



# ADYC Compliance Newsletter

Ain Dah Yung Center

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By Sadie Hart, ICWA Compliance Monitor

Q1 2022

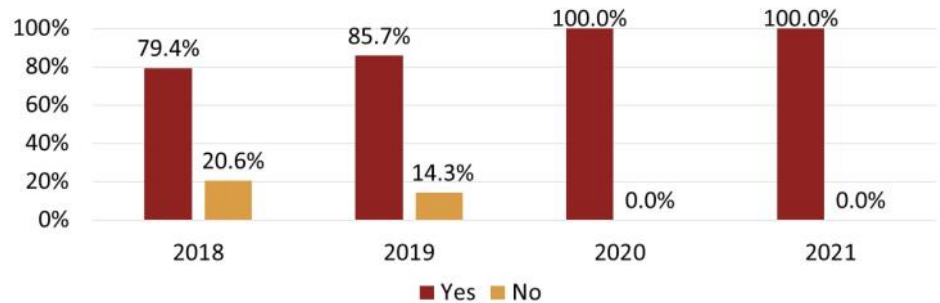
## 2021 Ramsey County Data Roll Out

We were thankful to see continued improvements in Ramsey County as we rolled out our 2021 Ramsey County Data at the Ramsey County ICWA Advisory Board meeting in April. 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!

### Emergency Hearings

In addition to an increase in compliance regarding the required emergency findings, there has been an increase in discussion about the emergency nature of the removal and what active efforts were made to prevent the removal.

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?



2018		
Yes	27	79.4%
No	7	20.6%
Grand Total	34	

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

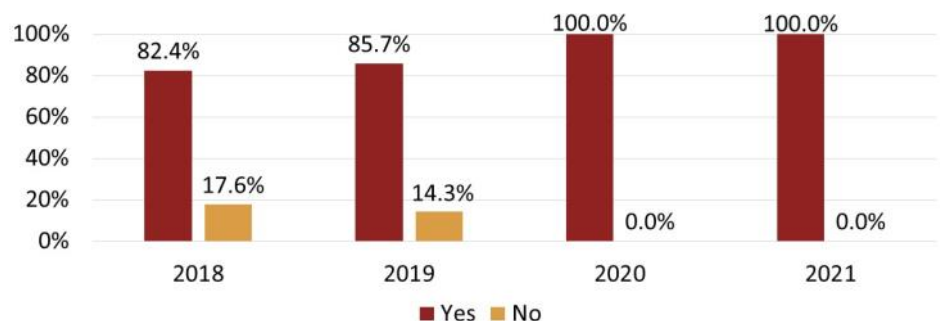
2020		
Yes	14	100.0%
No	0	0.0%
Grand Total	14	

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

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



2018		
Yes	28	82.4%
No	6	17.6%
Grand Total	34	

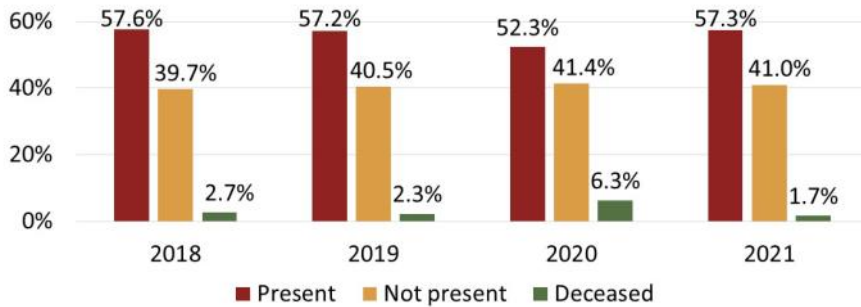
2019		
Yes	24	85.7%
No	4	14.3%
Grand Total	28	

