



ADYC Compliance Newsletter

Ain Dah Yung Center

1089 Portland Ave Saint Paul, MN 55104

651.227.4184

adycenter.org

By Sadie Hart, ICWA Compliance Monitor

Q4 2022

Preparing the Indigenous Child Welfare Workforce: The Tribal Training and Certification Partnership

The Aabinoojiiyag-Wakhanheza Un Thantanhapi (For All the Children - Sacred Being in Ojibwe): Tribal Training and Certification Partnership (TTCP) is a training and technical assistance center formed in partnership with the Center for Regional and Tribal Child Welfare Studies at the University of Minnesota Duluth (UMD). Established in 2020, the TTCP aims to improve outcomes for American Indian families through building capacity within the child welfare workforce. We interviewed Mark Erickson, the Outreach and Development Manager, to learn more about the partnership and its impact on American Indian child welfare in Minnesota.

While the partnership was established in 2020, the planning for the initiative began years before. "I feel very fortunate and honored to have witnessed some of the events leading up to the development of the Tribal Training and Certification Partnership," Mark stated. "In 2017, I had the privilege to join the Center for Regional and Tribal Child Welfare Studies at the University of Minnesota Duluth. Through my work with the Center, I had opportunities to observe some pre-TTCP curriculum as delivered by Dr. Priscilla Day and Bree Bussey. Dr. Day was responsive to Tribal Nations, recognizing the great need for culturally responsive Indian Child Welfare Act (ICWA) and Minnesota Indian Family Preservation Act (MIFPA) training. I remember meeting in September 2018 in the Dottie Tibbets Room at Min No Aya Win in Fond du Lac. Our purpose was to provide a preview of a two-day ICWA curriculum for the ICWA Advisory Council. The general response revealed the importance and urgency of rolling out this training. From there the discussion and planning for what would become the Tribal Training and Certification Partnership continued to take shape."



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"As the state moved forward with developing the Minnesota Child Welfare Training Academy – a legislatively funded partnership for workforce training through the Department of Human Services (DHS) and the Center for Advanced Studies in Child Welfare at the University of Minnesota Twin Cities – the ICWA Advisory Council advocated for a Tribally-specific training academy to equip the workforce to engage with American Indian families in a good way. Based on Dr. Day's and others' years of work building trust and relationships, the Council identified UMD as the entity to house such an academy."

In January 2020 the TTCP launched its debut ICWA/MIFPA two-day introduction course at the Minnesota Chippewa Tribe's offices in Cass Lake and held two more in-person events before the COVID-19 pandemic.

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“Not having been directly involved in the initial TTCP planning, I had little interaction with Jeri Jasken, the TTCP’s Director,” Mark stated. “However, I was asked to help with the rollout of TTCP content being transitioned to online learning, and I was thoroughly impressed by Jeri’s vision for the TTCP and her bar for excellence in training. I was hooked. While everyone in the world was switching to virtual platforms and trying to maintain some semblance of normalcy, the TTCP provided truly meaningful training encounters over Zoom. The TTCP accomplished a lot during the COVID lockdown period and came out with a strong team ready to resume in-person training. Having received full funding in 2021, we are able to respond to the training needs of the child welfare workforce while continuing to seek input from the Council. With our legacy, our leadership, and our remarkable training team, I believe we are living up to the vision for training that was shared in 2018 at Fond du Lac.”

This level of collaboration is crucial to the TTCP’s work. “The ICWA Advisory Council is known to reiterate, ‘nothing about us without us,’” Mark noted. “We take their sentiment seriously and it reflects in our curriculum and training team. I cannot say how grateful the TTCP is to its team of Indigenous community trainers, which includes several elders. Our program is successful because of their talent, expertise, and bravery. You could not do what we do without them. This training program is overdue and so incredibly important. To do it in a good way, we need them. They share so much of their professional knowledge and personal stories to guarantee our content lands with participants. Hopefully, everyone recognizes and appreciates the need for ICWA training. We respond to this need and connect it to the need for good ICWA practice because we have a training team that can effectively make that connection. They are amazing!”

