

**California State Department of Social Services**  
**ICWA WORKGROUP**  
November 13, 2012 • 1:00pm to 3:30pm  
CDSS, 744 P Street, Conference Room 1032 (OB 8)  
Sacramento, CA 95814

**Meeting Notes**

**SUMMARY OF ACTION ITEMS**

1. CalSWEC will conduct a statewide training webinar on CWS/CMS for tribal workers. Diana Orcino (CDSS) will forward more information to the tribal caucus when a confirmed date is available.
2. With regard to inviting the Governor's Tribal Advisor to future workgroup meetings, the Tribal Caucus agreed that they would make this request directly
3. CDSS will review all comments received by the workgroup on the ICWA amendments to the Division 31 regulation and will follow up as soon as the review is complete. CDSS agreed to schedule a conference call in January 2013 to discuss CDSS' review.
4. CDSS will schedule a conference call for the subcommittee to discuss how to approach the ICWA non-compliance issues.
5. The Tribal Co-Chairs will discuss the issue of swapping the location for the March and July workgroup meetings, and will inform CDSS when decided.

**Welcome/Introductions**

Participants were introduced, and the previous meeting's minutes and current meeting's agenda were reviewed.

Stephanie Weldon briefly went over areas discussed during the morning's tribal caucus as needing attention. They are as follows:

- Formal consultation with tribes
- Tribal customary adoption
- General ICWA compliance
- Title IV-E/IV-B
- California Partners for Permanency (CAPP)
- Continuum of Care Reform
- Division 31 regulations
- Lack of active efforts
- Permanency planning

Stephanie indicated that tribes want the state to hold counties accountable for their ICWA non-compliance. It was suggested that counties develop protocols with tribes.

Cheryl Treadwell formally introduced Cindy Halverstadt to the workgroup as being the new bureau chief for the Child Welfare Policy Bureau.

A review of Action Items from the September workgroup meeting was done as follows:

- #1 – Diana Orcino provided a status update on the upcoming CWS/CMS training for tribal workers. CalSWEC will provide the training statewide in webinar format, as this format will be more cost effective and will potentially reach more tribal workers statewide without requiring travel. CDSS and CalSWEC are looking at possible dates for the webinar and will forward more information to the tribal caucus when available.
- #2 – CDSS' ICWA staff met with CDSS' Outcomes and Accountability Bureau staff. The Tribal Caucus indicated that ICWA compliance has been an issue for other counties as well as for Del Norte. CDSS will work with Outcomes to encourage counties to incorporate ICWA into their SIPs.
- #3 – Susan Brooks was not present at the November meeting, so no update was provided.
- #4 - With regard to inviting the Governor's Tribal Advisor to future workgroup meetings, the Tribal Caucus agreed that they would make this request directly.
- #5 – This issue was resolved. A northern region tribal host or tribal venue was not available for the November workgroup meeting. Therefore, CDSS hosted the November meeting in Sacramento.

Cindy Halverstadt gave a status update on the Division 31 regulations. CDSS emailed the ICWA amendments to the workgroup and conducted a webinar for the workgroup on 10/4/2012 for the purpose of reviewing the ICWA amendments that have been made so far. CDSS requested that all comments and/or suggested edits by the workgroup be submitted to CDSS by 11/12/2012. CDSS will review all comments received and will follow up as soon as the review is completed.

At Maureen Geary's request, CDSS agreed to schedule a conference call in January 2013 to discuss CDSS' review of the comments/suggested edits to the Division 31 regulations.

**ACTION 1:** CalSWEC will conduct a statewide training webinar on CWS/CMS for tribal workers. Diana Orcino (CDSS) will forward more information to the tribal caucus when a confirmed date is available.

**ACTION 2:** With regard to inviting the Governor's Tribal Advisor to future workgroup meetings, the Tribal Caucus agreed that they would make this request directly.

**ACTION 3:** CDSS will review all comments received by the workgroup on the ICWA amendments to the Division 31 regulation and will follow up as soon as the review is complete. CDSS agreed to schedule a conference call in January 2013 to discuss CDSS' review.

### **Del Norte County Issue**

Stephanie said that the State Adoptions office in Arcata has offered to meet with the Yurok Tribe on their Del Norte concerns.

## **Tribal Consultation**

The Tribal Caucus expressed that CDSS should consult with the tribes properly. CDSS acknowledged that they have no formal tribal consultation process in place and will seek technical assistance from the National Resource Center for Tribes (NRC4Tribes) within the Children's Bureau Training and Technical Assistance National Network. The Children's Bureau is located within the federal Administration for Children and Families (ACF).

Connie Reitman-Solas expressed her concern with the lack of real tribal representation among the ICWA Workgroup. Most members are self-appointed and do not represent the wishes of their tribe.

Stephanie and the tribal caucus announced that they developed and sent their own request for training and technical assistance to the federal Administration for Children and Families (ACF) related to the structure and governance of the ICWA Workgroup. The technical assistance request that CDSS intends to submit to the ACF will focus on developing a formal tribal consultation process to improve and broaden CDSS outreach and engagement with tribes in California.

## **California Partnership for Permanency (CAPP)**

Cynthia Alexander and Lonyx Landry, CAPP Tribal Community Consultants, provided an update regarding efforts being made in Fresno and Humboldt counties to bridge the gap between counties and tribes. Cynthia mentioned that November is Native American Heritage Month. They said that there is a need to inform tribes and counties of services available in both counties.

## **Administrative Office of the Courts Update**

A revision of the rules of court regarding the application of ICWA to delinquency cases is happening as a result of the California Supreme Court's decision in "In re W.B. 55 Cal. 4<sup>th</sup> 30," issued August 6, 2012. They should be available for comment toward late November. Comments are due to the AOC by January 18, 2013. *[Note: It was later learned that comments are due January 25, 2013.]*

Liz DeRouen expressed that legal services are desperately needed for Native American families. California Indian Legal Services (CILS) is no longer available for individual representation.

## **Issues of Non-Compliance with ICWA Document**

The Issues of Non-Compliance with ICWA document was created as a result of a series of facilitated meetings held with the ICWA tribal caucus and CDSS in August 2003. This document was prepared to organize tribal concerns at every level (i.e., system, program/policy, practice, training, attitude and solutions). Some pre-work to be done is to group the various topics into themes. It was agreed that CDSS and the tribal caucus will organize/prioritize the work as a separate subcommittee of the workgroup. Tribal volunteers for this subcommittee are: Stephanie Weldon, Tom Lidot, Nancy Currie and Liz DeRouen. Cheryl Treadwell indicated that CDSS will schedule a conference call for the subcommittee to discuss how to approach these issues.

**ACTION 4:** CDSS will schedule a conference call for the subcommittee to discuss how to approach the ICWA non-compliance issues.

**Next ICWA Workgroup Meeting Discussion**

The next ICWA Workgroup meeting is scheduled for Tuesday, January 8, 2013, and will be held at CDSS Headquarters in Sacramento.

The Tribal Caucus is considering swapping the location for the March and July workgroup meetings so that the March meeting is hosted by a central region tribe rather than a southern region tribe, since the ICWA Conference to be held in June 2013 will be in southern California. The tribal co-chairs will inform CDSS when decided.

**ACTION 5:** The Tribal Co-Chairs will discuss the issue of swapping the location for the March and July workgroup meetings, and will inform CDSS when decided.

Meeting adjourned at 3:50pm.