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

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

## 2021 Ramsey County Data Roll Out (Continued from page 1)

### Attendance of Mothers



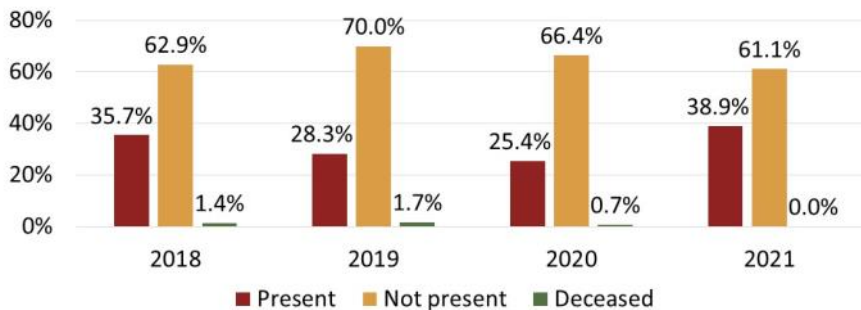
2018		
Present	171	57.6%
Not present	118	39.7%
Deceased	8	2.7%
Grand Total	297	

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	

### Attendance of Fathers



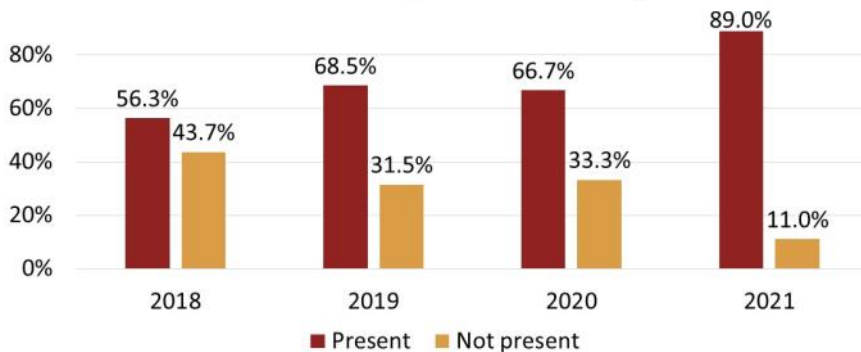
2018		
Present	100	35.7%
Not present	176	62.9%
Deceased	4	1.4%
Grand Total	280	

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	

### Attendance of Tribes (if Identified)



2018		
Present	183	56.3%
Not present	142	43.7%
Grand Total	325	

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	

### Attendance

Attendance among mothers has remained consistent over the past 4 years, with a slight decrease in 2020.

Attendance among fathers has increased from 25.4% of the time in 2020 to 38.9% of the time in 2021. There has been a noticeable effort and increased discussion among justice partners about engaging fathers throughout the court process.

Data for parents does not include hearings in which custody of the children has been transferred from the parent or extended foster care hearings.

Tribal attendance has increased significantly from 56.3% of the time in 2018 to 89% of the time in 2021.

Tribes with the most hearings in 2021 include Red Lake Nation (32), Leech Lake Band of Ojibwe (28), White Earth Nation (28), and Mille Lacs Band of Ojibwe (18).

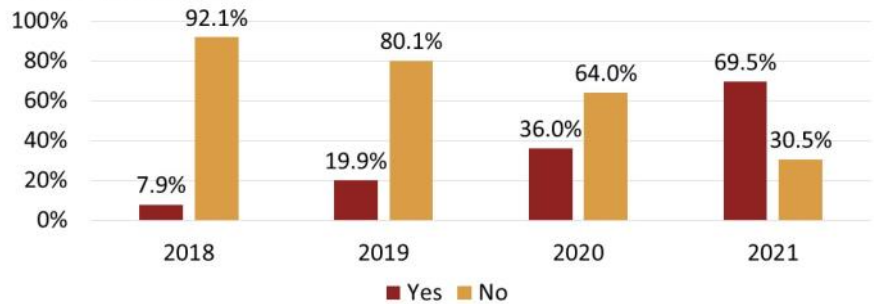
Each of these tribes increased the percentage of hearings attended from 2018 to 2021. For example, in 2018 Red Lake Nation attended 47.4% of hearings, but in 2021 attended 90% of hearings. In addition to increased efforts by the county to engage tribes, part of this increase is due to more tribes expanding services, including urban offices, which allows tribes to actively participate in the child welfare process.

