



# ICWA

Implementation Partnership Grant  
2017-2023

## Project Overview & 2023 Summit Report

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# INTRODUCTION

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In 2016, three project teams were awarded the State and Tribal Indian Child Welfare Act (ICWA) Implementation Partnership Grant (HHS-2016-ACF-ACYF-CT-1123) from the U.S. Department of Health and Human Services, Children's Bureau. Over the course of the last seven years, the teams have worked to improve the implementation of ICWA in their jurisdictions, states, and nationwide through development, application, and dissemination of their efforts.

The report highlights the work of the three teams by providing links to the resources created. Contact information is listed at the end of the report for questions or if more information is requested.

Over the course of the grant, the teams came together several times to share lessons learned. This report provides a summary from the 2023 ICWA Implementation Summit held in Minneapolis, MN on June 12-13, 2023 when all three teams came together one last time during the grant period to reflect on and discuss success and challenges.



# Project Team Accomplishments



Oklahoma's ICWA Partnership Grant, operates through a collaboration between Oklahoma Department of Human Services Child Welfare (OHS), the Oklahoma Court Improvement Program (CIP), and the Oklahoma Indian Child Welfare Association (OICWA). The Oklahoma ICWA Partnership projects include:

- [Keeping the Sage Burning \(video\)](#)
- [The OICWA Annual Conference](#)
- [Be A Neighbor](#) (expanded upon to include Tribal Programs)

## Looking Ahead

The Oklahoma ICWA Partnership hopes to continue to improve data collection and build a strong ICWA Court and ICWA Units. There will be a dissemination plan for a QEW Toolkit, Oklahoma ICWA Benchguide, FAQ for Judges, and Placement Preference Guide. The OICWA website will serve as a communication hub for the ICWA Partnership, Tribal State Workgroup. Filming and production for the sequels to Keeping the Sage Burning will commence.



**University of North Dakota** – The ND ICWA Partnership State Design Team (managed at the University of North Dakota in collaboration with the [Native American Training Institute](#)) contributed a number of innovative and impactful strategies related to ICWA implementation. Among them are:

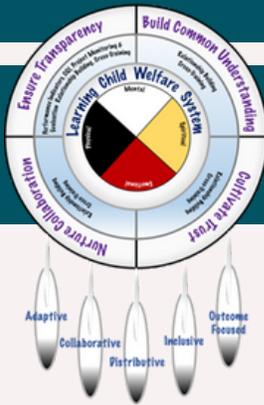
- [The ICWA Family Preservation Model](#)
- [QEW Training Model](#)
- [Balancing Bias Training and Resources](#)
- [Standardized Statewide ICWA Notification](#)
- [Process & Electronic Forms](#)
- [Easy to Use ICWA Website](#)



## Looking Ahead

The North Dakota project team is planning ways to expand and evaluate (IV-E Clearing House standards) the ICWA Family Preservation (IFP) model and QEW Training Program as well as work with partners around data collection and sharing.





# Looking Ahead

## University of Minnesota, Duluth

The Jii - anishinaabe - bimaadiziwag (“So they can live the good way of life” in the Anishinaabe language) is the given name of the Center for Regional and Tribal Child Welfare Studies’ ongoing community partnership collaborative to implement ICWA in St. Louis County’s Duluth region. The following are available resources on the National Council of Juvenile and Family Court Judge’s (NCJFCJ) ICWA Court site.

- [St. Louis County Duluth ICWA Court Publication](#)
- [Video on Parental Engagement](#)
- [Video on Inquiry and Notice](#)
- [Video on Active Efforts](#)

The University of Minnesota project team intends to continue the Tribal State Partnership Team. The team also will release a guide based on the St. Louis County Child Welfare Agency Institutional Analysis conducted in partnership with Praxis International.





