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



Department of Children and Families

Office of Child and Family Well-being

Agenda









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).

OLIAR PARAMETER AND THE STATE OF THE STATE O	Verification of Indian Child	Welfare Act Eligi Go To Page 2	bility bility under the Indian tigation.			
Child Welfare Act	(25 030 15	FSFN #				
CPI or Services	Worker:	- Indian/Alas	kan Native ancestry.			
CPI or Services	will be used to establis	h American Indian Alexa				
The following Please answer	Worker:information will be used to establis r the questions to the best of your be American Indian or Alaskan Native a	ncestry? Check below.				
	Amorican Indian of Alaston					
1. Do you have	e American Indian of Publish If "No", stop here and sign the bottom If "Yes", answer ALL the questions be Parent History Chart as completely as	of the lotti.	over and fill out the			
□ NO	T No , stop the questions be	low. Then turn the lotting				
YES	If "Yes", answer ALL the questions be Parent History Chart as completely as	s possible.				
	Paletter	THE STATE OF THE S		CON	Trype	
a Name of T	ribe or Band: or any of your relatives members of an	Native corporation	n? Attorney or Party with Name:	ICE OF CHILD CUSTOD	NFIDENTIAL Y PROCEEDING FOR INDIAN CHI	
2. Name or .	of your relatives members of an	Alaskan Nauvo oo	Name: Address:	nour Afforney	TROCEEDING FOR INDIAN CHI	ILD
3. Are you o	any of your returns		77.1		Court Use Only	
If "Ye	es", name the corporation:	ived on a reservation or it	E-mail Address (Option Attorney For GS			
	any members of your family ever		Attorney For (If applie State Bar No. (If applie			
4. Have you	or any monas	, tien of A	Ala			
Y	res the children	with American Indian of A	PI Address:	FATE], COUNTY OF:		
5 Please	res No If "Yes", where?	DOB	Branch Name:			
5.112	Name(s) of Child(ren)		Telephone No.:			
			CASE NAME:		_	
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			Parents or leg	al must	DY PROCEEDING FOR INDIAN CHIL	D
			THAT based on the petition	on, a copy of which is all	ustodians Triber*	
Birth Pa	arent (print name):	Go To P	each child) Name:	.C. §§ 1901 et seq) has been init	ustodiansTribes*BIA Reg of this notice, a child-custody proceeding unclated for the following child: (a separate notice	ional Director der the Indian
	Parent Signature:		Date of Birth	,		must be fixed for
Birth P	arent Signature		FOR the follows	/Place of Birth:_		
Name	and Relationship of Informant:	" on the hirth pare	_ Juvenile Proceed	ling: (Check all that annie)		- 1
	and Relationship of more and relationship of the information above is provided by someon company to the child and company	ne other than the contact information in the co	- Adoption c	Delinquency D	eclaration of Freedom from Control of Pare	- 1
If the	information above is provided by someon ionship of the informant to the child and c	Office	Voluntary relinquishment			nt
Netv	vork.		WITH potential consequence	es of this proceeding are: (Descr		- 1
				Description of the proceeding are: (Description)	ibe here)	
CF-F3F	9 5323, PDF 01/2008		A HEARING WILL BE HE	D		
			Type of Hearing:	me:Location:_		
					Room:	
			Address and telephone number of	of court:		
			TRIBEC			
			ine child is or may be a member	(or the child of a memb		
				of the	e following Indian Tribes: (List each)	
		*2	Notice to the Tribe must be sent to the Tr	ibe's chairman or designated agent for s		
				westgrated agent for se	ervice of ICWA notices.	

ICWA Details

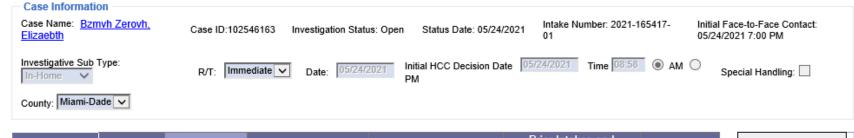
Investigations/Special Conditions Referral