## 2021 Ramsey County Data Roll Out (Continued from page 2)

### Case Planning

The increase in tribal attendance at court reflects an increase of tribal involvement in case planning. Over the years several tribes have taken a more active role in working with the family and providing resources and support. The county also has regular meetings with several tribes to ensure ongoing collaboration on cases.

When the tribe was identified, was there discussion of how the tribe has been involved in case planning?



2018		
Yes	24	7.9%
No	279	92.1%
Grand Total	303	

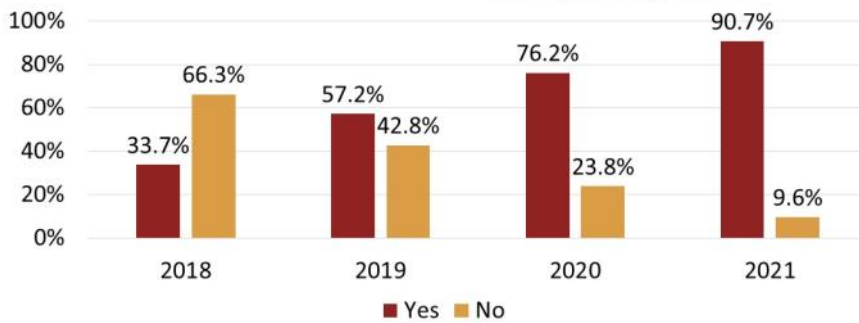
2019		
Yes	57	19.9%
No	229	80.1%
Grand Total	286	

2020		
Yes	40	36.0%
No	71	64.0%
Grand Total	111	

2021		
Yes	116	69.5%
No	51	30.5%
Grand Total	167	

Was testimony presented to support the active efforts finding?

Data not included for active efforts towards permanency/adoption.



2018		
Yes	64	33.7%
No	126	66.3%
Grand Total	190	

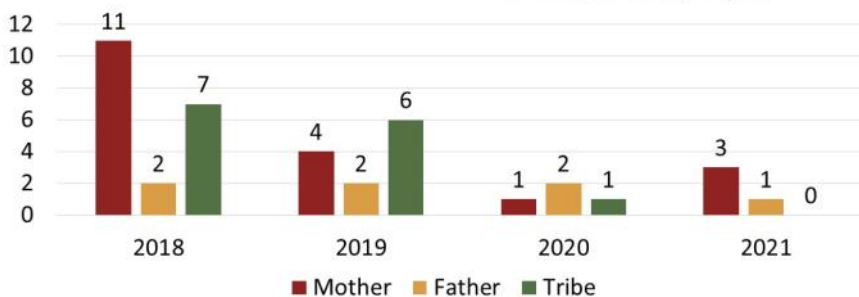
2019		
Yes	115	57.2%
No	86	42.8%
Grand Total	201	

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

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

If active efforts were disputed, who disputed active efforts?

Data not included for active efforts towards permanency/adoption.



2018		
Mother	11	55.0%
Father	2	10.0%
Tribe	7	35.0%
Grand Total	20	

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	

### Active Efforts

From 2018 to 2021 there has been an increase in testimony regarding active efforts from 33.7% of the time to 90.7% of the time. More in court discussion about active efforts and services creates more transparency in the process and provides the court with the knowledge needed to make informed decisions.

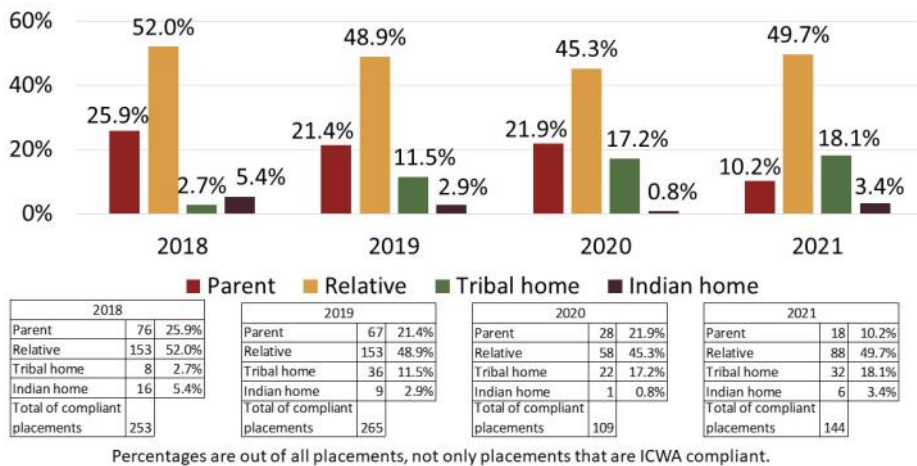
The overall number of disputes regarding active efforts decreased from 20 in 2018 to only 4 in 2021. When active efforts were disputed, the issue was raised by the mother, father, or the tribe.