## ROSES / THORNS / BUDS INTERVIEWS

In January- May 2023, twenty members of the project teams were interviewed about the roses (benefits), thorns (challenges), and buds (opportunities) the project work uncovered. Team members were proud of their work, praised each other, and hoped to continue their work past the end of the grant. Common themes are listed below, with more details in the chart on the next page.

**Although the teams worked on different projects and with different tribal nations, the goal of implementing ICWA creates commonalities with successes and challenges. Whether forming relationships or seeking to strengthen current collaboration, grant team members continue to reflect on a number of considerations.**

- **Collaboration is at the center of the work and should be consistently examined for appropriate engagement, participation, and structure.**
- **Employee turnover at both tribal and state agencies makes it even more important to have allies who can advocate for ICWA implementation and support Native American led work.**
- **Data collection is a sensitive issue when working with tribes because of mistrust caused by historic exploitation. Additionally, the capacity of government data systems may not align with what is useful to collect.**
- **It is vital to practice cultural humility, to understand racism exists, and to be humble to the knowledge this work means something different for Native American people than it does to non-Natives.**
- **It is important to encourage self care along with boundary and limit setting when conducting this work.**

# ROSES / THORNS / BUDS CHART



Uplifting and including tribal voices in all areas of the project

Building relationships between a variety of partners involved in ICWA implementation in order to collaborate around improving outcomes for families

Making a difference in disproportionality and seeing results of the project in a short amount of time

Improving data systems, data collection, and data sharing agreements

Identifying and assisting with the capacity of tribal partners in various areas of child welfare through collaborative efforts



Being tribally led while limiting the burden placed on Native people to do the work needed to implement the spirit of ICWA

Recruiting and retaining enough individuals to be champions in a way that offers sustainability and continuation of the work if one person leaves

Dealing with the racism and bias that individuals bring to the work, which appears in different ways and times

Achieving real and lasting commitment of funding, resources, and change from those in leadership positions

Obtaining helpful and meaningful data on Native children and families



Review policy and practice with tribal partners and bring in tribal voice to oversight decisions

Advance data collection within data systems and increase communication with tribes around data

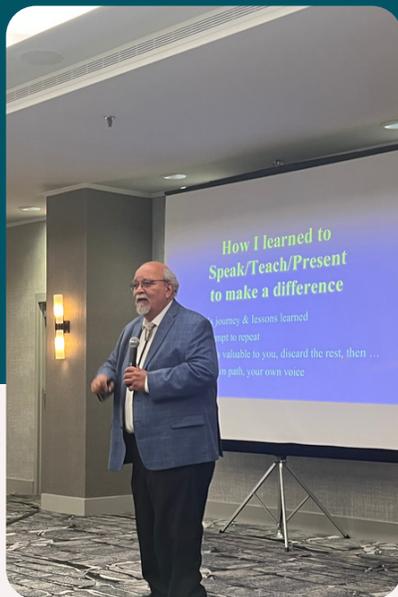
Expand the tribal-state partnership groups to include more tribes and individuals who have decision making power, such as tribal council members and legislators

Increase funding for projects so they can be sustained, grow, and continue to assist children and families

Establish a national ICWA training and increased dissemination of implementation work

# ICWA IMPLEMENTATION SUMMIT

On June 12-13 project team members came together in Minneapolis, MN with representatives from the Children's Bureau and Casey Family Programs. The team members presented their accomplishments, discussed success and challenges, and heard from experts in the field of ICWA including Judge William A. Thorne, Jr. (ret.) and Professor Kate Fort from Michigan State University College of Law.



## General Collaboration Considerations

With collaboration being such a major part of the project, the teams discussed why they are important and how to assemble a good one. Below is a list of common themes.

### The teams feel that collaborations are beneficial because they:

1. Improve outcomes for children and families
2. Build relationship and communication
3. Establish a common understanding and mutual respect
4. Foster a shared and collective vision and effort
5. Lead to the understanding, enhancement and distribution of resources

### The teams felt this is who makes up the ideal collaborative:

1. People (families, parents, children) with lived experience
2. Tribal and county agency workers (frontline, director, middle management)
3. Tribal and county legal and judicial stakeholders (judges, attorneys, probation officers, GAL's)
4. Local and national non-profits and support agencies
5. Decision makers and other influencers (legislators, tribal council, elders, etc.)



