

September 30, 2022

FSFN Enhancements for the Indian Child Welfare Act (ICWA) & Policy Refresher



Department of Children and Families
Office of Child and Family Well-being

Agenda



POLICY REFRESHER



ADOPTION AND FOSTER
CARE ANALYSIS REPORTING
(ICWA ELEMENT)



FSFN DOCUMENTATION



Reports Involving Indian and Alaskan Native Children:

25 U.S.C. s. 1901 et seq

Rule 65C-28.013

Rule 65C-29.003

CFOP 170-1,Ch15

Child Protective Investigators, at the onset of each investigation, must determine a child's eligibility for the protection of the Indian Child Welfare Act. CF-FSP 5323

- Inquire with both mother and father; (others)

Case Managers must complete all task associated with child eligibility during ongoing services if not completed during the investigation stage.

Upon receipt of a report alleging the abuse, neglect, or abandonment of an Indian child regardless of the location of the child's residence, the child's tribe must be notified telephonically if known and then formally notified by certified mail

Child protective investigators or case managers are required to notify the courts if the child is believed to be an Indian child

Inquiry and Notification

- Upon obtaining information for the CFS 5323 form, CPI or CM must give all information to Children's Legal Services or their legal team.
- While court involvement including emergency removals of Indian children, the tribe must be notified in writing. If the tribe is known, best practice would be to contact them telephonically.
- If the child's tribe is unknown, the Eastern Regional Office of the Bureau of Indian Affairs must be contacted to determine tribal enrollment or membership and if the protections of ICWA applies. The Federal Register has a listing of all designated tribal agents.

NOTICE
 The official notice to the tribe must be in writing.
 The letter of inquiry and notification to the tribe must be sent to the tribe's designated tribal agent for service of Notice named in the Federal Register (certified mail, return receipt requested).

The image shows two overlapping forms. The top form is titled "Verification of Indian Child Welfare Act Eligibility" and includes fields for Case Name, FSFN #, and CPI or Services Worker. It contains a series of questions regarding American Indian or Alaskan Native ancestry and family history. The bottom form is titled "NOTICE OF CHILD CUSTODY PROCEEDING FOR INDIAN CHILD" and is marked as "CONFIDENTIAL". It includes fields for Name, Address, Telephone Number, E-mail Address, Attorney For, and State Bar No. It also contains checkboxes for various legal proceedings such as Juvenile Dependency, Adoption, Custody, Guardianship, and Termination of Parental Rights.



ICWA Details

Investigations/Special Conditions Referral



ICWA Details Group Box Actions Panel

- An ICWA hyperlink, under the actions panel, will appear for all investigative subtypes as well as special conditions referrals.
- The hyperlink will open the new ICWA details page.

Case Information
Case Name: [Bzmvh Zerovh, Elizaebth](#) Case ID:102546163 Investigation Status: Open Status Date: 05/24/2021 Intake Number: 2021-165417-01 Initial Face-to-Face Contact: 05/24/2021 7:00 PM
Investigative Sub Type: R/T: Date: Initial HCC Decision Date: Time: AM PM Special Handling:
County:

Intakes Basics **Participants** Allegations/Findings Contacts/Notifications Prior Intakes and Investigation/Referrals Results

Participants

Name	Person ID	DOB	Age at Closure	Gender	Race	Disabilities	SSN	Initial Roles	Initial FTF Contact	Final Roles	Action	Background Check
												View
												View
												View

Supervisor Consultation Summary

Date/Time of Consultation	Type of Consultation	Follow-Up Required	Follow-Up Date/Time	Quality Review	Immediate Child Safety Action Follow-up	Actions
05/27/2021 1:24 PM	2nd Tier Consultation	N		No	No	View
05/28/2021 4:18 PM	Initial	N		No	No	View

Unit and Investigators

Assigned Unit: 115762-DADE-NORTH CHILD INVEST
Primary Investigator: XOZIP, WAMESHIA [Search Worker](#)
Secondary Investigator: XOZIP, WAMESHIA [Search Worker](#)