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



## 2021 Ramsey County Data Roll Out (Continued from page 3)

### Type of placement (ICWA compliant)



### Placement

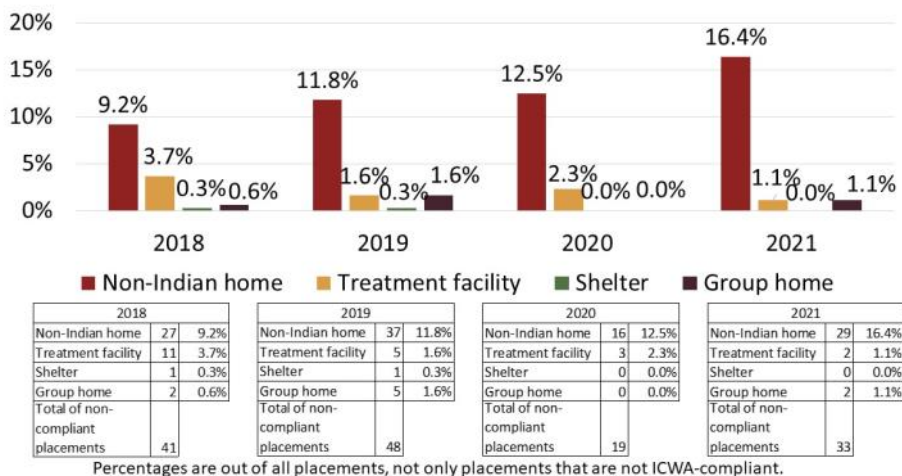
Placement types remained relatively consistent from 2018 to 2021, with approximately half of children placed with relatives. The increase in placements in tribally-approved homes shows the county's collaboration with tribes when determining placements.

The decrease of placements with parents in 2021 may be due to the county's increased focus on providing voluntary services for families before court involvement. Families in which children can safely remain with their parents are diverted from the court system, while the families that become court-involved are more likely to require out of home placement of the children.

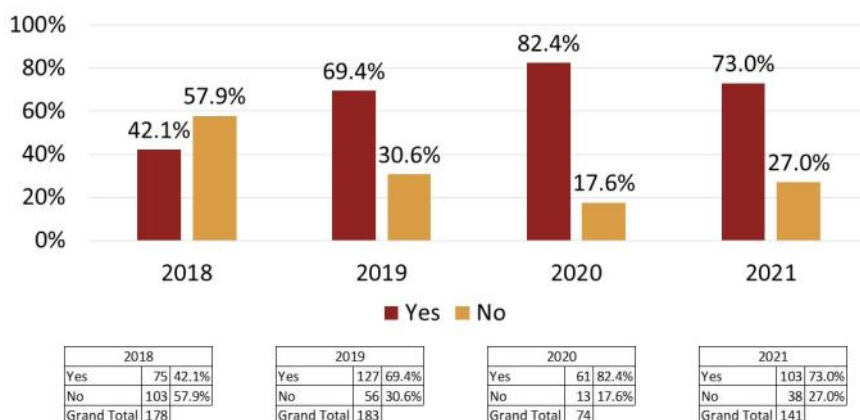
When ICWA placement preferences were not followed, it was generally due to the lack of available relatives or American Indian foster homes, highlighting the need for the recruitment of more American Indian foster families.