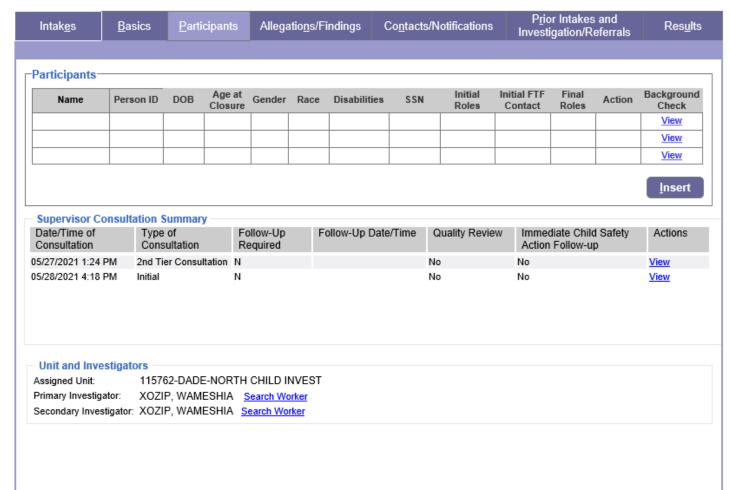
ICWA Details Group Box Actions Panel

- 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.

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Hand Book Print Audit Spell Check Help ?







Closure Letter

CPT EXCEPTION Rpt

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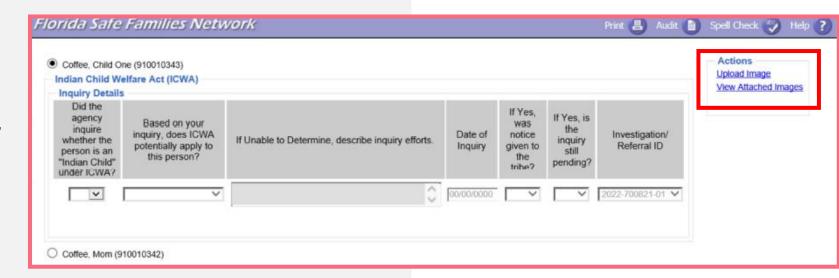
ICWA Details Group Box

Investigation/SC Referral Closure

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

- 1. Investigation Type = 'In-Home'
- 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!



 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

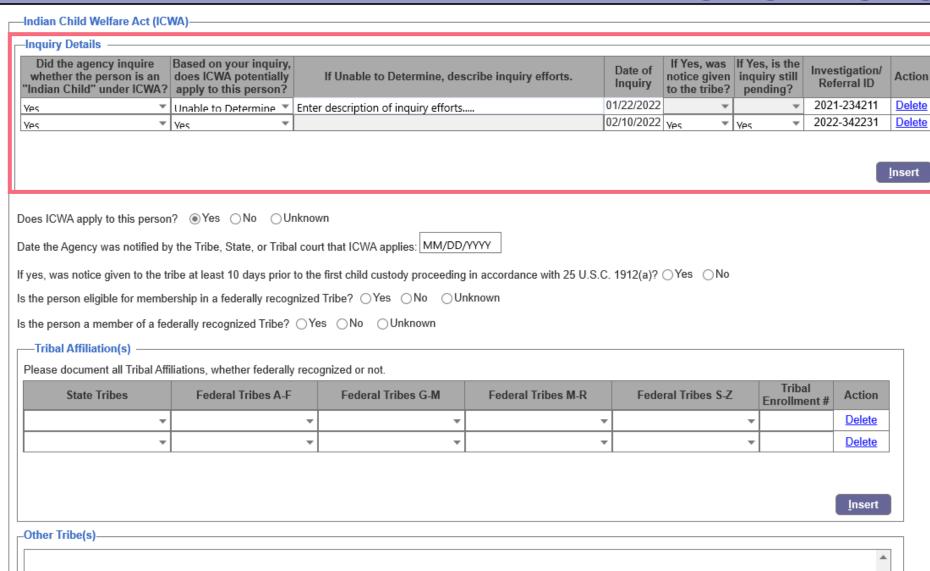
- All ICWA information for a person, is now available within an ICWA Details group box.
- Users can document the following question, "Did the agency inquire whether the person is an Indian Child under ICWA?"
- All inquiry details captured by Investigators are automatically populated within the Inquiry 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

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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.

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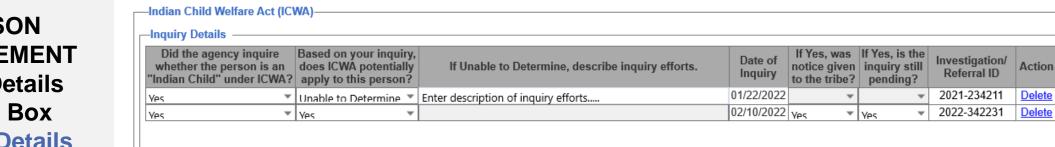


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Insert



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)? OYes ONo						
Is the person eligible for membersh	hip in a federally recognized	Tribe? OYes ONo OUr	nknown			
Is the person a member of a federally recognized Tribe? OYes ONo OUnknown						
—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
▼	▼	▼	▼	_		<u>Delete</u>
▼	▼	*	▼	*		<u>Delete</u>
						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.

