

MINUTES
ARIZONA STATE, TRIBAL & FEDERAL COURT FORUM
Indian Child Welfare Act Committee

Thursday, March 27, 2014, 1:30 – 4:00 pm
Arizona Courts Building, Room 119
1501 West Washington
Phoenix, AZ 85007

ICWA Members Present:

Barbara Atwood – telephone
University of Arizona
James E. Rogers College of Law

Marjorie Eagleman
BIA – Western Regional Office

Verna Johnson – telephone
Inter Tribal Council of AZ, Inc.

Hon. Kathleen Quigley, Co-Chair
Pima County Juvenile Court

Vickie Steinhoff
Arizona Department of Economic Security

Dennis Swain
Indian Child Welfare Program

Tamara Walters
Office of the Attorney General, Pascua
Yaqui Tribe

Regina Yazzie
Navajo Children & Family Services

Administrative Office of the Courts (AOC) Staff Present:

Brenda Lee Dominguez
Caroline Lault Owens

David Withey

Participants/Visitors Present:

Janette Bell
Arizona Department of Economic Security

Laura Giaquinto
Arizona Attorney General's Office

Anita Fineday
Casey Family Programs

Mary Huyser
DES Tribal Relations

Jennifer Espino
Tohono O'odham Nation

Dawn Williams
Arizona Attorney General's Office

Charles Flanagan, Director
AZ Child Safety & Family Service Activities

I. Registration - (Beginning at 1:00 p.m.)

II. Call to Order and Greeting – Hon. Kathleen Quigley

Meeting called to order at 1:48 pm.

III. Introductions by Members and Participants

IV. Committee Business

A. ICWA Guide and Comments – David Withey

David Withey reported on the progress of the Arizona ICWA Guide and provided a Comments document. **Action Item:** David to send out comments via email.

David reported that comments have been received from the Indian Law Section of the State Bar. Regina Walters reported that the Navajo Nation would provide their comments in the next 30 days. Dawn Williams volunteered to review and assist Mary Huyser with her comments. Vicki Steinhoff requested an extension to provide comments. **Action Taken:** Judge Quigley extended the deadline for comments for 90 days – June 25, 2104.

Tamara Walters question how the Guide will be updated in the future. David Withey answered that the Guide will be reviewed annually. **Action Item:** David to setup protocol for annual review.

Mary Huyser recommended that tips to clarify information be included in the Guide.

Vicki Steinhoff recommended that Reyna White, Juvenile Justice Liaison - Department of Juvenile Corrections, be invited to attend future ICWA meetings. **Action Item:** David to contact Reyna White and invite her to attend ICWA meetings.

B. Judicial Roundtable Report – Judge Quigley

Judge Quigley thanked Casey Family Programs for sponsoring the Arizona Tribal and State Judicial Roundtable held on November 15, 2013. She provided an overview of the meeting and the ideas, which were developed at the conference for improving the handling of child welfare matters by tribal and state courts.

C. Casey Family Programs – Arizona Projects – Dennis Swain

Dennis Swain reported that Casey Family Programs Indian Child Welfare Program (CFP/ICWP) is supporting and actively a partner in the following areas:

1. CFP/ICWP is working closely with ITCA to gather tribal social services directors and support their needs to make recommendations to the state of Arizona around the restructure of child welfare. CFP/ICWP hired an independent contractor Lesley Kaboutie (Indigenous Collaborations) to help facilitate and document meeting with tribal social services directors. A report was developed and provided to ITCA. Dennis believes that ITCA will send the report with recommendations to all the tribes under their umbrella and then to the current acting director for approval before

making public and sending to the state of Arizona. State and AG representatives attended the meeting.

2. Supporting Gila River and Salt River Pima Maricopa Indian Community) in seeking technical assistance around IV-B and tribal IV-E.
3. Collaboration with the state of Arizona and their Tribal Liaison meetings with tribal representatives. Vickie Steinhoff has been working with the tribes to identify direction, mission and goals. CFP/ICWP has offered to provide a TA for mapping out of this process; we are now awaiting their proposal.
4. Working with Rob Shelley and Victor Machiche (Arizona Supreme Court, Dependent Children's Services) on the development of the ICWA conference for 2015.
5. Providing on-going support to the Navajo Nation around implementing their tribal IV-E process. A TA was provided to make sure their data system and stats are up to speed with federal requirements.

D. BIA ICWA Activities – Marjorie Eagleman

1. ICWA Facts and Fiction Document

A copy of this resource was provided in meeting materials.

2. Guidelines for State Courts

Marjorie Eagleman described the BIA efforts to receive comments from tribal officials concerning the Guidelines for State Courts, Indian child Custody Proceedings.

E. AZ Department of Child Safety Activities – Charles Flanagan

Charles Flanagan was appointed as the new head of the re-named agency of Department of Child Safety. The agency will take effect July 1, 2014, if approved by the Legislature. Mr. Flanagan stated that there is a lot of hard work to be done in the restructuring of the agency, creating consistency, and improving communication – with the major focus being “what is the best interest of the child.”

F. Future Meeting(s)

It was unanimously agreed to hold quarterly meetings. Recommendation was to schedule the meetings on the third Wednesday of each quarter. **Action Item:** Dates to be announced and emailed to members and participants.

V. Open Forum

No discussion.

VI. Adjournment

Meeting adjourned at 4:12 pm.