When a tribal representative was present at the hearing they presented a recommendation regarding placement 73% of the time in 2021, which was an increase from 42.1% of the time in 2018. The placement recommendation was the same as the agency's recommendation 100% of the time in 2021, an increase from 93.3% in 2018.

### Type of placement (not ICWA compliant)



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



## Liaison Lowdown: 2021 Data Roll Out

By Mariah Smith

Happy Spring! I have recently been busy with collecting data from Ramsey County and putting together the annual data roll out for 2021, which allows us to highlight successes in 2021, share data, and set goals for the next year. During this process we have identified the need to expand our data collection to better utilize this data to serve our community.

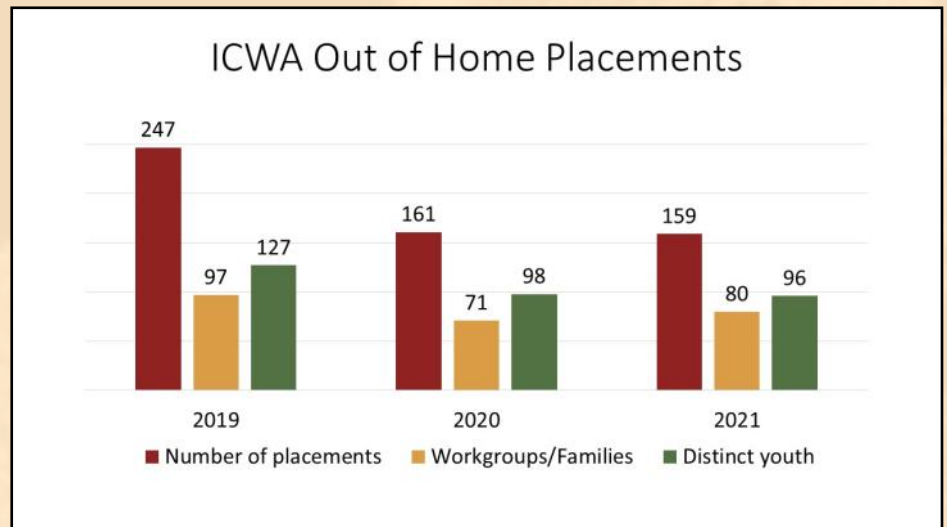
The number of ICWA associated youth involved across intake, assessment, and case management has decreased between 2019-2021, with these youth making up 10% of case management youth across Ramsey County. In Ramsey County, American Indian children make up 0.8% of the population.

In 2019, of the 97 families that had 127 youth in placement, these youth made up 247 different placements. In 2021, of the 80 families, there were 96 youth that made up 159 different placements. In 2021, 55% of ICWA placements were with relatives.

In 2019, 113 (87%) ICWA associated youth with placement endings were with family compared to 29 (46%) in 2021. This increased percentage may be due to the significant decrease in the number of youth involved.

The number of youth in out of home placement across Ramsey County declined over the past five years, with American Indian youth representing 29% in 2021. After a data collection change in 2019, youth who identify as multiracial including American Indian, are counted as American Indian.

The number of ICWA emergency protective custody cases decreased from 55 in 2019 to 36 in 2021, which demonstrates the great work the county is doing to divert families from the court system and collaborate with the Nokomis Circle Liaison. Miigwech for the great work and outcomes!



## Welcome, Laura LaPlante!



Boozhoo and Han Mitakuye everyone. My name is Laura LaPlante. I have recently been honored with the privilege of becoming the Nokomis Circle Liaison for the Ain Dah Yung Center following Mariah Smith. A big miigwech to you, Mariah, for all the hard work that you put into this position and many well wishes for the future.

I am a member of the Bay Mills Indian Community and a descendant of the Batchewana First Nation Ojibway, Ontario, Canada. I am the daughter of a boarding school survivor (mother) and Filipino father who was interned during World War II. I am the mother to six beautiful children and grandmother to one grandchild. I bring to the community my lived experience of being an ICWA foster care provider of twenty-something years. I am an ongoing restorative justice practitioner whose lineage traces back to Harold and Phil Gatensby of the Tlingit Nation, Yukon Territories. I have also learned from and collaborated with Lynn Schurrer, Katie Schurrer, and retired Judge Gary Schurrer of Washington County. I offer my skills set where they will be best utilized for the community that the Ain Dah Yung Center serves. Miigwech, Palimayaye, Padimayaye for this journey that is yet to reveal itself.