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The knowledge and lived experiences of community trainers are an essential foundation to this training. “There are stories that need to be shared to explain how families found themselves on the receiving end of child protective services. These stories may be unique to the family,” Mark continued, “but they most often rest in a larger story of coercive, forcible, or violent displacement; compulsive assimilation; and unwarranted removal of American Indian children through boarding schools, adoption, and foster care. Unfortunately, that larger story is often left untold. The vacuum of missing information is filled by dominant narratives or individual and systemic assumptions.”

“One thing I appreciate about our curriculum is we share names, dates, places, events - information that introduces this larger story to our participants, many of whom have never heard this version of history. Couple this with introducing stories about immense capacity for resiliency and cultural resources to heal, and participants gain a new perspective about the families with whom they work. Hopefully, it’s one of understanding and empathy that focuses on the strengths of the family, and they start to connect the dots to understand that the Tribal Nation’s stake in that child and family’s success is far greater than that of the county or the state. They may be looking at the families they work with from one or two perspectives, but not from three or four. We hope we are cultivating a more expansive view of families and therefore a more expansive view of what intervention in child protection matters can look like by leaning into the strengths of the families and Tribes.”

Trainings are tailored to meet the needs of the audience. “For Tribes,” Mark explained, “we provide a few different versions of a two-day course that addresses historical trauma, provides an overview of the provisions of the ICWA and MIFPA, and encourages a strengths-based, culturally relevant approach to working with families. We adapt these courses to respond to the individual Tribe’s needs. In addition to these two-day Tribal training formats, we also offer briefer sessions that focus on topics relevant to Tribal social work practice. We like to offer these formats to all Tribes in Minnesota, but we are happy to focus on a specific Nation whenever we can. We meet with individual Tribes and do our best to develop curriculum or tailor existing curriculum to fit the characteristics of their agencies and communities. Tribal training and assisting Tribes in growing their capacity within their child welfare workforces is our passion. We do what we can with the resources we have and with more staff, and therefore more bandwidth, we plan to hit 2023 hard, expanding our offerings and strengthening our commitment to provide training for these workforces. For county social workers, we provide a two-day ICWA/MIFPA foundation course as part of the Minnesota Child Welfare Training Academy’s *Foundations* series.”

Preparing the Indigenous Child Welfare Workforce (Continued from page 2)

"We also just piloted an advanced ICWA/MIFPA training for county social workers. These curricula are intended to build upon each other, addressing the historical reasons explaining why we have the ICWA and MIFPA. We also cover individual provisions of the ICWA and delve deeper into what we refer to as key elements of the MIFPA: inquiry, notice, active efforts, placement preferences, and Qualified Expert Witness requirements. Through small and large group activities, we invite participants to apply these elements into practice scenarios."

"The difference between the *Foundations* and *Advanced* course is really the depth at which we go with these topics. ICWA has been around for a long time and compliance has often remained elusive. Two days of Foundation training will provide just that – a foundation. How do you reverse hundreds of years of destructive policies aimed at dismantling American Indian families and over 40 years of indifference to complying with the ICWA in two days? Therefore, we offer an additional two days to cover things we simply cannot fit into the first training, building upon key concepts, reflecting how concepts like partnership with Tribal agencies play out in practice, and invite participants to go deeper in their practical application through case scenario activities. I don't want to scare people away, but it involves role playing!"

"Beyond solely delivering training events, we rely on input from Tribal agencies and leadership, especially via the ICWA Advisory Council to shape our training protocols. For us, it is not simply about gaining their tacit support for the training content but partnering with them to shape that content. The TTCP and its deliverables are here because of their advocacy. They know best about what county social workers need to know because it impacts their Nations' children."

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TTCP continuously seeks Tribal and community involvement as training offerings increase. "We are frequently invited to present to or meet with the ICWA Advisory Council to keep them informed and engaged in our work. It has also been very beneficial to meet monthly with the Department of Human Services' American Indian Wellbeing Unit, formerly known as the ICWA Compliance Unit. Through these meetings, we can connect what we are hearing and sharing in our training with what they are hearing and sharing with counties through their training and compliance reviews. These regular meetings with the American Indian Wellbeing Unit help us all stay in tune to the workforce based on what our respective organizations are encountering in the field."

