

No. 12-399

In the
Supreme Court of the United States

ADOPTIVE COUPLE,

Petitioners,

v.

BABY GIRL, A MINOR UNDER THE AGE OF FOURTEEN
YEARS, BIRTH FATHER, AND THE CHEROKEE NATION,

Respondents.

**On Writ of Certiorari to the
Supreme Court of South Carolina**

**BRIEF OF 63 CALIFORNIA INDIAN TRIBES
AS *AMICI CURIAE* IN SUPPORT OF
RESPONDENTS BIRTH FATHER AND THE
CHEROKEE NATION**

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QUESTION PRESENTED

1. Whether the unique circumstances of Indians in California, and the state's numerous efforts to protect Indian children and tribes based primarily on the Indian Child Welfare Act ("ICWA"; 25 U.S.C. §§ 1901 *et seq.*), will be adversely affected by any limitation imposed on the ICWA's application by this Court.

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STATEMENT OF INTEREST AND SUMMARY OF ARGUMENT

Of the 566 federally-recognized Indian tribes in the United States, 110 are located in California. 77 Fed. Reg. 47,868 (Aug. 10, 2012). The 2010 Census places the total Indian population of California at approximately 723,000 persons, more than any other state. Tina Norris, Paula L. Vines, and Elizabeth M. Hoeffel, U.S. Census Bureau, *The American Indian and Alaska Native Population: 2010 (C2010BR-10)*, Table 2 (January 2012), available at <http://tinyurl.com/7h6apt8>. Thus, tens of thousands of Indians who are members and citizens of other tribes reside here in California. *Amici* are 63 federally-recognized tribes and five Indian organizations who represent a broad cross-section of the Indian population in California.¹

Indians in California have a unique history resulting from both federal and state actions, the effects of which have been largely adverse to tribal interests. From the termination era to the continuum of assimilation policies, the most common historical theme was an attempt to exterminate Indians, Indian tribes, and tribal culture. This history is relevant to the questions presented to the Court.

¹ Pursuant to Supreme Court Rule 37.6, *amici* affirm that no counsel for a party authored this brief in whole or in part and that no person other than *amici* and its counsel made a monetary contribution to its preparation or submission. All parties have consented to the filing of this brief through letters of consent on file with the Clerk of this Court. A full list of *amici* is appended to this brief.

The loss of Indian children to non-Indian families in California dates back to the 1850s. At that time, California governors authorized the state militia to carry out “[e]xpeditions against the Indians” on numerous occasions. See Kimberly Johnston-Dodds, *Early California Laws and Policies Related to California Indians* 15-16 (California State Library, California Research Bureau 2002), available at <http://tinyurl.com/d2xgw6z>. The impact of these state-sanctioned killings on Indian families was devastating, leaving many children without parents. Also at that time, California enacted laws which authorized any person to go before a Justice of the Peace to seek custody of an Indian child for indentured servitude until as late as age 30 for males and 25 for females. These early “Indian child welfare” laws led to a documented history of kidnapping and sale of Indian children during the 1850s and 1860s, which continued even after the laws were later repealed. *Id.* at 5, 8-12.

Amici have worked for many years with the California Legislature to ameliorate this dark history and to ensure protections for Indian children, families, and tribes. Following the enactment of the ICWA in 1978, the state cultivated numerous collaborative efforts with the *amici*, seeking consensus among state officials, local agencies, and tribal governments.

As a result, California enacted legislation and statewide rules of court which strike an appropriate balance between the interests of the United States, the interests of the state, and the interests of Indian

tribes in matters of Indian child welfare. The ongoing collaborative endeavors between the state and *amici* are all working toward the same end – ensuring that the terms of the ICWA are implemented to fulfill its stated purposes, goals, and spirit.

Any decision by this Court which narrows the scope of the ICWA could unravel decades of hard work by the state and the *amici*. Likewise, any decision by this Court which limits the application of the ICWA may have negative repercussions to the entire child welfare system, such as dependency cases and guardianships where family preservation benefits from tribal intervention in certain cases.