## The teams felt that when making decisions about the collaborative *it is important to:*

1. Be intentional about tribal representations and voice in meetings and consider power dynamics
2. Prepare for meetings by having a purpose, agenda, and take good notes
3. Make sure there is representation of impactful/influential agencies and organizations
4. Consider the structure and size of groups who meet (larger groups versus subcommittees), the frequency (monthly versus quarterly), and the duration (all day versus one hour)
5. Consider logistics such as location, accessibility, providing food, etc.



## Collaboration Components Specific to Project Sites

The partnership grant is built on the idea of collaboration and was a large part of the work done by each project team. Each team considered specific components of their collaboration.

## North Dakota

## Oklahoma

## Minnesota (St. Louis County)

**When did you start your collaborative for the project?**

2013 ICWA audit with UND – CIP. That was the beginning of teaming.

“Oklahoma ICWA Snapshot” started in 2011 and was published in 2017.

2012 QUICWA court monitoring = initiated UMD relationship w/ the court  
2014 NCJFCJ training led to ICWA collaboration  
2015 Duluth ICWA Court  
2015 UMD & SLCPHHS partner on NCCWI 2016 UMD & SLCPHHS partner on Native American Equity Project  
2017 TSPT formed including several members from the ICWA Collaborative

**Who was involved in the collaborative?**

UND, NATI, ND CIP, CFS, CFSTC, ND Indian Affairs, Standing Rock and Spirit Lake originally involved and MHA and TMBCI joined efforts early on.

DHS, CIP, OICWA

UMD CRTCSWS, 6th Judicial district judge,  
GAL program, Tribal partners: Grand Portage, Fond du Lac, Leech Lake, White Earth Duluth team (SW & attorney), SLCPHHS, asst. co attorney, parent attorney

**How did you collaborate with tribes?**

The State and Tribal Design Teams helped guide the projects from the ground up.

Grant governance committee that prioritized the projects (2 CIP, 2 Tribes, 2 DHS). Hiring process was a similar format. Tribal feedback on every project (e.g. data, committee work). Research through Tribal IRBs.

Shared meals at quarterly or monthly meetings, making space for Tribal partners to raise concerns, teach, and give feedback on positive initiatives. Standalone meeting with Tribal agencies to assess best practices. Incorporated Tribal agency representatives into all work groups. Enacted protocol to cancel decision-making meetings without Tribal agency representation

## North Dakota

## Oklahoma

## Minnesota (St. Louis County)

What are some topics you have covered under the collaborative?

QEW Training  
CW Certification Training  
Balancing Bias Training  
Cultural Care Liaison Program  
Form development  
ICWA Champion (annual award)  
ICWA Family Preservation prog. (aimed at reducing disproportionality)  
Relationship building and collaboration.

Active Efforts  
QEW  
Relationship  
Data quality  
Court hearings Training  
Strengthening Tribal CPT  
ICWA Courts  
Court Case File Review  
Resource Identification  
OICWA Conference

Institutional analysis of the DHHS.  
Court petitions (Forms)  
Court room design (e.g., how it looks and feels for families).  
Accessing every decision point of the case.  
Deeper dive assessments of areas of practice such as active efforts, safety planning, personal bias (IDI).  
Always: "what's going well; how can we improve?"

How has the collaborative been maintained?

Native American Training Institute (houses many products of the grant)  
Partnerships have built so the IFP housed at NATI is fully funded with state dollars.  
IFPs (1 Dir. 4 IFPs in key locations)

Great leadership. Labor of love by champions.  
OICWA and committees, CIP & ICWA Taskforce, OKDHS  
Tribal State Workgroup

UMD CRTCS, 6th Judicial district judge, Transparency and relationship.  
Developing consistent traditions of gathering as team.  
Clear purpose of work.  
Champions/Leadership.  
ICWA Judge as a leader.