Actions:

- ICWA**
 - [Present Danger Assessment](#)
 - [FFA - Investigation](#)
 - [Safety Plan](#)
 - [TANF](#)
 - [Supervisor Consultation](#)
 - [Risk Assessment](#)
 - [Approval](#)
 - [Move Investigation](#)
 - [Upload Image](#)
- Text:
- [Investigation Summary](#)
 - [Investigation Summary with Reporter](#)
 - [Investigation Participant Profile](#)
 - [Investigation Participant Profile with Reporter](#)
 - [Closure Letter](#)
 - [CPT EXCEPTION Rpt](#)



ICWA Details Group Box Investigation/SC Referral Closure

ICWA details are required for closure on the following investigation/SC referral types:

1. Investigation Type = 'In-Home'
 2. Special Conditions Referral Type = 'Parent in Need of Assistance', 'Caregiver Unavailable', 'Child on Child Sexual Abuse' AND
 3. Role = 'Child In Home', 'Victim', 'Alleged Juvenile Sexual Offender', or 'Identified Child'
- A validation message will appear if ICWA details are incomplete.
 - ICWA related images/documentation can be uploaded directly to the ICWA pop-up page using the Upload Image hyperlink, up to the point at which the Investigation/SC Referral is approved for closure
 - Upon approval for closure, the Inquiry Details captured from ICWA on the Investigation/SC Referral are automatically populated onto Person Management

DO NOT UPLOAD ICWA IMAGES/DOCUMENTATION DIRECTLY TO THE INVESTIGATION! USE UPLOAD IMAGE ON THE ICWA POP-UP PAGE!

Florida Safe Families Network

Print Audit Spell Check Help

● Coffee, Child One (910010343)

Indian Child Welfare Act (ICWA)

Inquiry Details

Did the agency inquire whether the person is an "Indian Child" under ICWA?	Based on your inquiry, does ICWA potentially apply to this person?	If Unable to Determine, describe inquiry efforts.	Date of Inquiry	If Yes, was notice given to the tribe?	If Yes, is the inquiry still pending?	Investigation/Referral ID
<input type="checkbox"/>	<input type="checkbox"/>		00/00/0000	<input type="checkbox"/>	<input type="checkbox"/>	2022-700821-01

○ Coffee, Mom (910010342)

Actions
Upload Image
View Attached Images

- Images uploaded to the ICWA pop-up page, accessed from the Investigation/SC Referral, are automatically captured within the File Cabinet under the Image Category = Participant Documents, Image Type = ICWA Eligibility/Family Tree. **This is consistent with the location used by Case Management.**

Error Message

'You must answer, Did the agency inquire whether the person is an "Indian Child" under ICWA for the following participant(s): <participant's name>; <other participant's name>.'



This update, as outlined above, will impact all Investigations and Special Conditions Referrals when submitting for closure, until *February 3, 2023.

As of 2/3/23, this enhancement will only apply to Investigations.

*This date is tentative and could possibly change based on capacity or other factors.



ICWA Details

PERSON MANAGEMENT



PERSON MANAGEMENT ICWA Details Group Box Inquiry Details

- All ICWA information for a person, is now available within an ICWA Details group box.
- Users can document the following question, “Did the agency inquire whether the person is an Indian Child under ICWA?”
- All inquiry details captured by Investigators are automatically populated within the Inquiry Details group box, on Person Management, and indicate the specific Investigation ID from which the details populated
- If an inquiry is made by anyone other than an Investigator, a new Inquiry Details record can be inserted directly on Person Management using the Insert button

Indian Child Welfare Act (ICWA)

Inquiry Details

Did the agency inquire whether the person is an "Indian Child" under ICWA?	Based on your inquiry, does ICWA potentially apply to this person?	If Unable to Determine, describe inquiry efforts.	Date of Inquiry	If Yes, was notice given to the tribe?	If Yes, is the inquiry still pending?	Investigation/Referral ID	Action
Yes	Unable to Determine	Enter description of inquiry efforts....	01/22/2022			2021-234211	Delete
Yes	Yes		02/10/2022	Yes	Yes	2022-342231	Delete

