.0%
Deceased	3	1.7%
Grand Total	173	

2022		
Present	87	57.6%
Not present	60	39.7%
Deceased	4	2.6%
Grand Total	151	

Attendance of Fathers



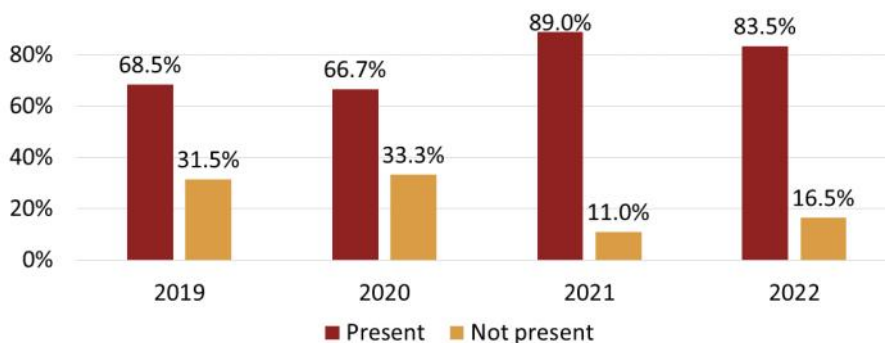
2019		
Present	82	28.3%
Not present	203	70.0%
Deceased	5	1.7%
Grand Total	290	

2020		
Present	34	25.4%
Not present	89	66.4%
Deceased	1	0.7%
Grand Total	134	

2021		
Present	61	38.9%
Not present	96	61.1%
Deceased	0	0.0%
Grand Total	157	

2022		
Present	41	30.0%
Not present	95	69.3%
Deceased	1	0.7%
Grand Total	137	

Attendance of Tribes (if Identified)



2019		
Present	183	68.5%
Not present	84	31.5%
Grand Total	267	

2020		
Present	78	66.7%
Not present	39	33.3%
Grand Total	117	

2021		
Present	162	89.0%
Not present	20	11.0%
Grand Total	182	

2022		
Present	132	83.5%
Not present	26	16.5%
Grand Total	158	

Attendance

Attendance among mothers has remained consistent over the past 4 years. Mothers were represented 85.8% of the time in 2022 and their attorneys appeared 100% of the time when their client also appeared.

Attendance among fathers has consistently remained between 25% and 30% other than a slight increase to 38.9% in 2021. Fathers were represented 50.8% of the time in 2022 and their attorneys appeared 100% of the time when their client also appeared. The majority of parents who were not represented never appeared in court.

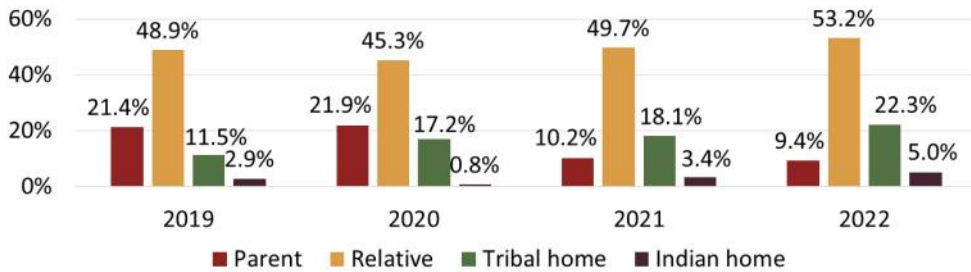
This data does not include extended foster care hearings or hearings in which custody of the child has been transferred away from the parent.

Tribal attendance has increased from 68.5% of the time in 2019 to 83.5% of the time in 2022. Tribes with the most hearings in 2022 included White Earth Nation (27), Red Lake Nation (23), Leech Lake Band of Ojibwe (17), Mille Lacs Band of Ojibwe (14), and Lower Sioux Indian Community (13).

White Earth Nation attended 85% of hearings, Red Lake Nation attended 65%, Leech Lake Band of Ojibwe attended 100%, Mille Lacs Band of Ojibwe attended 100%, and Lower Sioux Indian Community attended 85%.

