

California State Department of Social Services (CDSS)
ICWA WORKGROUP

March 11, 2014 • 1:00pm to 3:30pm

Hosted by the Morongo Band of Mission Indians
Morongo Golf Club at Tukwet Canyon
36211 Champions Dr.
Beaumont, CA 92223

Meeting Notes

SUMMARY OF ACTION ITEMS

1. Nancy Currie will send Conference information to Diana for distribution to the Workgroup. **[In progress]**
2. The Child Safety Unit will notify the Workgroup before the regulations package is available for public comment. **[Pending]**
3. CDSS will develop a committee to develop the Tribal Consultation Policy. **[In progress]**
4. Workgroup members will email case examples to CDSS of having to brief the Baby Veronica case in court. **[In progress]**
5. CDSS will send the Workgroup the link to the CalSWEC STEC website that lists the meeting dates. **[Done 3/18/14]**
6. CDSS will send out an updated listing of CWDA representatives to the Workgroup. **[Done 3/18/14]**

Welcome/Introductions

Review Agenda and Minutes: Participants were introduced, and the previous meeting's minutes and current meeting's agenda were reviewed.

Tribal News/Additions to Agenda: There were no new additions to the agenda. Nancy Currie stated the Annual ICWA Conference will be hosted by North Fork Rancheria and will be held at Tachi Palace Hotel and Casino. It will be held on June 17, 18, and 19. They are looking for presenters and ideas for break-out sessions. Nancy stated the planning committee needs to know from CDSS how many sessions we would like to host. Nancy said she would send the conference information to Diana for distribution to the Workgroup.

ACTION 1: Nancy Currie will send Conference information to Diana for distribution to the Workgroup. **[In progress]**

Follow-up on January Action Items: Action items from the January meeting were reviewed and a status update was provided during the meeting updates regarding those still in progress.

CDSS Updates

Division 31 Regulations: Scott Stevens provided this update. The regulations package is currently undergoing its final legal review within the department. It is expected that the legal

review of the regulations package should be completed soon and it should move forward to the department's Office of Regulations Development.

Kimberly Cluff asked that the Workgroup be notified when the public comment period opens as they may assign one or two people to review the regulations and they can plan accordingly. Scott stated we would let them know before the public comment period opens so they have enough time to plan a review.

ACTION 2: The Child Safety Unit will notify the Workgroup before the regulations package is available for public comment. **[Pending]**

ACL on SOC 815 Form: Relative Approvals and Tribally Approved Homes: Kendra Elmendorf provided this update. This ACL is currently awaiting signature by the deputy director and will hopefully be released soon.

ACL on Transfer of Case Records from Counties to Tribes: Kendra Elmendorf provided this update. This ACL is currently awaiting signature by the deputy director and will hopefully be released soon.

Resource Family Approvals (RFA) Program: Karen Gunderson provided this update. There are currently 5 counties that are implementing or are moving towards implementing the RFA program. Karen stated she wanted to talk about one of the concerns that was brought up at the last Workgroup meeting. Since Tribally Approved Homes (TAHs) are child specific, tribes are not able to have a "pool" of homes available and ready for placement. Tribes are also not allowed to perform their own background checks. Karen stated these two items are something her staff is going to work on and Vevila Hussey is going to be the lead on this project.

Other concerns raised were when a county designates a home as a tribal home, it may not meet the qualifications of the tribe as a tribal home. Another concern was when a specific tribe approves a home; another tribe may not approve that same home.

Website and email contact information for RFA process: www.childsworld.ca.gov/PG3416.htm and RFA@dss.ca.gov.

"Katie A." Implementation: This item was moved to the end of the CDSS updates. However the person available to speak on "Katie A" was no longer able to participate in the call. No update was given.

Formal Tribal Consultation Policy: Scott Stevens provided this update. The Child Safety/ICWA Unit has been looking at different policies and developing concepts that we feel would be appropriate to include in a policy. However, CDSS would like tribal input on the development of the policy. Scott suggested the development of a committee to work on the consultation policy. Asked for volunteers and if Workgroup members would like to join, they can also email ICWAWorkgroup@dss.ca.gov.

ACTION 3: CDSS will develop a committee to develop the Tribal Consultation Policy. **[In progress]**

CDSS Press Release on Baby Veronica Case: Scott Stevens provided this update. CDSS is looking for specific examples of cases where attorneys have been asked by the court to brief the Baby Veronica case and the implications it may have on the current case. Kimberly Cluff stated she has been asked in almost every litigation case to provide a brief. Scott stated CDSS is trying to determine the best way for CDSS to provide the appropriate/necessary information. The Workgroup stated they would still like some form of document from CDSS to be able to provide to the Courts.

ACTION 4: Workgroup members will email case examples to CDSS of having to brief the Baby Veronica case in court. *[In progress]*

Administrative Office of the Courts Update

Ann Gilmour provided this update. The amendments to Welfare and Institutions Code section 827 regarding tribal access to juvenile court records has been assigned a bill number and author. It is AB1618, authored by Chesbro. You can find the bill here:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1618. Ann asked that if there are questions about the bill that Workgroup members contact her.

Ann shared the Draft Baby Veronica fact sheet that the AOC has prepared. Ann stated she is open to comments and suggestions which can be sent to her at ann.gilmour@jud.ca.gov. She also shared that at the Tribal Court-State Court Forum meeting there was a presentation done on the Baby Veronica case.

California Partnership for Permanency (CAPP)

Karen Gunderson provided this update. She asked the Workgroup if it is helpful to have CAPP as a standing item. Karen at this time, there are not many updates to share. Nancy Currie suggested that if there is new information to share, it be added to the agenda.

Standing Items Until Further Notice

ICWA Representation at CalSWEC meetings- Scott Stevens provided this update. He and Liz De Rouen were to attend the STEC meeting, but it conflicted with a meeting, so they were unable to attend. Nancy Currie as well as others stated the Workgroup is concerned about ICWA being a short training and would like to see ICWA included throughout Core training. Kendra Elmendorf stated she attended a phone conference where the curriculum development was being discussed and the idea of ICWA throughout was brought up and many people on the phone agreed with that idea.

ACTION 5: CDSS will send the Workgroup the link to the CalSWEC STEC website that lists the meeting dates. *[Done-3/17/14]*

CWDA Regional Representation at ICWA Workgroup Meetings- Scott Stevens provided this update. There are five regions under CWDA: Northern, Bay Area, Mountain Valley, Southern, and Los Angeles County. Currently, all of the regions have representatives. Ed Sousa was introduced as the Los Angeles County representative and Nancy Bolin was introduced as the new Northern representative.

Aggie Jenkins from Southern gave a brief overview of the role of CWDA. She stated there are different committees they work on to address different areas, such as policy, case transfer and legislation.

CDSS will send out an updated listing of the regional representatives.

ACTION 6: CDSS will send out an updated listing of the regional representatives. *[Done-3/17/14]*

Discussion Items to Resume/Follow-up

Don Pickens from Parents Anonymous was on the phone for some time, but when it came time for the update and introduction he was no longer available.

Next ICWA Workgroup Meeting Discussion

The next ICWA Workgroup meeting is scheduled for Tuesday May 13, 2014, and is scheduled to be held at CDSS Headquarters in Sacramento.

Agenda Building

No items were brought up to include on the next meeting agenda.

There were no other issues to discuss.

Adjournment

The meeting adjourned at 3:18pm.