**ICWA Qualified Expert Witness**

* The Indian Child Welfare Act (ICWA) requires the state to secure the testimony of a Qualified Expert Witness (QEW) at the jeopardy hearing, for any placement decisions, and in the event of a termination of parental rights.
* A QEW provides testimony in court about the specific facts of each case and makes a determination about whether or not continued custody with the parent or custodian is likely to result in serious physical or emotional damage to the child.
* The QEW needs to take into consideration the prevailing cultural and social standards and child rearing practices of the child’s tribe. The QEW also looks at how well the state did in providing active efforts and culturally relevant services to the family.
* The QEW is paid by the state for their time spent preparing and delivering testimony, that includes reading case files, interviewing parties involved, attending court hearings, and writing the report. Travel is expected. The current compensation rate is $65.00 per hour, QEWs are paid as independent contractors, and need to sign a W9.
* Tribal community members can serve as QEW if they are familiar with the child welfare system, the court process, and the cultural and social standards of the child’s tribe, if they have good written and verbal communication skills, and are willing to make a commitment to serve throughout the duration of the ICWA case they are assigned to.
* The ICWA Workgroup offers training and is compiling a list of tribal community members who are trained, willing, and committed to serving as QEW for ICWA cases in Maine.