Respectfully, Laura LaPlante



## Gigawabimin, Judge Hilgers!

Gigawabimin (see you later), Judge Hilgers! Judge DeAnne Hilgers concluded her judicial rotation in juvenile court in April 2022. During this time she has been a champion for American Indian families involved in child protection and has worked alongside tribes, communities, and justice partners to improve their experiences. She was also the Children's Justice Initiative Lead Judge for the Second Judicial District and an active member of the Ramsey County ICWA Advisory Board.



As a former foster parent of several American Indian youth, Judge Hilgers brought to the bench a deep understanding of the spirit of ICWA, ensuring that these youth remained connected to their cultures, extended families, and tribal communities. She utilized this knowledge on the bench, working collaboratively with justice partners to improve outcomes for American Indian families and uphold ICWA's protections.

Reflecting on her experiences in her juvenile rotation Judge Hilgers noted that "I am grateful to have worked with such caring, effective ICWA advocates and hope to have that opportunity again in the future."

Miigwech, Judge Hilgers, for your continued advocacy for our families and best of luck in your new judicial rotation!

## Court Updates

The ADYC Compliance Newsletter includes positive observations from ICWA hearings as well as highlights that demonstrate the great work happening in Ramsey County.

**Observation:** At a hearing to terminate court jurisdiction, the mother noted that it had been a long journey, but she has made positive progress and has a grateful heart. She thanked her attorney Suzanne Guertin and County Attorney Heather Capistrant for their advocacy in the case.

**Observation:** Social Worker Kurt Marsh shared with the court that the youth was thankful to be in an American Indian foster home where he felt fully supported. The social worker detailed his efforts to collaborate with the youth to develop an Independent Living Plan that ensures cultural connections, such as making regalia and ongoing access to ceremonies.

**Observation:** In a case deferred pending the finalization of Northstar Care benefits, the grandmother foster parent expressed concern that the case was ongoing. Judge Smith explained the benefits of Northstar and the financial benefits it comes with, which will benefit the children long term.

**Observation:** Social Worker Skye Johnson commended the mother for actively taking charge of her mental health. At visits, her daughter is responding to her voice and it is clear they are well bonded.

**Observation:** The mother thanked Social Worker Anna Coyle for working with her, noting that she did not have the best relationship with the social worker in a previous child protection case. She expected it to be the same as before but was thankful it was not.

**Observation:** The mother indicated that the recent Family Group Decision Making Meeting was helpful, noting that while it was a difficult meeting and they might not all get along, they all wanted what was best for the child. She appreciated that so many people cared for her child. The tribal representative stated that it is not very often that families can come together as effectively as this family, and congratulated them for the hard work they have done to provide such a loving home for the child.

**Observation:** The youth indicated that he enjoyed court hearings because he got to see people who cared about him. The foster parent thanked Social Worker Skye Johnson for always being there for them and all the support she has provided.

**Observation:** Judge Smith noted that while the father has stumbled in the past, he had picked himself up and continued the progress he had made to be a significant part of his son's life.

## ICWA Violations

The ADYC Compliance Newsletter includes ICWA violations which may be from hearings held at court and/or from case files. We are blessed to have such a close working relationship with Ramsey County professionals and the judges who preside for our families. We are pleased to report that there were no violations observed during Quarter 1! We look forward to our continued partnership as we work together to find ways for our families to be successful!