ARGUMENT

I. The History of the Treatment of California Tribes is Relevant to the Purpose and Implementation of the ICWA.

“That a war of extermination will continue to be waged between the races, until the [California] Indian race becomes extinct, must be expected. While we cannot anticipate this result but with painful regret, the inevitable destiny of the [Indian] race is beyond the power or wisdom of man to avert.” Peter H. Burnett, *Governor’s Annual Message to the Legislature, January 7, 1851, in Journals of the Senate and Assembly of the State of California, at the Second Session of the Legislature, 1851-1852* 15 (San Francisco: G.K. Fitch & Co., and V.E. Geiger & Co., State Printers, 1852), *cited in* Johnston-Dodds, *supra*, at 15.

For California tribes, the “war of extermination” has been an ongoing threat since the first wagons arrived from the east. Early extermination efforts in-

cluded not only killing Indians, but also stripping them of their lands. Between 1851 and 1852, the United States entered into 18 treaties with 139 California signatories in order to secure land for reservations. Advisory Council on California Indian Policy, *Final Reports and Recommendations to the Congress of the United States Pursuant to Public Law 102-416: The ACCIP Historical Overview Report: The Special Circumstances of California Indians* 5 (September 1997) (“Historical Report”).² However, those treaties were never ratified by Congress, due to pressure from the California delegation to protect gold mining prospects at the time. Bruce S. Flushman and Joe Barbieri, *Aboriginal Title: The Special Case of California*, 17 Pac. L. J. 391, 403-406 (1986). In an extraordinary step, the Senate had the treaties placed under secret seal. *Historical Report* at 6. Most importantly, tribes were not informed that the treaties had not been ratified. *Id.*

1851 also saw passage of the California Land Claims Act. 31 Cong. Ch. 41, March 3, 1851, 9 Stat. 631 (1851). Under that law, if a person failed to file a claim to their land within the law’s two-year window, the land would then revert to the public domain. *Id.* at 633. Most California Indians did not file a claim, since they believed their lands were already secured by treaty. It is estimated that tribes lost approximately 700,000 acres of their aboriginal lands, quickly finding themselves landless and thus homeless. Flushman, *supra*, at 403.

² *The ACCIP Historical Overview Report* is not listed in the Table of Contents of the *Final Report* as its own report, but can be found immediately following the *Executive Summary*.

In 1905 the California treaties were unsealed and made public for the first time. *Historical Report* at 6. Congress passed legislation to acquire small tracts of land for the homeless Indians of California; several subsequent appropriations provided funding for the purchase of parcels in the central and northern parts of the state. *Id.* at 7. These acquisitions resulted in what is commonly termed the “rancheria system” in California. *Executive Summary* at 5. However, rancherías were generally too small and too remote to support a tribal population.³

Beginning in 1944, federal Indian policy again shifted to one seeking termination of tribes and an end to federal oversight of tribal lands and resources. A result was the Rancheria Act of 1958, which identified 41 California rancherías for termination. Act of August 18, 1958, Pub. L. No. 85-671, 72 Stat. 619, as amended by the Act of August 11, 1964, Pub. L. No. 88-419, 78 Stat. 390. Under that law, tribal lands were divided among individual tribal members, and the federal government was required to ensure that certain services (such as water, sanitation, and housing) would be provided to the individual Indians. These government services were either never provided or were inadequate, rendering much of the now individually-owned lands uninhabitable. *Executive Summary* at 4. Many subsequently lost their land through tax sales or sales under duress in an effort to meet basic living needs. *Id.*

³ See Edward Castillo, *The Impact of Euro-American Exploration and Settlement*, in *Handbook of North American Indians*, Vol. 8 110-113 (Robert F. Heizer, ed., University of California Press 1976). Most rancherías today remain unable to support all tribal members due to size and resources.