Looking to the future, Mark indicated that "the biggest barrier, in my opinion, has been growing the capacity to meet the need. We have accomplished a great deal in providing training for approximately 1000 public agency practitioners and multiple training events for Tribal Nations' agencies. We certainly have more we want to do and while our team and training schedules have grown exponentially, we still see a great demand for training. We are responding to that need without sacrificing our values and commitment to high quality training engagements."

Improving evaluation techniques is also a goal. "The feedback we regularly receive includes very thoughtful, self-reflective comments from participants about how the training content is landing. However, there are a lot of social workers in Minnesota to connect with and gaining a better understanding of how they are continuing to apply what they learned in their training or identifying emerging needs for additional training. I'm personally looking forward to developing effective ways to do this in partnership with Tribes and counties."

In closing, Mark reflected that he feels "incredibly privileged and honored to have witnessed some of the history leading up to the creation of the TTCP. It has been amazing to see what Tribal Nations, particularly through the work of the ICWA Advisory Council, have done to ensure Minnesota counties' practice with Indigenous families improves. I don't know why or how my journey has brought me here, but I know I am part of something that is really big and really important. It didn't start with the TTCP. We're trying to be present and responsive by supporting what Tribal Nations are doing to make a better future for their families."

Miigwech to Mark Erickson and the Tribal Training and Certification Partnership and we look forward to seeing the partnership continue to expand!

ICWA Under Attack



Shannon Smith and Karl Nastrom from the ICWA Law Center shared information about Minnesota's connection to the Brackeen case.

In October the Metropolitan Urban Indian Directors (MUID) Family Preservation Subcommittee hosted "ICWA Under Attack" at the Minnesota Indian Women's Resource Center and virtually. Presenters included Shannon Smith and Karl Nastrom from the ICWA Law Center, Leech Lake Band of Ojibwe Associate Judge Rebecca McConkey-Greene, Reanna Jacobs and Cindi Miller from the Minnesota Department of Human Services, and Jody Alholinna and Lynn Brave Heart from the Minnesota Guardian ad Litem Board ICWA Division.

The presenters discussed the legal challenges to the Indian Child Welfare Act in the *Haaland v. Brackeen* case before the Supreme Court of the United States, the efforts in Minnesota to strengthen the state Minnesota Indian Family Preservation Act

(MIFPA), and how to ensure the protection of Indian children and families. The recording of the event can be viewed here: https://www.youtube.com/watch?v=kcZJ_zd-XLI. Previous events are available here: <https://adycenter.org/about/programs/oyate-nawajin>.

The Supreme Court heard *Haaland v. Brackeen* on November 9, 2022. The audio of the oral arguments is here: https://www.supremecourt.gov/oral_arguments/audio/2022/21-376

ICWA Meet and Greet

In November the MUID Family Preservation Subcommittee hosted their first in-person ICWA Meet and Greet since 2019. The event, held at the Minnesota Indian Women's Resource Center, was for child welfare professionals to learn more about American Indian organizations in the metro area and network with other professionals. Over 100 people attended.

There was also an honoring for Elaine Sullivan, the outgoing Human Services ICWA Program Manager for Hennepin County. Elaine provided years of oversight and leadership to the ICWA program and child protection, as well as contributed to the wellbeing of American Indian families across the county.

Miigwech, Elaine, for your years of dedication to our American Indian families!



Elaine Sullivan, pictured with Jessica Sullivan, left, and Laura Newton, right.

Smudge Kits for Youth in Foster Care



ADYC staff put together kits for youth in foster care.

In November Ain Dah Yung Center staff put together smudge kits for youth in foster care in Anoka, Carver, Dakota, Scott, and Washington Counties. These kits will help ensure American Indian youth have access to cultural resources and sacred medicines during their foster care experience.