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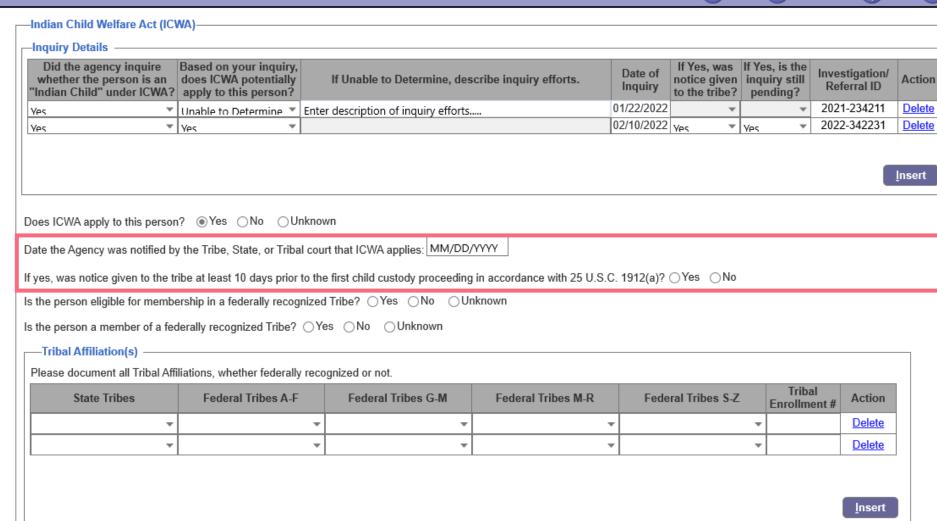
Other Tribe(s)-



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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.

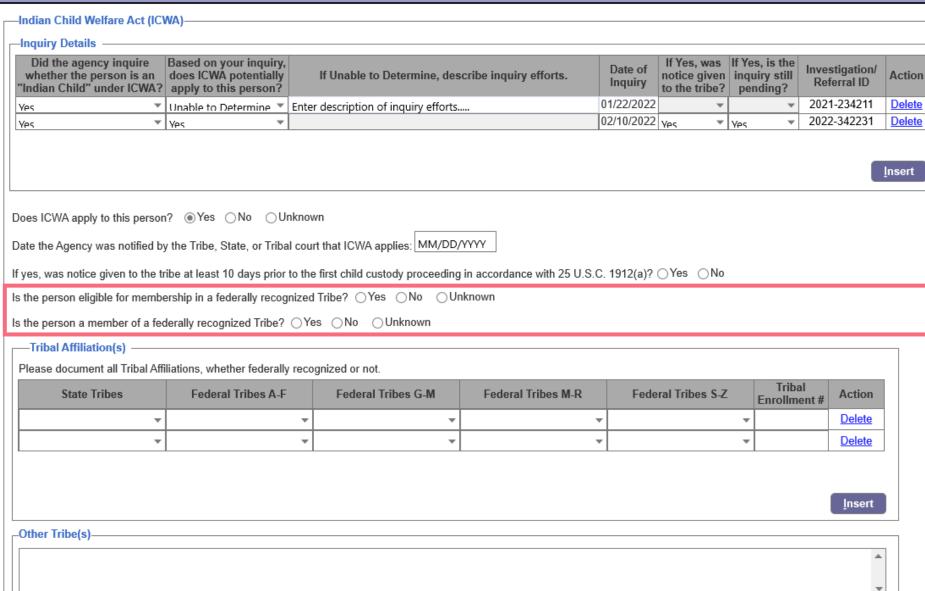
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PERSON MANAGEMENT ICWA Details Group Box Tribal Affiliations

- 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?"