This situation persisted into the late 1960s, when California tribes filed suit against the United States seeking to “un-terminate” their reservations. *Id.* Dozens have since been restored by judicial decision, settlement, or acts of Congress. *Id.*

While California tribes have struggled for recognition, protection, land, and basic living necessities, there was one piece of legislation passed in 1978 which reversed the momentum of termination and renewed their spirit: the ICWA. It brought a promise that tribal members would not be deprived of their children, and that their children would remain in the tribal community, thus protecting the future of the tribe. This promise is being called into question in the case now before the Court.

II. Altering the Scope of the ICWA Will Upset Settled California Law.

Application of the ICWA is a significant thread in California law. The state Legislature took action on three separate occasions to reject an artificial limitation on the ICWA’s application, to build upon and enhance the basic protections afforded by the ICWA, and, most recently, to expand dependency law by recognizing “tribal customary adoption” as a permanent plan.

A. California Rejected the “Existing Indian Family” Exception.

1. The Legislature Passed Two Laws Opposing the Exception.

Some jurisdictions recognize an “existing Indian family” exception to the ICWA. This judicially-

created exception is based on one of two premises: either 1) that in order for the ICWA to be constitutional, it can only apply where either a parent or child resides or is domiciled on the reservation, or maintains a social, cultural or political relationship with a tribe; or, 2) that Congress intended the ICWA only to protect familial and tribal relationships in a pre-existing Indian home. *In re Bridget R.*, 41 Cal. App. 4th 1483 (1996); *In re Suzanna L.*, 104 Cal. App. 4th 223 (2002).

In 1996, a few California appellate courts began to recognize the exception. Others rejected it, finding that the plain language of the ICWA provides no such limitation, and that the exception frustrates the intent of the ICWA.⁴

The Legislature responded with Assembly Bill 65 (“AB 65”) in 1999. Assemb. B. 65, 1999-2000 Reg. Sess. (Cal. 1999). AB 65 repudiated the exception by providing that when a tribe determines a child to be a member or eligible for membership, that relationship “shall constitute a significant political affiliation with the tribe and shall require the application of the [ICWA].” Cal. Welf. & Inst. Code § 360.6 (renumbered by Sen. B. 678, 2005-2006 Reg. Sess; 2006 Cal. Stats. Ch. 828 (Cal. 2006) to Cal. Welf. & Inst. Code § 224).

Despite AB 65, the exception continued to be applied in some California decisions. *In re Santos Y.*, 92

⁴ The Second, Fourth, and Sixth Districts all recognized the exception at some point, while the First, Third, and Fifth Districts all rejected it. The Sixth District later changed its position and rejected the exception as well. *In re Vincent M.*, 150 Cal. App. 4th 1247 (2007).

Cal. App. 4th 1274 (2001). As a consequence, in 2006 the Legislature reiterated its repudiation of the exception with Senate Bill 678 (“SB 678”). Sen. B. 678, 2005-2006 Reg. Sess; 2006 Cal. Stats. Ch. 828 (Cal. 2006). SB 678 added to the language of AB 65 to specifically provide that:

“It is in the interest of an Indian child that the child's membership in the child's Indian tribe and connection to the tribal community be encouraged and protected, regardless of whether the child is in the physical custody of an Indian parent or Indian custodian at the commencement of a child custody proceeding, the parental rights of the child's parents have been terminated, or where the child has resided or been domiciled.” Cal. Welf. & Inst. Code § 224(a)(2); emphasis added.

“A determination by an Indian tribe that an unmarried person, who is under the age of 18 years, is either (1) a member of an Indian tribe or (2) eligible for membership in an Indian tribe and a biological child of a member of an Indian tribe shall constitute a significant political affiliation with the tribe and shall require the application of the [ICWA] to the proceedings.” Cal. Welf. & Inst. Code § 224(e); emphasis added.

The only cases which have referenced the exception since SB 678 have rejected it. *In re Adoption of Hannah S.*, 142 Cal. App. 4th 988 (2006); *In re Vincent M.*, 150 Cal. App. 4th 1247 (2007). Allowing a state court to determine who is or is not “enough” of

an Indian to trigger application of the ICWA is inconsistent with federal and California policy.

