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# STATE COURT PRACTICE AND OUTCOMES FOR INDIAN CHILDREN

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**5 Sites**



**154 ICWA Cases**

# PRACTICE ITEMS AND OUTCOMES

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- Timely Notice
- Timely Identification
- Tribal Presence
- Appropriate Findings
- Preferred Placement

Placement

Reunification

Timely  
Permanency

# PREDICTORS OF PREFERRED PLACEMENT

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Average application (construct)

Mother and Father's presence across life of the case

Presence of parent's attorneys across the life of the case

# PREDICTORS OF REUNIFICATION

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Mother's Presence Throughout the Case

Average Application of ICWA

Tribe Presence at  
Initial Hearings



Enhanced ICWA  
Application



Reunification

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# PREDICTORS OF TIME TO RETURN HOME



Time to confirmation of ICWA status



Tribe present at initial hearing



# PREDICTORS OF TIMELY PERMANENCY

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Tribal  
Representative  
Present at  
Hearing



Time to  
Confirmation of  
ICWA Case



Placement at  
First Hearing

# KEY TAKEAWAY

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- Cases that apply ICWA better also have better outcomes.
- Tribal representation early in the case is important.
- Interventions to support better implementation of ICWA (e.g., ICWA Courts) can contribute to better outcomes for families.



# ICWA COURT EXAMPLE

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Tribal Presence

ICWA Notice

Early Identification

Preferred Placements

Appropriate Findings



# RECOMMENDATIONS

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- Identify opportunities to support tribal representation early in the process.
- Build relationships between state court and tribe.
- Support opportunities to implement best practices.
- Prioritize collecting accurate and meaningful data
  - ICWA cases
  - Application of ICWA in practice
  - Effectiveness of interventions
  - Outcomes meaningful to families



**QUESTIONS?**

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