Are there additional people you would like to add?

Design process.  
Balance is essential and equal Tribal and State representation is key.  
Tribal Child Welfare Directors/Tribal Council members included on the Design Team.  
Lived Experience, elders, youth, and kinship.

Biological family, foster family, kinship, Lived Experience.  
Court participation (it was challenging because 77 County courts).  
Data systems.

Tribal partnership and participation for all Tribes.  
Barriers to Tribal participation could mean a resource is needed  
Expanding the circle to include other area collaboratives to ensure our Tribal partners' time is prioritized.  
Other community agencies involved in cases with American Indian families

# BIG IDEAS

During the summit, attendees were asked to individually list their biggest ideas for ICWA implementation. The group then ranked the ideas collectively. Most of the ideas fell under three main categories with the highest scored ideas listed first.



## 01

### Expand and Enhance ICWA Training

- Create and Implement uniform, required, training for all service providers working with indigenous children and families
- Teach families about ICWA. Hold small presentations to monitor process as training grows
- Mandate ICWA curriculum in high schools
- Mandate through a judicial council that all judges are trained on ICWA and train judges to ask, at every hearing, what else the parent needs to do to have the children return home
- Conduct training with stakeholders (judges, attorneys, social workers, etc.), share perspectives and plan together how to make ICWA work best

## 02

### Increase Input from Tribes and Tribal Members

- Look to elders and experienced field staff for the source of knowledge and participate as mentors and curriculum writers
- Begin with tribal input to learn about the local climate and how to maximize effectiveness
- Create solid trusting relationships with tribal partners
- Give all the funding to tribes to grant to family needs to prevent poverty-related foster care

## 03

### Improve Legislative Advocacy

- Enact legislative mandates on required ICWA Training with consequences for non-compliance

# REFLECTING BACK AND LOOKING FORWARD

As the three project teams continue their work, additional grant teams will be undertaking their own projects under new partnership grants awarded in the fall of 2023. The following "words of wisdom" were created by project team members at previous meetings and supplemented with contributions by Harmony Berceir (ND), Mark Erickson (MN), and Te'Ata Loper (OK). These considerations are for any teams working toward ICWA Implementation.

## DO:

- **Begin the work with a data needs assessment and share data to help inform discussions and decisions. People talk to each other, but systems do not.**
- **Identify engaging partners early in the project, include child welfare line staff, and be intentional when cultivating relationships and help explain processes to all involved.**
- **Be ready to get out of the way if needed: empower Tribal partners to lead this work. Rely on ICWA elders, mentors, and advocates. Understand tribal needs and ability.**
- **Engage in activities together such as movie viewing and discussion that can create spaces where people can be vulnerable so that trust can be built and maintained.**
- **Build tables and bring people together and make as many decisions together as possible (share meals, create meeting agendas together, co-present, etc)**
- **Make room and time for less formal interactions to support the establishment and maintenance of good relationships. Encourage getting to know one another. Hold small breakout work groups, good introductions and/or ice breakers, co-support at community events, conferences, be intentional about it: "If people like you they'll listen to you, but if they trust you, they'll do business with you." – Zig Ziglar**
- **Encourage a space where pride, politics, and personalities have a positive impact on the work. We are here in the service of others.**

## DON'T:

- **Underestimate the power of collaboration and the value of relationships and local leadership.**
- **Think you are always the expert or that you can fix county-specific dynamics.**
- **Consider time or consultation the same as with non-tribal meetings or work, as you cannot rush relationship building. Always have tribal consultation for decisions.**
- **Allow an US and THEM dynamic: we are all here to help families be safe. We are on the same team.**
- **Take NO for an answer: if there is the will there is a way.**
- **Give up. Be patient and anticipate change. Plan out longer that you think it will take.**

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