Each kit includes a shell, sage, sweetgrass, cedar oil aromatherapy tube, and information about the four sacred medicines and smudging. They also include brochures from American Indian youth services, such as the Ninijanisag Program at the Ain Dah Yung Center, the American Indian Family Center, Department of Indian Work, Division of Indian Work, and the Ginew/Golden Eagles Program at the Minneapolis American Indian Center.

Miigwech to our justice partners for helping ensure American Indian youth have access to their traditional teachings and the sacred medicines!

Book Donation for Families

In November the Ain Dah Yung Center and American Indian Family Center received several boxes of books from the Second Judicial District, which were donated by Penguin Books through the National Council of Juvenile and Family Court Judges (NCJFCJ). The donation included books for all ages. The Ain Dah Yung Center provided these books to community members at the American Indian Community Holiday Party as well as Ain Dah Yung Center's community holiday party.

Miigwech to the Second Judicial District for supporting our community partners!



A Time Before ICWA

By Laura LaPlante

Before I started to write this article, I prayed, smudged and asked for permission to tell a part of my mother's narrative so that I may write it in a good way. Especially, since so much of her story is indicative of the plight of American Indians and the historical trauma that shouldn't but does define who I am today. However, I can't help but wonder, "If we as Indigenous people had been in control of our own destinies, what stories would we be telling today? Would my grandmother, great-grandmother, grandfather, and great-grandfather been fortunate enough to have had personal narratives filled more with laughter and joy, rather than loss and grief?"

My mother was born on December 13, 1936, on a reservation in the Upper Peninsula of Michigan. It was during a time when Lake Superior was frozen, and the drifts of snow would reach well over six feet high. When windchills could reach unbearable negative temperatures and the Anishinaabe people had different words to describe different types of snow because the severity of the climate could be so extreme. Lastly, when the Edmund Fitzgerald and crew were a non-existent thought. She was born to a young single mother who lived with her father – my grandfather; in a house that was more like a shack with a wood burning stove for heat and a dirt floor instead of linoleum or wood. The house was not far from the shoreline and close enough that one could fish for sustenance to feed a family.

As a little girl, my mother would walk around barefoot until the weather became so frigid shoes became a necessity because they offered a little protection against the harshness of the freezing ground. Besides, when shoes were a donation, even if they were two sizes too big, who cared if they flopped up and down on your feet or that the coat you wore wasn't really made for a child? The items covered you. Her life was hers to share with her mother and my great-grandfather, a man she knew adored her; whose arms she felt safe in. And who she remembered as always making her feel so precious, tiny and protected.

Sometime in 1944 or 1945, my mother was taken and placed in St. Joseph Orphanage located in Assinins, Michigan just outside of Baraga. The institution was built in 1860 by Bishop Frederic Baraga to assimilate and to convert for religious purposes those that were brought there. Bishop Baraga being the author of, "A Dictionary of the Ojibway Language," a book still used today.



St. Joseph Orphanage, Assinins, Michigan.

My mother's memory of the day she was taken seared its trauma into her very soul. Although she was young when it happened, she tells the story of her experience almost as if her body is reliving the trauma because she can relay what happened with such detail.

In her recollection, she remembers these adults pulling up to the house in a car. She notices the car because very few people where she lived owned one. Maybe it was two men and a woman, she doesn't quite recall.

A Time Before ICWA (Continued from page 5)

What she does remember is her mother staying in the house while she is outside being held in the arms of her grandfather. As he is holding her, observing the adults getting out of the car and walking over to her and her grandfather, she recalls the angst she feels emanating from him. She knows she is uncomfortable but doesn't understand why. She senses his agitation and it's so uncomfortable to the point that she is now picking up on the chaotic energy of the moment. My mother remembers my grandfather pleading with these adults to, "not take his Arlene away." "Please don't take my Arlene." But the woman reaches for my mother anyways and proceeds to grab her out of my great-grandfather's arms. His arms were the only arms she ever really felt protected in. A truth that she would live by for the rest of her life. My mother starts to get scared and begins to cry as my great-grandfather is pleading with them to not "take his Arlene away."