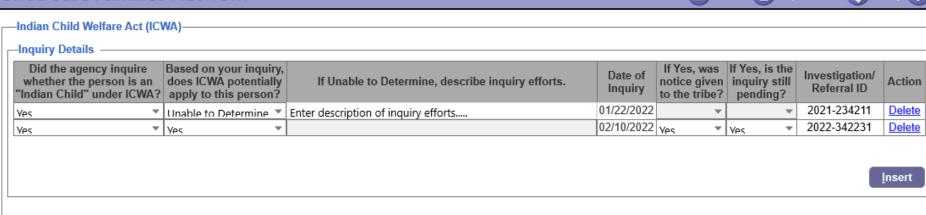
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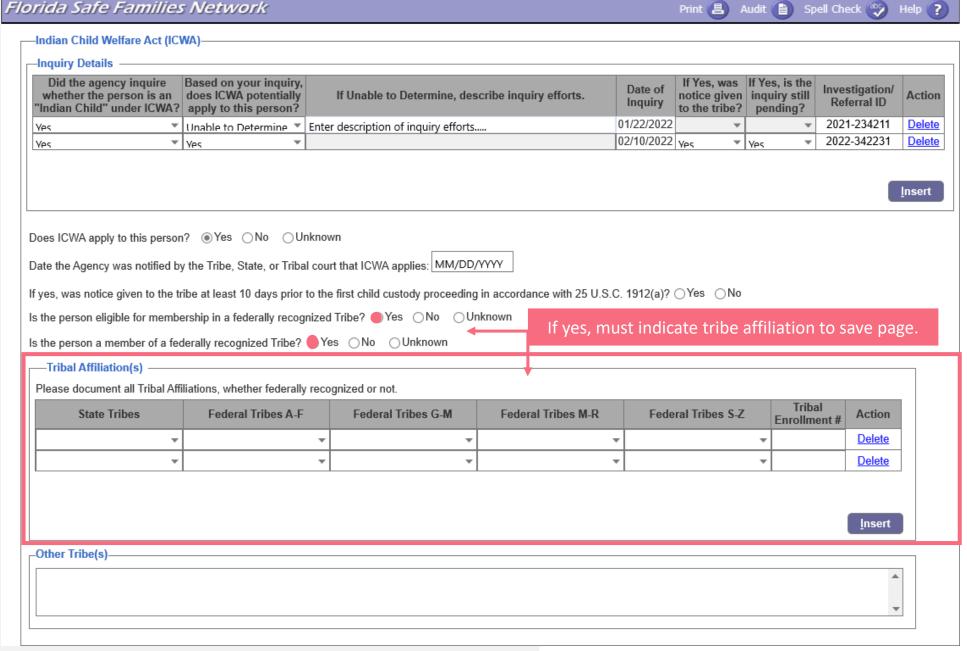
L							
	Does ICWA apply to this person	?	vn				
	Date the Agency was notified by the Tribe, State, or Tribal court that ICWA applies: MM/DD/YYYY						
	If yes, was notice given to the tribe at least 10 days prior to the first child custody proceeding in accordance with 25 U.S.C. 1912(a)? No						
	Is the person eligible for membership in a federally recognized Tribe? OYes ONo OUnknown						
	Is the person a member of a federally recognized Tribe? OYes ONo OUnknown						
	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
	▼	▼	▼	▼	▼		<u>Delete</u>
		•	•	▼	▼		<u>Delete</u>

Insert

Other Tribe(s)————————————————————————————————————			
	_		
	_		
	*		

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.

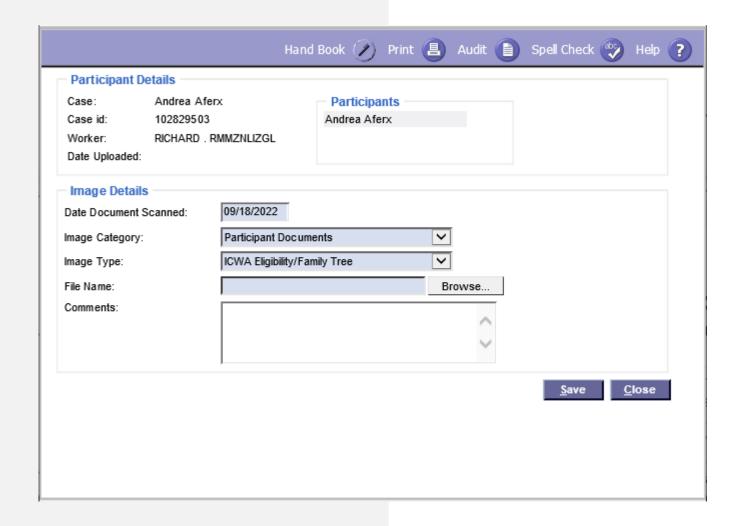




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ICWA Images/ Documentation

- 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.





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 – <u>jessica.johnson@myflfamilies.com</u>			
CPI Questions	Kristen Puckett – <u>kristen.puckett@myflfamilies.com</u>			
Training	Filiz Aktan Filiz.aktan@myflfamilies.com			