Insert

Does ICWA apply to this person? Yes No Unknown

Date the Agency was notified by the Tribe, State, or Tribal court that ICWA applies: MM/DD/YYYY

If yes, was notice given to the tribe at least 10 days prior to the first child custody proceeding in accordance with 25 U.S.C. 1912(a)? Yes No

Is the person eligible for membership in a federally recognized Tribe? Yes No Unknown

Is the person a member of a federally recognized Tribe? Yes No Unknown

Tribal Affiliation(s)

Please document all Tribal Affiliations, whether federally recognized or not.

State Tribes	Federal Tribes A-F	Federal Tribes G-M	Federal Tribes M-R	Federal Tribes S-Z	Tribal Enrollment #	Action
						Delete
						Delete

Insert

Other Tribe(s)



PERSON MANAGEMENT ICWA Details Group Box Inquiry Details

- The question, “Is child ICWA eligible?” has changed to, “Does ICWA apply to this person?”.
- Answer will default to “unknown” instead of “no”.
- **NOTE:** This is where Case Management will pick up continuing documentation, once a response to the inquiry is received.

Indian Child Welfare Act (ICWA)

Inquiry Details

Did the agency inquire whether the person is an "Indian Child" under ICWA?	Based on your inquiry, does ICWA potentially apply to this person?	If Unable to Determine, describe inquiry efforts.	Date of Inquiry	If Yes, was notice given to the tribe?	If Yes, is the inquiry still pending?	Investigation/Referral ID	Action
Yes	Unable to Determine	Enter description of inquiry efforts.....	01/22/2022			2021-234211	Delete
Yes	Yes		02/10/2022	Yes	Yes	2022-342231	Delete

[Insert](#)

Does ICWA apply to this person? Yes No Unknown

Date the Agency was notified by the Tribe, State, or Tribal court that ICWA applies:

If yes, was notice given to the tribe at least 10 days prior to the first child custody proceeding in accordance with 25 U.S.C. 1912(a)? Yes No

Is the person eligible for membership in a federally recognized Tribe? Yes No Unknown

Is the person a member of a federally recognized Tribe? Yes No Unknown

Tribal Affiliation(s)

Please document all Tribal Affiliations, whether federally recognized or not.

State Tribes	Federal Tribes A-F	Federal Tribes G-M	Federal Tribes M-R	Federal Tribes S-Z	Tribal Enrollment #	Action
						Delete
						Delete

[Insert](#)

Other Tribe(s)



PERSON MANAGEMENT ICWA Details Group Box Inquiry Details

- Use this box to document the date the agency was notified by the Tribe, State or Tribal Court.
- Document if notice was given to tribe at least 10 days prior to first custody hearing.

Indian Child Welfare Act (ICWA)

Inquiry Details

Did the agency inquire whether the person is an "Indian Child" under ICWA?	Based on your inquiry, does ICWA potentially apply to this person?	If Unable to Determine, describe inquiry efforts.	Date of Inquiry	If Yes, was notice given to the tribe?	If Yes, is the inquiry still pending?	Investigation/Referral ID	Action
Yes	Unable to Determine	Enter description of inquiry efforts....	01/22/2022			2021-234211	Delete
Yes	Yes		02/10/2022	Yes	Yes	2022-342231	Delete

Insert

Does ICWA apply to this person? Yes No Unknown

Date the Agency was notified by the Tribe, State, or Tribal court that ICWA applies: MM/DD/YYYY

If yes, was notice given to the tribe at least 10 days prior to the first child custody proceeding in accordance with 25 U.S.C. 1912(a)? Yes No

Is the person eligible for membership in a federally recognized Tribe? Yes No Unknown

Is the person a member of a federally recognized Tribe? Yes No Unknown

Tribal Affiliation(s)

Please document all Tribal Affiliations, whether federally recognized or not.