2. *The Exception Does Not Account for California's Unique History.*

Even without the Legislature's pronouncements, the exception is inappropriate for California. While many Indians in California are members of or belong to a California tribe, there is also a significant population of Indians from non-California tribes, many of whom the federal government moved to California under the Indian Relocation Program. Act of August 3, 1956, 84 Cong. Ch. 930, Pub. L. No. 959, 70 Stat. 986 (1956). Both California and non-California Indians are involved in "child custody proceedings" as defined under the ICWA.

While many tribal members can and do maintain a political, social, and cultural relationship with their tribe, distance adds an obstacle. Members of both California tribes and out-of-state tribes face difficulties participating in activities on their reservations. For out-of-state tribal members, geography compounds the barrier to such participation. The same is true for members of California tribes. As noted above, in the 1850s most California tribes suddenly found themselves homeless due to the combined effect of secretly unratified treaties and the Land Claims Act. As a result, most California Indians were forced to live far from their lands, finding themselves in a similar situation to those hailing from out-of-state tribes.

Some federally-recognized tribes in California lack a formal land base, reservation or rancheria, while others only recently acquired tribal lands.⁵

Individual Indians who as a practical matter are unable to live on their reservation, or take part in on-reservation life, are no less “Indian” than tribal members who are able to do so. A person’s political status as a tribal member is a determination left solely to the tribe. *Santa Clara Pueblo v. Martinez*, 436 U.S. 49 (1978). The ICWA in large part is intended to protect that status. It is not appropriate for a state agency or court to create its own artificial requirements for that status.⁶

B. California Enhanced the Protection of Indian Children with Legislation that Relies on the ICWA as a Foundation.

1. California Enacted SB 678 to Affirm the State’s Commitment to Preserving Indian Families and the Tribe’s Role in Child Custody Cases.

As noted above, SB 678 included a statutory rejection of the existing Indian family exception. The bill was much broader than that, however. It represents the most comprehensive ICWA-related legislation adopted in any state before or since. SB 678

⁵ In 2012, the California Board of Equalization amended its regulations to provide an exemption from sales and use tax for off-reservation purchases by tribes who are landless. Cal. Code Regs., tit. 18, § 1616.

⁶ Furthermore, detriment to the child is likely to result from the delay caused by a mini-trial on whether an individual is Indian “enough” to apply the ICWA.

codified the ICWA's requirements into state law, specifically declaring that an Indian child's best interests are served by protecting and encouraging a connection to his or her tribal community. Cal. Welf. & Inst. Code § 224(a)(2).

In addition, SB 678 built upon the ICWA's foundation by creating further safeguards in child custody proceedings. These enhancements include:

- (1) Clarifying that the ICWA applies to probate guardianships and conservatorships (Cal. Prob. Code § 1459.5);⁷
- (2) Imposing an ongoing and affirmative duty to inquire whether a child in a child custody proceeding may be an Indian child (Cal. Welf. & Inst. Code § 224.3(a));
- (3) Requiring documentation of the active efforts made to place an Indian child within the ICWA's order of preference (Cal. Welf. & Inst. Code § 361.31(k));
- (4) If no preferred placement is available, requiring active efforts to place an Indian child "with a family committed to enabling the child to have extended family visitation and participation in the cultural and cere-

⁷ Prior to SB 678, a question existed whether a non-social services petitioner could circumvent the ICWA by filing for guardianship or conservatorship letters for an Indian child while not following state or federal law requiring active efforts be made to prevent the breakup of the family.

monial events of the child's tribe” (Cal. Welf. & Inst. Code § 361.31(i));