2022 Ramsey County Data Roll Out (Continued from page 3)

Type of placement (ICWA compliant)



2019		
Parent	67	21.4%
Relative	153	48.9%
Tribal home	36	11.5%
Indian home	9	2.9%
Total of compliant placements	265	

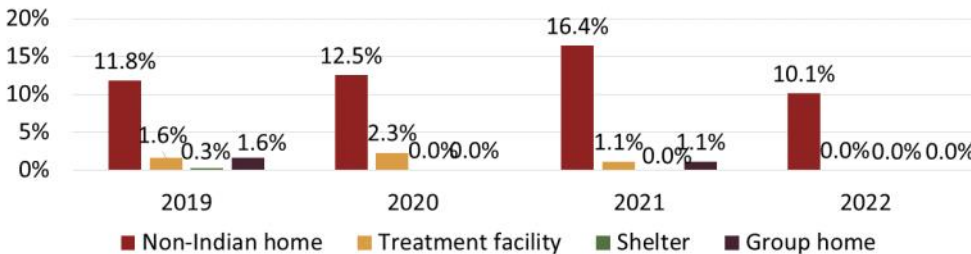
2020		
Parent	28	21.9%
Relative	58	45.3%
Tribal home	22	17.2%
Indian home	1	0.8%
Total of compliant placements	109	

2021		
Parent	18	10.2%
Relative	88	49.7%
Tribal home	32	18.1%
Indian home	6	3.4%
Total of compliant placements	144	

2022		
Parent	13	9.4%
Relative	74	53.2%
Tribal home	31	22.3%
Indian home	7	5.0%
Total of compliant placements	125	

Percentages are out of all placements, not only placements that are ICWA compliant.

Type of placement (not ICWA compliant)



2019		
Non-Indian home	37	11.8%
Treatment facility	5	1.6%
Shelter	1	0.3%
Group home	5	1.6%
Total of non-compliant placements	48	

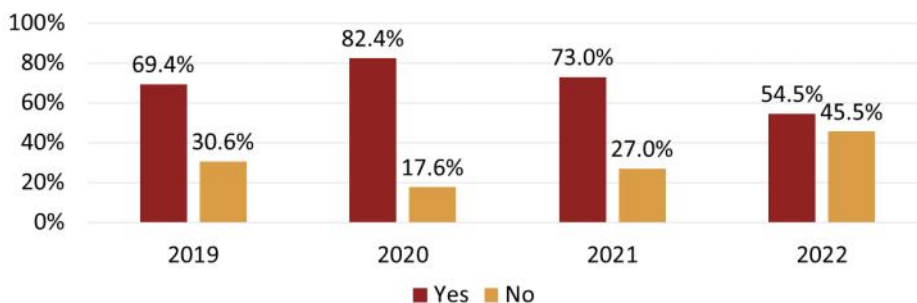
2020		
Non-Indian home	16	12.5%
Treatment facility	3	2.3%
Shelter	0	0.0%
Group home	0	0.0%
Total of non-compliant placements	19	

2021		
Non-Indian home	29	16.4%
Treatment facility	2	1.1%
Shelter	0	0.0%
Group home	2	1.1%
Total of non-compliant placements	33	

2022		
Non-Indian home	14	10.1%
Treatment facility	0	0.0%
Shelter	0	0.0%
Group home	0	0.0%
Total of non-compliant placements	14	

Percentages are out of all placements, not only placements that are not ICWA compliant.

When the tribe was present, did the tribe seek to present a recommendation regarding placement?



2019		
Yes	127	69.4%
No	56	30.6%
Grand Total	183	

2020		
Yes	61	82.4%
No	13	17.6%
Grand Total	74	

2021		
Yes	103	73.0%
No	38	27.0%
Grand Total	141	

2022		
Yes	78	54.5%
No	65	45.5%
Grand Total	143	

Placement

Placement types remained relatively consistent from 2019 to 2022, with approximately half of children placed with relatives. The increase in placements in tribally-approved homes shows the county's continued collaboration with tribes when determining placements.

