

ASSERTING TRIBAL RIGHTS IN ICWA CASES
14TH NATIONAL INDIAN NATIONS CONFERENCE: JUSTICE FOR VICTIMS OF CRIME
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Rights guaranteed to Parents, Custodians, and Indian Tribes under ICWA:

1. The Tribe has exclusive jurisdiction over Indian children domiciled on the reservation and Indian children who are wards of the tribal court;
2. The Tribe has the right to transfer jurisdiction to the tribal court;
3. The Tribe, Indian Child's Parents and Indian Custodians are entitled to Notice in any involuntary proceeding – registered mail, return receipt request;
4. Indigent Indian Parents and Custodians are entitled to the appointment of counsel in these cases;
5. The Tribe has the right to intervene at any stage of the ICWA proceedings and the right to request transfer;
6. The Tribe has the right to discover placement location of tribal members and challenge actions taken by state courts and entities in violation of ICWA;
7. The Tribe has the right to alter foster care placement preferences.

Some National Organizations that Provide ICWA Information and Resources:

- National Council of Juvenile and Family Court Judges: www.ncjfcj.org
- National Indian Child Welfare Association: www.nicwa.org
- Tribal Law and Policy Institute: www.tribal-institute.org
- National Congress of American Indians: www.ncai.org
- National American Indian Court Judges Association: naicja.org
- Native American Rights Fund: www.narf.org
- Casey Family Programs: www.casey.org
- National Center for State Courts: www.ncsc.org
- National CASA: casaforchildren.org
- The Children's Bureau: An Office of the Administration for Children and Families: www.acf.gov/programs/cb
- ABA Center on Children and the Law: www.americanbar.org/child