State Tribes	Federal Tribes A-F	Federal Tribes G-M	Federal Tribes M-R	Federal Tribes S-Z	Tribal Enrollment #	Action
						Delete
						Delete

Insert

Other Tribe(s)



PERSON MANAGEMENT ICWA Details Group Box Inquiry Details

- Use the box to document if the child is eligible for membership in a federally recognized tribe.
- If the answer is yes, indicate if they are a member. If they are not eligible for membership in a federally recognized tribe, the subsequent question will be grayed out.

Indian Child Welfare Act (ICWA)

Inquiry Details

Did the agency inquire whether the person is an "Indian Child" under ICWA?	Based on your inquiry, does ICWA potentially apply to this person?	If Unable to Determine, describe inquiry efforts.	Date of Inquiry	If Yes, was notice given to the tribe?	If Yes, is the inquiry still pending?	Investigation/Referral ID	Action
Yes	Unable to Determine	Enter description of inquiry efforts.....	01/22/2022			2021-234211	Delete
Yes	Yes		02/10/2022	Yes	Yes	2022-342231	Delete

Insert

Does ICWA apply to this person? Yes No Unknown

Date the Agency was notified by the Tribe, State, or Tribal court that ICWA applies: MM/DD/YYYY

If yes, was notice given to the tribe at least 10 days prior to the first child custody proceeding in accordance with 25 U.S.C. 1912(a)? Yes No

Is the person eligible for membership in a federally recognized Tribe? Yes No Unknown

Is the person a member of a federally recognized Tribe? Yes No Unknown

Tribal Affiliation(s)

Please document all Tribal Affiliations, whether federally recognized or not.

State Tribes	Federal Tribes A-F	Federal Tribes G-M	Federal Tribes M-R	Federal Tribes S-Z	Tribal Enrollment #	Action
						Delete
						Delete

Insert

Other Tribe(s)

Text input area for other tribes with a scroll bar.



PERSON MANAGEMENT ICWA Details Group Box Tribal Affiliations

- Use this section to document all tribal affiliations. Select a tribe from the drop-down selections.
- Tribal enrollment number is enabled but **NOT** required.
- Tribal affiliation must be completed if YES is selected for one the following questions: "is the person eligible for membership in a federally recognized tribe is the person a member of a federally recognized tribe?"

Indian Child Welfare Act (ICWA)

Inquiry Details

Did the agency inquire whether the person is an "Indian Child" under ICWA?	Based on your inquiry, does ICWA potentially apply to this person?	If Unable to Determine, describe inquiry efforts.	Date of Inquiry	If Yes, was notice given to the tribe?	If Yes, is the inquiry still pending?	Investigation/Referral ID	Action
Yes	Unable to Determine	Enter description of inquiry efforts....	01/22/2022			2021-234211	Delete
Yes	Yes		02/10/2022	Yes	Yes	2022-342231	Delete

Insert

Does ICWA apply to this person? Yes No Unknown

Date the Agency was notified by the Tribe, State, or Tribal court that ICWA applies: MM/DD/YYYY

If yes, was notice given to the tribe at least 10 days prior to the first child custody proceeding in accordance with 25 U.S.C. 1912(a)? Yes No

Is the person eligible for membership in a federally recognized Tribe? Yes No Unknown

Is the person a member of a federally recognized Tribe? Yes No Unknown

Tribal Affiliation(s)

Please document all Tribal Affiliations, whether federally recognized or not.

State Tribes	Federal Tribes A-F	Federal Tribes G-M	Federal Tribes M-R	Federal Tribes S-Z	Tribal Enrollment #	Action
						Delete
						Delete

Insert

Other Tribe(s)

Text input field for other tribal affiliations.



PERSON MANAGEMENT ICWA Details Group Box Tribal Affiliations

- Upon attempting to save, if yes is selected to either question, and at least 1 federally recognized tribe does not exist, a validation message will be thrown, indicating that at least 1 federally recognized tribe must be identified when the person is eligible for, or a member of, a federally recognized tribe.