As they rip my mother from my great-grandfather's arms, she leaves behind scratch marks on his neck for having clung so tightly. She is scared and knows something is so terribly threatening she is intuitively fighting for the very last shred of safety she will ever feel as a child with the only family she knows. They quickly walk away, never paying heed to the trauma they have just inflicted. Nor the tears they've caused to the man, who will grieve to the day he dies the loss of his granddaughter. Nor will they care about the mother who is looking outside from behind the protective covering of the window, nor my mother who could never rationalize what happened in that moment. More importantly, never get over the trauma of having been, "taken," by powers unbeknownst to her. She would spend the rest of her life grieving the loss of the family and culture she was deprived of so long ago. With the mind of a child, she was left to rationalize what most adults can't, the loss of loved ones and dreams of what her life may have been.

I believe that had the Indian Child Welfare Act, Minnesota Indian Family Preservation Act or the Michigan Indian Family Preservation Act been in place maybe my mother would have been reunified with her family. But the past is exactly that, the past. And moving forward, with so many of us inherently embittered by the injustices caused by the inhumane treatment of our relatives, we stand as protectors and continue to fight with the spiritual loving integrity and strength, we know this battle must be fought with...

In loving memory of Arlene Margaret Teeple, 1936-2019.

In loving memory of the unknown relatives who were lost to us at St. Joseph Orphanage, we honor you...

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

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: Guardian ad Litem Patra Siedlecki noted the youth's developing self-advocacy and ability to express her needs and wishes throughout the child protection process, as well as her ability to find her voice in a system that had taken it away for so long.

Observation: On an extended visit with a potential relative permanency placement, the family gave the youth a family photo album to learn more about his relatives and welcome him into the family.

Observation: Red Lake Nation Social Worker Sara Greenhalgh congratulated the mother on her

progress on the case plan and agreed that the Ramsey County Social Services Department had made active efforts to support the family in the case.

Observation: The parties commended Social Worker Anita Telles in working creatively to contact and work with the father so he could enroll in his tribe, allowing his children to also enroll in the tribe.

Observation: Social Worker Kurt Marsh expressed how proud he was of the youth for being open with his substance use and that he was happy to see the youth begin to trust the supportive adults in his life.

About the Quarter 4 Data

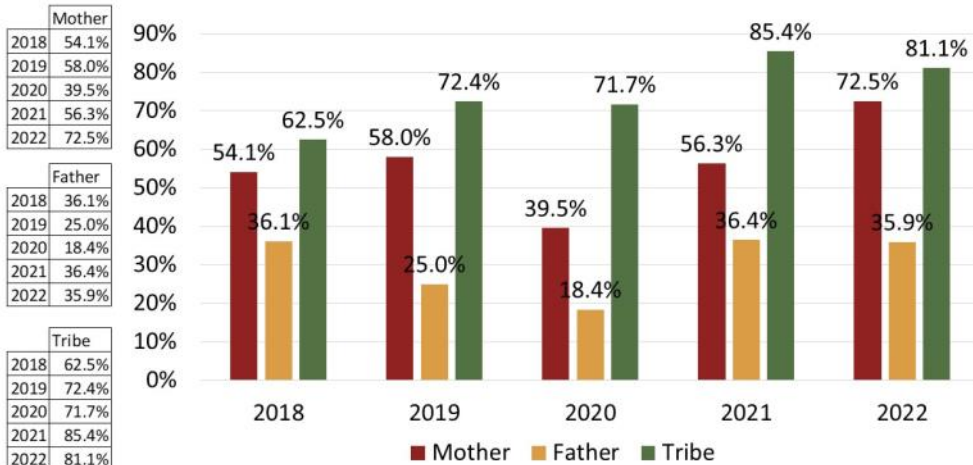
Data was collected from October 1, 2022 to December 31, 2022. This data was collected by the court monitor at hearings, talking to the parties involved, and reading case files. This data reflects hearings the court monitor attended and does not include all Ramsey County ICWA hearings.

