



Customary Adoption

Targeted Resources for Tribal Child Welfare, January 2016

In Indian Country, customary adoption is a traditional alternative to standard adoption practice and a more appropriate permanency placement for Native Children. Customary adoption allows children to be adopted without requiring a termination of parental rights. This practice exercises tribal sovereignty and helps to maintain family connections.

[Customary Adoption at White Earth Nation](#)

This article by Anita Fineday (pg. 28-29) touches upon her experience as chief judge at the White Earth tribal court. She shares her knowledge of writing child welfare code that encompassed messages from their tribal elders, and their work creating something called a "suspension of parental rights" and customary adoption guidelines and contracts.

[Find the White Earth Band of Ojibwe Customary Adoption Code here.](#)

Customary Adoption Resources from [Tribal STAR](#)

Tribal STAR is a training and technical program at the Academy for Professional Excellence, San Diego State University that focuses on building collaborations that improve outcomes for American Indian/Alaska Native children in child welfare. They share specific resources from the Soboba Band of Luiseño Indians:

[Fact Sheet for County Social Workers](#)
[Fact Sheet for Tribal Social Workers](#)
[Customary Adoption Talking Points & FAQs](#)
[Sample Customary Adoption Order \(ver. 1\)](#)
[Sample Customary Adoption Order \(ver. 2\)](#)

Learn More:

[Customary Adoption Overview & Resources from NICWA](#)
[Child Welfare Information Gateway: Working with American Indian Children and Families in Adoption](#)
[California Indian Legal Services](#)

[Customary Adoption in California](#)

In 2010 California established a new permanency option for native children who are dependents of CA Courts: Customary Adoption. The enacting law requires county child welfare workers to consult with the child's tribe about the possibility of customary adoption as a permanency option in every case involving a native child.

The Soboba Band of Luiseño Indians sponsors a [California Tribal Customary Adoption Website](#) to provide general information and technical support on Tribal Customary Adoption to tribal leaders, tribal and state court judges, tribal and state court attorneys, and tribal and state child welfare workers.

A [webpage on the CA Courts system](#) includes the legislation, requirements summary, court rules and forms, contact information, links to other resources, and a brief document responding to [FAQs](#).

[In this report](#), the Family and Juvenile Law Advisory Committee provided official recommendations to the California Judicial Council on how to amend rules and revise forms related to the legislation enacting Tribal Customary Adoptions in California.



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