The decrease of placements with parents over the past two years is most likely due to the county's increased focus on providing voluntary services for families before court involvement.

When children can safely remain with their parents with additional supports they are typically diverted from the court system. The families that become court-involved are more likely to require the out-of-home placement of the children.

When ICWA placement preferences were not followed it was generally due to the parent's request, such as keeping the child nearby to facilitate parenting time. A finding of good cause to deviate from the placement preferences was made 100% of the time.

When a tribal representative was present at the hearing their recommendation was the same as the agency's recommendation 100% of the time in 2022, an increase from 92.1% in 2019.

Liaison Lowdown: The Natural Order

By Laura LaPlante

Greetings, Everyone.

With the snow finally melting, the rivers overflowing, and the towns having to gear-up for flooding, it is most definitely a time in which we can choose to pay attention to the strength of Niibi (water in Ojibwe), Mni (water in Dakota). Especially, her place in the natural order of life and the power she wields. Whether it's in the fluidity of her current, strong now, because of the melting snows and rains, or the tornadoes that ravaged through a small town decimating the shelters and businesses of the residents there. Niibi, Mni, reminds us, all the time, all around us, who she is. Her power is unrelenting, unwavering with a sacred place in the natural order of the world. She is a constant, self-sustaining and protector for herself and of herself. She intuitively never questions her place nor purpose. But, when there are forces that do, man-made things that try, she deals with them in all her strength and glory. And, for the things unfinished, unresolved, she waits patiently for the time her strength will have the most effect.

So, when things like the *Brackeen v. Haaland* case challenge the natural order of words or laws that are meant to protect the Indigenous People of North America's next seven generations, you can't help but wonder; how will the elements that protect the natural order of life react? How will they take care of situations that so intentionally challenge the next generation of our relatives who inherently understand the strength of one as powerful as Niibi, Mni when she is challenged? Particularly, when she knows the children of her protectors' lineage is threatened.

I believe recently I was able to experience the sacred synchronicity of when elemental forces and mankind were in alignment. I believe when I witnessed the State of Minnesota's House and Senate votes on the Minnesota Indian Family Preservation Act bill (Miigwech to those that worked on the bill), and it was passed unanimously except for one vote; then, with the addition of Governor Walz's final signature, it was absolute testimony that some things should never be challenged.

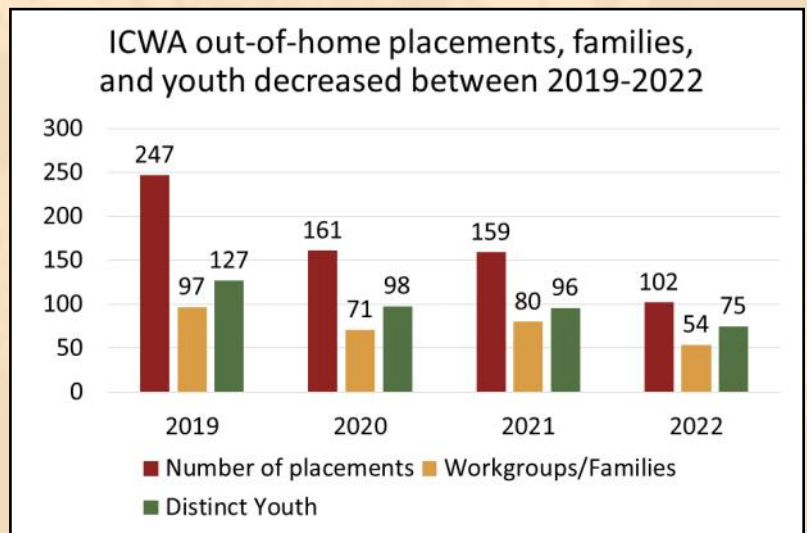
Now, as I patiently wait for the US Supreme Court's final ruling on the Indian Child Welfare Act, I once again will put my faith in the Creator. Contemplating the majesty of nature's natural order. Praying those in power will do right in preserving the Original inhabitants' lineage of this land.