Indian Child Welfare Act (ICWA)

Inquiry Details

Did the agency inquire whether the person is an "Indian Child" under ICWA?	Based on your inquiry, does ICWA potentially apply to this person?	If Unable to Determine, describe inquiry efforts.	Date of Inquiry	If Yes, was notice given to the tribe?	If Yes, is the inquiry still pending?	Investigation/Referral ID	Action
Yes	Unable to Determine	Enter description of inquiry efforts....	01/22/2022			2021-234211	Delete
Yes	Yes		02/10/2022	Yes	Yes	2022-342231	Delete

Insert

Does ICWA apply to this person? Yes No Unknown

Date the Agency was notified by the Tribe, State, or Tribal court that ICWA applies: MM/DD/YYYY

If yes, was notice given to the tribe at least 10 days prior to the first child custody proceeding in accordance with 25 U.S.C. 1912(a)? Yes No

Is the person eligible for membership in a federally recognized Tribe? Yes No Unknown

Is the person a member of a federally recognized Tribe? Yes No Unknown

If yes, must indicate tribe affiliation to save page.

Tribal Affiliation(s)

Please document all Tribal Affiliations, whether federally recognized or not.

State Tribes	Federal Tribes A-F	Federal Tribes G-M	Federal Tribes M-R	Federal Tribes S-Z	Tribal Enrollment #	Action
						Delete
						Delete

Insert

Other Tribe(s)

Text area for listing other tribes.





ICWA Images/ Documentation

- For Case Management and any other user groups EXCEPT Investigators, any ICWA supporting Images/Documentation should continue to be captured within the File Cabinet under the Image Category = Participant Documents, Image Type = ICWA Eligibility/Family Tree.
- Any ICWA images/documentation uploaded by Investigators, via the Investigation/SC Referral, will be viewable through the File Cabinet, as well, for consistency.

The screenshot shows a software window with a purple header bar containing menu items: Hand Book, Print, Audit, Spell Check, and Help. The main content area is divided into two sections: 'Participant Details' and 'Image Details'. The 'Participant Details' section includes fields for Case (Andrea Aferx), Case id (102829503), Worker (RICHARD . RMMZNLIZGL), and Date Uploaded. A 'Participants' list box shows 'Andrea Aferx'. The 'Image Details' section includes Date Document Scanned (09/18/2022), Image Category (Participant Documents), Image Type (ICWA Eligibility/Family Tree), File Name (with a 'Browse...' button), and a Comments text area. 'Save' and 'Close' buttons are at the bottom right.

Participant Details	
Case:	Andrea Aferx
Case id:	102829503
Worker:	RICHARD . RMMZNLIZGL
Date Uploaded:	

Image Details	
Date Document Scanned:	09/18/2022
Image Category:	Participant Documents
Image Type:	ICWA Eligibility/Family Tree
File Name:	<input type="text"/> Browse...
Comments:	<input type="text"/>



What happens to pre-existing ICWA data fields?

ICWA fields, which are not applicable any longer based on AFCARS Requirements, will continue to display and be view only, disabled and grayed out.



Other Updates

PERSON SEARCH – ICWA PERSON MANAGEMENT

Users can view Person Management through Person Search and modify the Basic tab through Search (if he or she has the appropriate security approval). That would allow users to document all the ICWA group box details from Search.

Upon hovering over a select Tribe, the hover text will be displayed that indicates the full selected value.

ICWA VALIDATION

When the race, *American Indian/Alaskan Native*, is selected, users will be prompted to document if ICWA applies to the person.

ORGANIZATION PROVIDER ICWA - FURTHER INFORMATION

Two new checkboxes are added within the Further Information group box on Organization Provider.

- Tribal Authority
- State Authority

Thank you!

Questions?

Points of Contact	
Case Management Questions	Jessica Johnson – jessica.johnson@myflfamilies.com
CPI Questions	Kristen Puckett – kristen.puckett@myflfamilies.com
Training	<u>Filiz Aktan</u> Filiz.aktan@myflfamilies.com