Tribal Attendance

The following chart indicates the tribes involved in ICWA cases in Ramsey County during Quarter 3. 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	3	1
Cheyenne River Sioux Tribe	2	2
Lac Courte Oreilles Band of Lake Superior Chippewa Indians	2	1
Leech Lake Band of Ojibwe	5	5
Lower Sioux Indian Community	1	1
Miami Tribe of Oklahoma	1	1
Mille Lacs Band of Ojibwe	4	4
Oglala Sioux Tribe	1	1
Red Cliff Band of Lake Superior Chippewa	1	1
Red Lake Nation	3	2
Rosebud Sioux Tribe	1	1
Standing Rock Sioux Tribe	3	1
White Earth Nation	9	8
Winnebago Tribe of Nebraska	1	1
Unknown/Tribe Not Identified	6	-

Attendance of Mothers, Fathers, and Tribes



Attendance

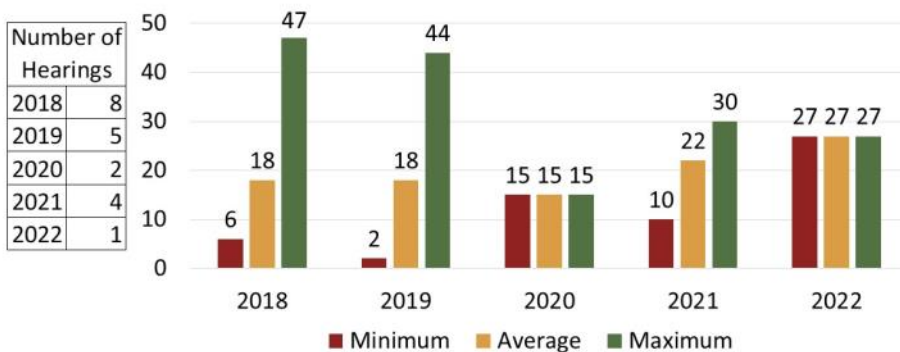
Looking back on only Quarter 4 over the past 5 years provides a snapshot of hearing attendance among mothers, fathers, and tribes.

Hearing attendance by mothers increased significantly from 54.1% of the time in 2018 to 72.5% of the time in 2022. Attendance by fathers has varied between 18.4% to 36.4% during the same time.

The COVID-19 Pandemic caused a decrease in attendance for both mothers and fathers in 2020. While most hearings were by written submissions at the beginning of the pandemic, they were held virtually by Quarter 4. This break in hearings and acclimation to virtual hearings most likely account for the dip in parents attending court.

Tribal attendance has increased from 62.5% of the time in 2018 to 81.1% of the time in 2022.