On another note, in keeping with the data roll out, I presented information at the Ramsey County ICWA Advisory Board meeting on April 10th. Here are some highlights from that presentation.

The number of ICWA associated youth involved across intake, assessment, and case management has decreased from 2019 to 2022. While the numbers of youth decreased, ICWA associated youth continue to make up 11% of case management workgroups.

In 2019, of the 97 families that had 127 youth in placement, these youth made up 247 different placements. In 2022, of the 54 families, there were 75 youth that made up 102 different placements. In 2022, 60% of ICWA placements were with relatives.

While the total number of children in out-of-home placement in Ramsey County declined over the past four years, the percentage of children in out-of-home placement who were American Indian has increased, from 23% in 2019 to 41% in 2022. This represents children that identify as American Indian, which is different from the number of ICWA youth in the system.



Liaison Lowdown: The Natural Order (Continued from page 5)

In 2019, 71% of ICWA children with placement endings (35) were reunified with parents compared to 46% (11) in 2022. These rates only count final placement endings and may involve youth who have had multiple individual placements in a year.

The number of ICWA emergency protective custody cases decreased from 55 in 2019 to 41 in 2022, which demonstrates the great work the county is doing to divert families from the court system and collaborate with the Nokomis Circle Family Liaison. Miigwech for the great work and outcomes!

Miigwech, Pilamayaye, Pidamayaye,
Laura LaPlante, Nokomis Circle Family Liaison

Ain Dah Yung Center's 24th Annual Cherish the Children Powwow

This year's Cherish the Children Powwow hosted over 1200 attendees each day and over 150 dancers. Miigwech to everyone who made the powwow a huge success! See you next year!



Court Updates

This newsletter includes positive observations from ICWA hearings as well as highlights that demonstrate the great work happening in Ramsey County.

Observation: ICWA Guardian ad Litem Rachel Evangelisto noted that the youth was exploring what Thanksgiving means as an Indigenous person and that they were able to have in-depth conversations about the holiday's history.

Observation: The tribal representative noted that the maternal great-grandmother foster parent has been working collaboratively with the tribe to get the child more involved with the tribe and her culture.

Observation: The father noted what a blessing his daughters are and how much he was looking forward to them coming for a three day weekend visit.

Observation: The grandmother foster parent reported to the court that her grandchild could now count to 200, has been building snow forts, and is preparing to receive his grass dance regalia and for his naming ceremony.

Observation: Patra Siedlecki noted that the family's collaborative and peaceful work has greatly benefited the child and that she is excited for the family to continue this positive work.

Observation: The tribal representative indicated that the relative foster parent has reached out to the tribe for educational resources and that the youth will be receiving two ribbons skirts soon.

About the Quarter 1 Data

Data was collected from January 1, 2023 to March 31, 2023. This data was collected by the court monitor at hearings, talking to the parties involved, and reading case files. This data reflects hearings the court monitor attended and does not include all Ramsey County ICWA hearings.

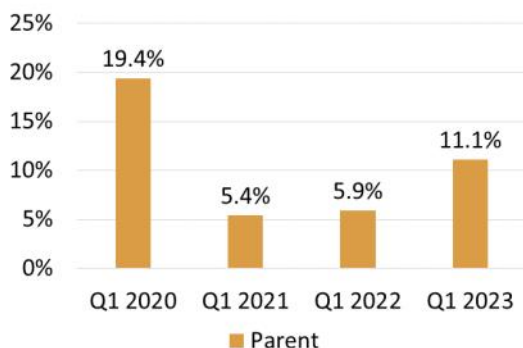
Tribal Attendance

The following chart indicates the tribes involved in ICWA cases in Ramsey County during Quarter 1. The chart includes the tribes involved, the number of hearings that occurred, and the number of times the tribe attended hearings. This data reflects hearings the court monitor attended and does not include all Ramsey County ICWA hearings.