- (5) Requiring expert witness testimony to be live, rather than by declaration, unless all parties agree otherwise (Cal. Welf. & Inst. Code § 224.6(e));
- (6) Prohibiting the party seeking foster care placement or termination of parental rights from using its own employee as the required expert witness (Cal. Welf. & Inst. Code § 224.6(a));
- (7) Providing that waiting until reunification services have been terminated before requesting a transfer to tribal court does not constitute good cause to deny such a request (Cal. Welf. & Inst. Code § 305.5(c)(2)(B));
- (8) Requiring that available tribal resources be used when making active efforts to keep the Indian family intact (Cal. Welf. & Inst. Code § 361.7(b));
- (9) Requiring that available tribal resources be used when trying to meet the ICWA’s placement preferences (Cal. Welf. & Inst. Code § 361.31(g));
- (10) Acknowledging that the Interstate Compact on the Placement of Children does not apply to any placement sending or bringing an Indian child into another state pursuant to a

transfer to tribal court under 25 U.S.C. § 1911 (Cal. Fam. Code § 7907.3); and,

- (11) Applying sanctions of \$10,000 for the first offense and \$20,000 for the second if a person knowingly and willfully falsifies or conceals a material fact concerning whether a child is an Indian child or the parent is an Indian. Cal. Fam. Code § 8620(g) and *see also* Cal. Welf. & Inst. Code § 224.2(e).

In sum, SB 678 made clear that the ICWA is an integral part of maintaining a child's political, social, and cultural connections to his or her tribe.

2. California Recognizes "Tribal Customary Adoption" as a Culturally-Appropriate Permanent Plan.

Termination of parental rights is anathema to many Indian tribes. The idea that a biological and spiritual bond can be severed simply by a court order is unfathomable. In addition, termination of parental rights may interfere with an Indian child's rights to tribal membership and the benefits that flow therefrom.⁸ Assemb. Floor Analysis, Conc. in Sen. Amends. to Assemb. B. 1325, 2009-2010 Reg. Sess.; 2009 Cal. Stats, ch. 287, as amended Sept. 2, 2009, at 3. It may also prevent him or her from inheriting

⁸ Such rights may include use of tribal lands, per capita payments, health care and educational benefits, hunting and fishing rights, gathering rights, inheritance of regalia and ceremonial items, and eligibility for scholarships or employment training programs.

trust property from biological parents or relatives. 25 U.S.C. § 2206(j)(2)(B)(iii).

In recognition of the above, California enacted legislation to include “tribal customary adoption” (“TCA”) as a concurrent permanent plan along with adoption, guardianship, and foster care. Cal. Welf. & Inst. Code § 366.24. TCA allows an Indian child to be adopted without terminating parental rights. If TCA is identified as appropriate for a particular child, the state court receives a tribal customary adoption order from a tribe or tribal court, and affords that order full faith and credit. The order addresses such issues as the child’s inheritance rights and legal status with the tribe; it may also include provisions to ensure the child’s participation in tribal events, and the contact, if any, which the child will have with extended family. *Id.*

The TCA process allows for the permanency of adoption without the harms of severing the parent-child relationship. By affording an alternative to the contentious process of terminating parental rights, TCA can decrease contested issues and trials, thereby conserving scarce judicial resources.⁹

Although these legislative enactments have been enormously beneficial to Indian children, families, and tribes, it would be misleading to say that there is

⁹ TCA has only been an available permanency option since July 2010, but the initial data suggests an appreciably shorter time period is required to finalize a TCA as compared to a standard adoption. Administrative Office of the Courts, *Judicial Branch Report to the Legislature: Tribal Customary Adoption* (Jan. 2013), available at <http://tinyurl.com/c8j7g5k>.

no longer any political or racial bias in our courts and child welfare systems. To the contrary, even with these successes, Indian children, families, and both California and non-California tribes rely upon and trust in the ICWA to continue to fulfill the Congressional promises articulated in 1978 and expanded in California.

III. California Tribes and Counties Are Involved in Numerous Collaborative Efforts to Better Implement the ICWA.

California and many of its counties are involved in a number of collaborative projects with California tribes and tribal consortia. These projects illustrate some of the extent to which the state and tribes work cooperatively under current law.

Multiple counties have entered into memorandums of understanding (“MOU”) with local tribes, setting forth appropriate methods for implementing the ICWA on a local level. Other counties have adopted protocols on the same subject in consultation with local tribes. This is particularly true in counties with large numbers of tribes: Humboldt, Lake, Mendocino, Riverside, and Sonoma counties all have developed such MOUs or protocols, and Alpine County is working towards the same.