## 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.

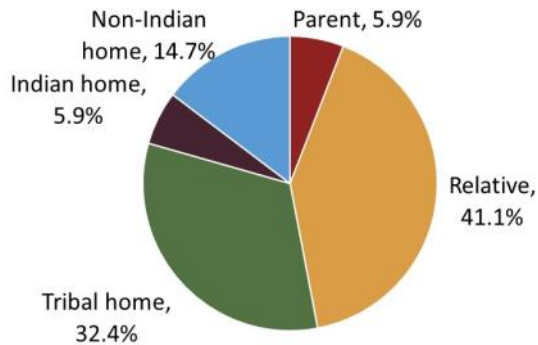
TRIBE	NUMBER OF HEARINGS	TRIBE PRESENT
Bad River Band of the Lake Superior Tribe of Chippewa Indians	1	1
Bois Forte Band of Chippewa	1	1
Cheyenne River Sioux Tribe	1	-
Choctaw Nation	1	1
Ho-Chunk Nation	1	1
Lac Courte Oreilles Band of Lake Superior Chippewa Indians	1	-
Leech Lake Band of Ojibwe	4	4
Lower Sioux Indian Community	3	2
Mandan, Hidatsa and Arikara Nation	1	0
Mille Lacs Band of Ojibwe	2	2
Red Cliff Band of Lake Superior Chippewa	1	1
Red Lake Nation	7	5
Rosebud Sioux Tribe	4	4
Standing Rock Sioux Tribe	1	1
White Earth Nation	4	3
Unknown*	17	-

## About the Quarter 1 Data

Data was collected from January 1, 2022 to March 31, 2022. 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.

## Type of Placement

Parent	2	5.9%
Relative	14	41.1%
Tribal home	11	32.4%
Indian home	2	5.9%
Non-Indian home	5	14.7%
Grand Total	34	



## Placement

During Quarter 1 youth were placed with relatives 41.1% of the time and custodial or non-custodial parents 5.9% of the time.

When a tribal representative was present at the hearing they gave a placement recommendation 50% of the time. Of those recommendations, 100% were consistent with the county's placement recommendations.

Youth were placed in tribal homes, which can include non-relative or non-Indian homes that the tribe approves, 32.4% of the time.

Only 5 placements were outside of the ICWA placement preferences. The court found that there was good cause to deviate from ICWA placement preferences 100% of the time.

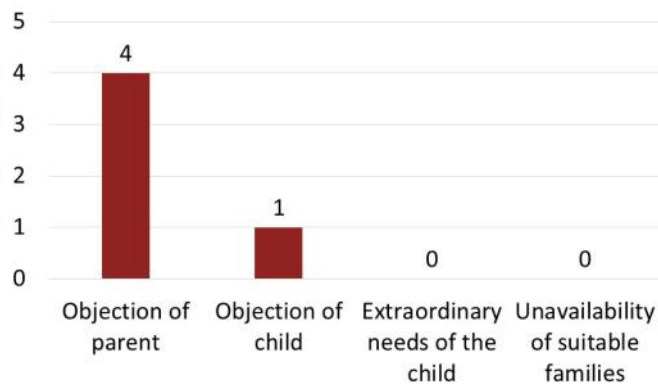
Reasons for the good cause finding included the objection of the parent or a child who was old enough to express their placement preferences.

Youth were separated from their siblings 38.9% of the time, but were able to have contact with their siblings 100% of the time.

Sibling visitation plans included multiple visits per week, weekly visits, weekend overnight visits, virtual visits, and visits at the discretion of the family through a family arrangement.

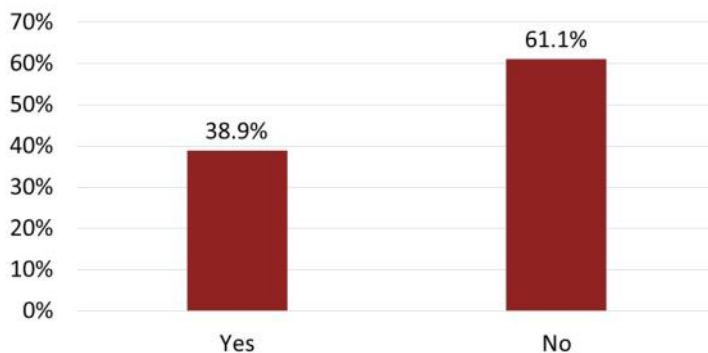
## If placement preferences were not followed, why not?