TRIBE	NUMBER OF HEARINGS	TRIBE PRESENT
Bad River Band of the Lake Superior Tribe of Chippewa Indians	2	0
Blackfeet Nation	1	1
Bois Forte Band of Chippewa	1	0
Cheyenne River Sioux Tribe	5	5
Ho-Chunk Nation	1	1
Lac Courte Oreilles Band of Lake Superior Chippewa Indians	1	1
Leech Lake Band of Ojibwe	4	4
Lower Sioux Indian Community	2	2
Mille Lacs Band of Ojibwe	4	4
Oglala Sioux Tribe	3	3
Red Cliff Band of Lake Superior Chippewa	2	1
Red Lake Nation	6	6
Rosebud Sioux Tribe	1	1
Spirit Lake Nation	1	1
Standing Rock Sioux Tribe	5	4
White Earth Nation	9	7
Winnebago Tribe of Nebraska	3	3
Unknown/Tribe Not Identified	3	-

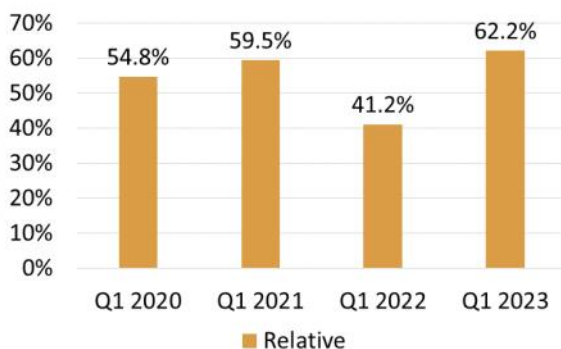
Placement with Parent

	Q1 2020	Q1 2021	Q1 2022	Q1 2023
Parent	12	2	2	5
Total	62	37	34	45
	19.4%	5.4%	5.9%	11.1%



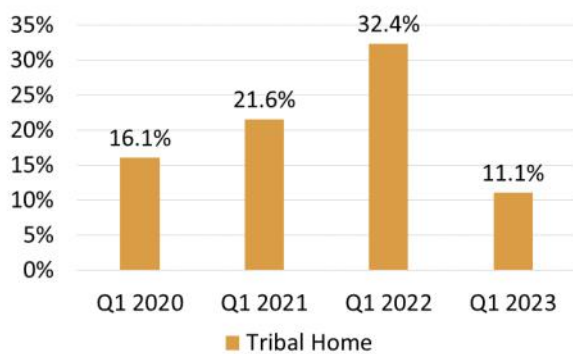
Placement with Relative

	Q1 2020	Q1 2021	Q1 2022	Q1 2023
Relative	34	22	14	28
Total	62	37	34	45
	54.8%	59.5%	41.2%	62.2%



Placement in Tribal Home

	Q1 2020	Q1 2021	Q1 2022	Q1 2023
Tribal Home	10	8	11	5
Total	62	37	34	45
	16.1%	21.6%	32.4%	11.1%



Placement

Looking at only Quarter 1 placement data for the last 4 years, placements with parents (protective supervision or trial home visits) have decreased from 19.4% of the time in 2020 to 11.1% of the time in 2023.

Part of the reason for the decrease of placements with parents is likely due to the county's increased focus on providing voluntary services for families before court involvement to keep children at home as well as additional supports after the child is returned home.

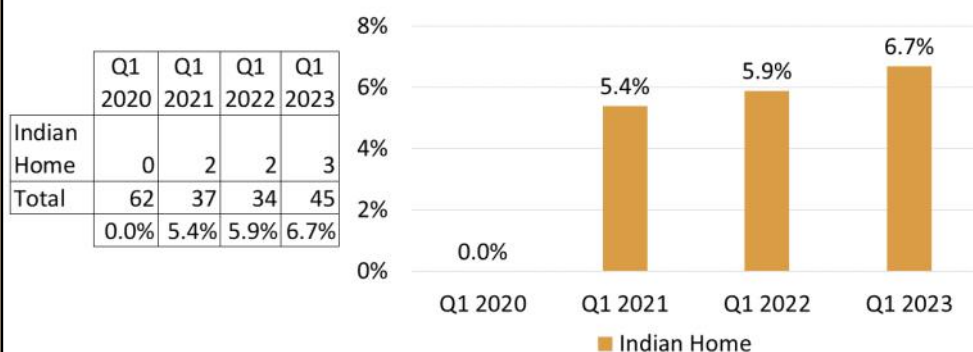
Placement with relatives has increased from 54.8% of the time to 62.2% of the time, showing the county's increased focus on finding and supporting relatives as placement options.

