This study analyzes how tribes are asserting their authority over child welfare and what lessons can be learned from enacted child welfare codes.

The study analyzed over 100 variables on eight child welfare topics: culture, jurisdiction, tribal-state relationships, child abuse reporting, paternity, foster care, termination of parental rights (TPR), and adoption.

This graphic presentation highlights key findings from 4 of these topics: jurisdiction, tribal-state relationships, child abuse reporting, and paternity. For highlights of the other topics please see Protecting Our Children Through Tribal Law (Part I).

CONCLUSION

Tribal leaders have many local experts (e.g., tribal judges, lawyers, social workers) who understand the current tribal child welfare policies and practices. They know what works, the challenges, and the financial considerations. Their expertise will assist in creating strong and meaningful child welfare codes.

The citizens of Native Nations are also invaluable experts on child welfare. Through a community engagement process, expertise on community values, traditional culture, and current needs can be gathered. Citizen engagement with the child welfare code process is essential to its success.

This analysis of tribal child welfare codes captured important information about how tribes define their jurisdictional boundaries, protect children, provide legal rights to fathers, and respond to families in state child welfare systems. The study seeks to further conversations about how tribes can assert their sovereignty to protect their children.