Objection of parent	4	80.0%
Objection of child	1	20.0%
Extraordinary needs of the child	0	0.0%
Unavailability of suitable families	0	0.0%
Grand Total	5	



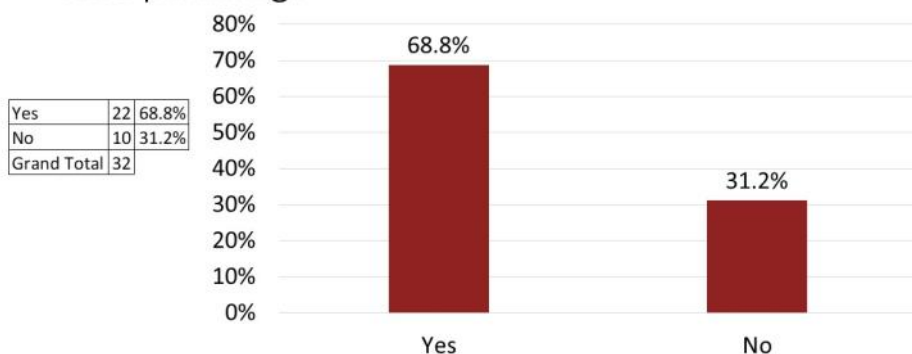
## Are siblings in separate placements?

Yes	7	38.9%
No	11	61.1%
Grand Total	18	





When the tribe was identified, was there discussion of how the tribe has been involved in case planning?



## Case Planning

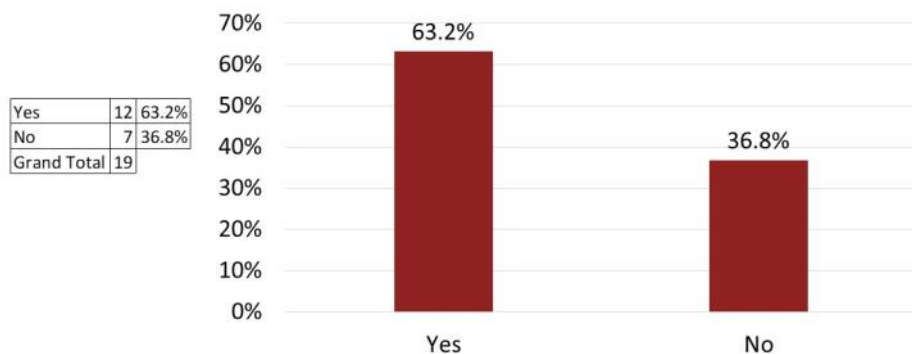
When the tribe was identified there was discussion 68.8% of the time of how they have been involved in case planning, including visiting families with the social worker and consulting on cases.

Mothers were engaged in complying with their case plans 63.2% of the time, while fathers were engaged 43.8% of the time.

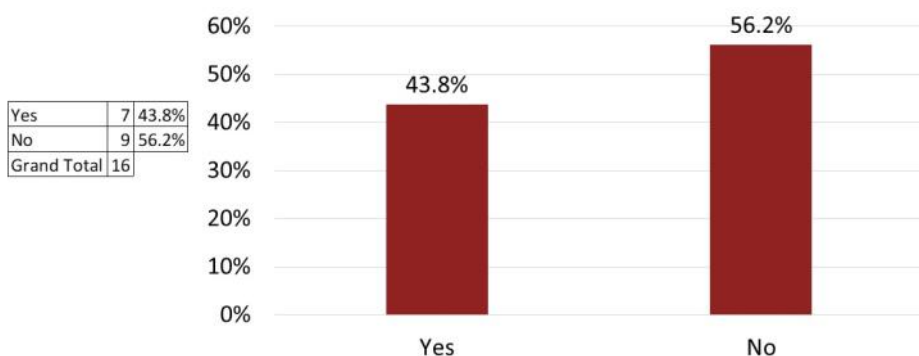
If parents were not working on their case plans or engaging with a social worker, the social worker's efforts to engage them were documented in their court reports. Two parents waived the right to have a case plan.

The most common reasons cited for a parent's lack of engagement with their case plan was continued chemical or mental health issues. Data regarding case plan compliance is from review hearings only.

Is the mother engaged in complying with the case plan?



Is the father engaged in complying with the case plan?



## Contact Information

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