There were 10 placements in tribal homes in Quarter 1 of 2020 and 5 in Quarter 1 of 2023.

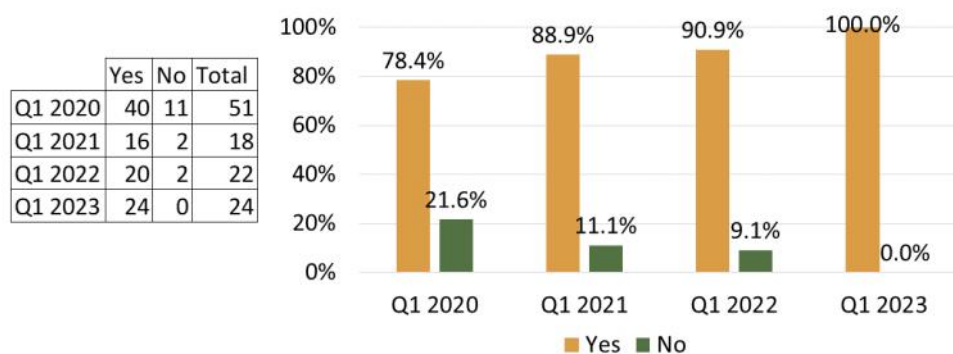
Non-ICWA placements were 9.7% of the time in 2020, 8.1% in 2021, 14.6% in 2022, and 8.9% in 2023. A finding of good cause to deviate from ICWA's placement preferences was made at each hearing when a child was not in an ICWA-compliant placement.

Reasons for this finding included the parent's request, the need for additional medical supports for the child, and keeping siblings together.

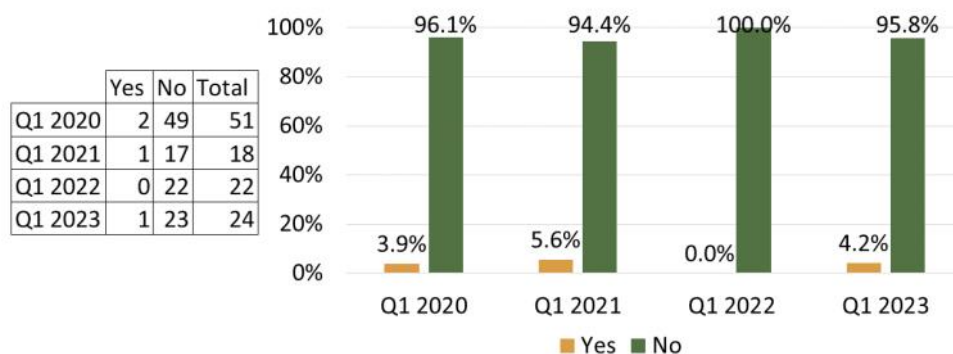
Placement in Indian Home



Was there testimony presented to support the active efforts finding?



Did a party dispute whether active efforts were provided?



Active Efforts

Testimony or discussion regarding active efforts has consistently increased over the past 4 years, from 78.4% of the time in Quarter 1 of 2020 to 100% of the time in Quarter 1 of 2023.

While active efforts are case-specific, they often include efforts to support parents as they address mental and chemical health, find housing and additional support services, and arranging visitation.

There have been only a handful of disputes regarding a finding of active efforts over the past 4 years during Quarter 1. The increased discussion about active efforts in court supports the court's ability to make a decision about whether active efforts have been made.

There have been no findings that active efforts were not made.

Contact Information

Sadie Hart

ICWA Compliance Monitor

sadie.hart@adycenter.org

Ain Dah Yung Center

1089 Portland Ave

St Paul, MN 55104

(651) 227-4184

adycenter.org

facebook.com/ADYCenter