Length of EPC Hearings in Minutes

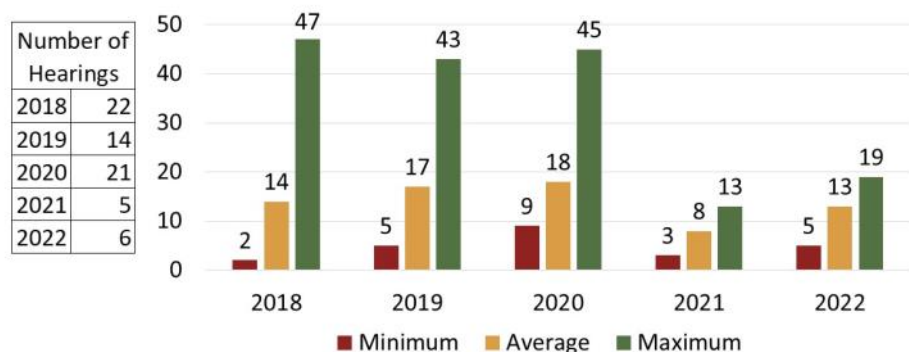


Court Time

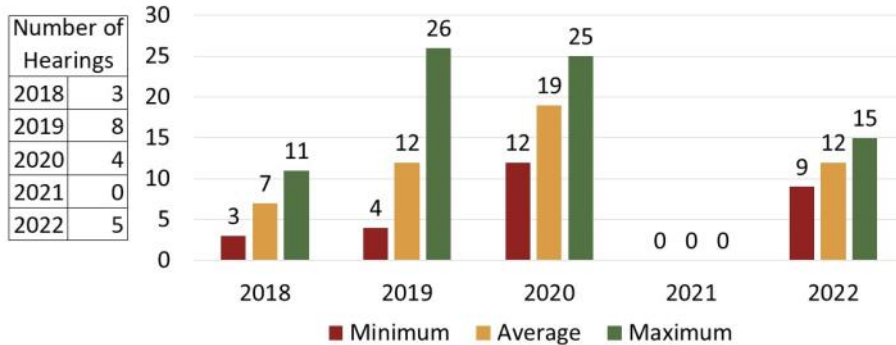
The average hearing length for Quarter 4 over the past 5 years has been consistent, though the range has varied greatly.

Please note that the number of hearings over the past 5 years has decreased significantly due to the agency's efforts to prevent children's removal from their families.

Length of Admit/Deny Hearings in Minutes



Length of Pre-Trial Hearings in Minutes



Court Time

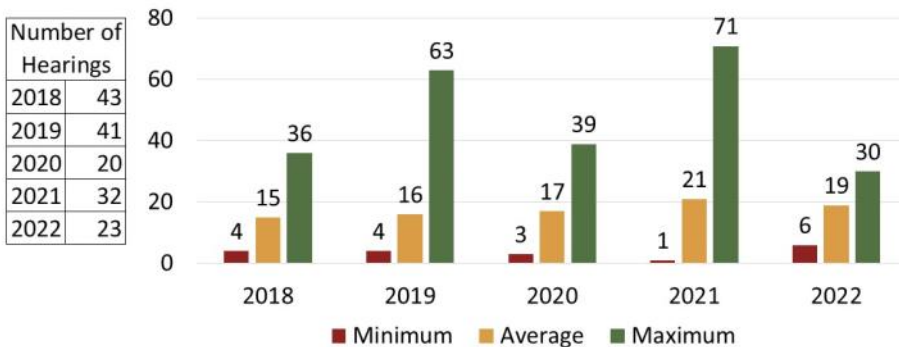
The use of partial admissions - when a party admits to some, but not all, of the allegations in the petition - has decreased the length of some Admit/Deny and Pre-Trial hearings since there is less need for in-court discussion.

Currently, hearings are scheduled every 20 minutes. Review hearings had an average length of 19 minutes in 2022.

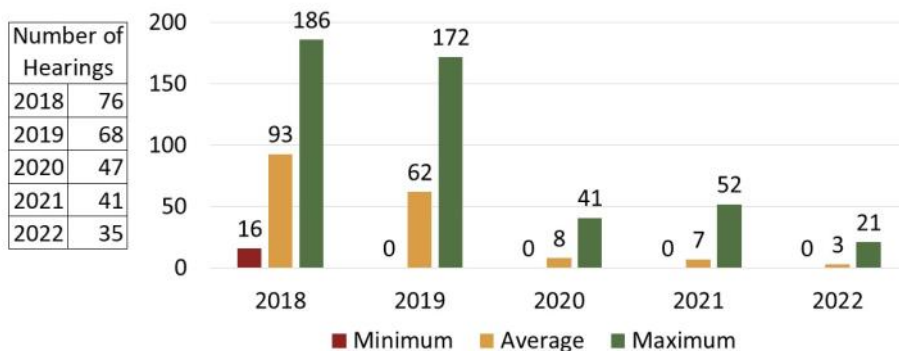
Prior to the pandemic, court typically began 30 minutes after the first scheduled hearing of the calendar, which accounted for some of the lengthy wait times. This gave parents time to meet with their attorneys, social worker, and Guardian at Litem before their hearing.

Currently, parents meet with other parties prior to attending virtual hearings. These hearings typically start on time.

Length of Review Hearings in Minutes



Length of Wait Time in Minutes



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