

• House passes ICWA changes

Kari Bazy Garber, attorney for the tribe, said she hopes that this decision will provide a basis for the state to foster cooperative and respectful relations with tribal courts in Alaska that will most certainly benefit all Alaskans.

Judge Holland's order invalidated the state court's orders, and the case will now go before the tribal court.

Alaska Federation of Natives

The Alaska Federation of Natives is awaiting a response from Governor Tony Knowles to a request for an ICWA policy discussion. Concerns that will be addressed include the apparent non-compliance and inconsistency with which the state is handling foster care and adoption of Alaska Native children. Specific cases will not be addressed because of the confidentiality of these types of cases.

"We feel like we are (in compliance)," said Deann Grummett, program coordinator with the Division of Family and Youth Services. "We're working with tribal groups and representatives from social service corporations

who represent individual tribes to improve relationships with tribes. Compliance is not always uniform. We can always improve the degree of compliance and follow the spirit (of ICWA) a little more."

AFN believes that the non-compliance issues stem primarily in the Anchorage area, stating that the one ICWA caseworker lacks time for training, monitoring and compliance issues.

"Court procedures are different in Anchorage than in rural areas," said Grummett. "Anchorage is the place where we've heard the most complaints."

Some Native parents agree to whatever recommendations case workers make for fear of losing their parental rights. This is prevalent among single Native mothers.

In Anchorage, the community with the largest Native population, it is difficult to recruit Native foster homes for Native children as required by ICWA.

"We're streamlining the licensing process. I think one of the problems is that families are

not interested," said Grummett.

AFN has determined that in spite of the many problems with the state's compliance, no new federal legislation is needed to foster and protect Alaska Native children and families, as long as the state is in compliance with its own policies.

Knowles has responded to earlier requests by forming a group to work on ICWA issues, identify problems, and develop ways to alleviate those problems. Some organizations believe that the Tribal/State Collaboration Group is more of a dog-and-pony show than a substantive policy initiative. The group meets quarterly.

"My general feeling, at least within that group, is the working relationship is positive," said Grummett.

Citizen's Review Panel

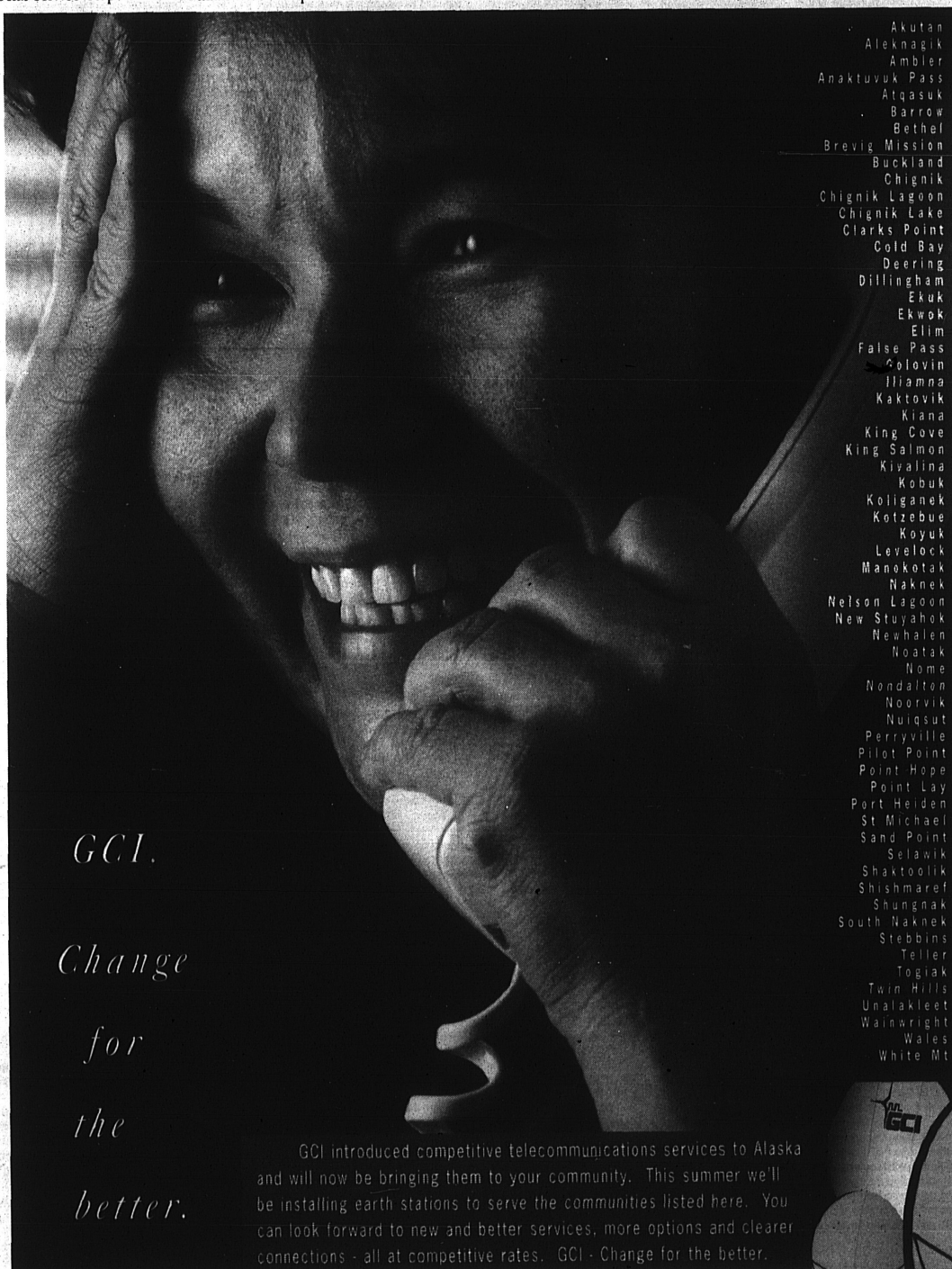
As with other areas of Native concern, Native children in the custody of the state appears to be disproportionate - 53% of the state total, according to a report by the Citizen's Review Panel for Permanency Plan-

ning completed in April.

The report stated, "The initial placement of the majority of Alaska Native children did not comply with the ICWA placement preferences. . . . Two-thirds of our children are living in non-relative foster homes or institutions."

Recommendations from the panel to the legislature include:

- Additional funding is needed to comply with the statute by reviewing children in each judicial district and continuing at the present level of staffing.
- Statutes should be amended to require other state agencies (DFYS and GAL) to comply with the recommendations of the Citizen's Panel, or justify why they will not.
- Limit the total number of cases a DFYS social worker can carry, and authorize budget numbers that reflect those limits.
- Mandate a DFYS budget that provides for adequate support services to social workers, including paralegals, case aides, etc., thus freeing social workers' time to provide intensive reunification and placement services for children in out-of-home care.
- Fully fund or provide generous assistance to substance abuse evaluation and treatment programs through the state.



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