Even more common are monthly or quarterly roundtables – meetings between tribal representatives, county child welfare staff, county attorneys, judges, educators, Indian and non-Indian service providers, and others to discuss issues involving the ICWA’s implementation, Indian children and families, and services. Often these roundtables are the primary forums in which ICWA-related policies and

programs are developed and reviewed for effectiveness.

In 2010, state and tribal court judges formed the Tribal Court/State Court Forum in order to create a means of discussing cross-jurisdictional issues such as enforcing court orders, determining jurisdiction, and sharing services. <http://tinyurl.com/d8rr5gn>. With regard to the ICWA, the Forum's work addresses the manner in which information pertaining to child welfare cases and referrals is shared between counties and tribes. Eleven tribal court judges and fifteen state court judges currently sit on the Forum, along with representatives from the offices of the California Governor and Attorney General.

The California Administrative Office of the Courts ("AOC") established a Tribal/State Programs Unit, whose purpose is to serve as a liaison and assist the judiciary in policy and program development to ensure justice and quality judicial service for California tribes, Indian communities, and Indian children and families. The Unit focuses on Indian child welfare cases, domestic violence, sexual assault and stalking, provides community outreach and trainings, and promotes consultation and collaboration between state and tribal courts. <http://tinyurl.com/c8j7g5k>.

The California Department of Social Services regularly releases All County Letters and All County Information Notices. These are often developed in consultation with tribes, and can serve as de facto regulations to instruct counties and tribes on specific aspects of implementing state law and the ICWA.

Finally, tribes and state representatives participate in and contribute to a Statewide ICWA Workgroup, which meets bimonthly to address issues impacting Indian children, families, and tribes in child welfare matters. The state also funds a portion of an annual Statewide ICWA Conference, which is generally hosted by a tribe or Indian organization.

The practical and demonstrable effect of these collaborative bodies reflects California's commitment to preserving tribal culture, Indian families, and Indian children's access to their heritage. It is the fruit of an evolving state policy built in reliance on the ICWA, and one which should not be disturbed because it is working effectively.

CONCLUSION

Given the "historical efforts to eradicate tribalism and Indian identity, a child's status as an Indian today has deeply symbolic, political and practical implications. From the tribal perspective, children were wrongly removed from their families and tribal communities in the past, resulting in the decimation of tribal culture; today they are seen as the key to tribal survival." Barbara Ann Atwood, *Children, Tribes, and States – Adoption and Custody Conflicts over American Indian Children* 30 (Carolina Academic Press 2010).

How the ICWA is presently applied in California was shaped through countless hours and dollars expended by tribes, courts, social service agencies, social workers, court-appointed special advocates, tribal consortia, Indian law practitioners, and the state itself. The ICWA is a major component in the effort to restore California tribes through the protection of

Indian children, and to reverse some of the many historical injustices that Indian people in this state have suffered.

Amici request that this Court uphold the promise of the ICWA and not erode the many advances made in ensuring its implementation in this state.

Respectfully submitted.

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APPENDIX

APPENDIX A – LIST OF *AMICI*

Amici are federally-recognized Indian tribes as listed in the Federal Register at 77 Fed. Reg. 47,868 (Aug. 10, 2012) and California Indian organizations.

California Indian Tribes:

1. *Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California*
2. *Alturas Indian Rancheria, California*
3. *Barona Band of Mission Indians*
4. *Bear River Band of the Rohnerville Rancheria, California*
5. *Big Lagoon Rancheria, California*
6. *Big Pine Paiute Tribe of the Owens Valley*
7. *Big Sandy Rancheria of Western Mono Indians of California*
8. *Bishop Paiute Tribe*
9. *Blue Lake Rancheria, California*
10. *Bridgeport Indian Colony*
11. *Cahuilla Band of Mission Indians of the Cahuilla Reservation, California*

12. *Campo Band of Diegueño Mission Indians of the Campo Indian Reservation, California*
13. *Cher–Ae Heights Indian Community of the Trinidad Rancheria, California*
14. *Cedarville Rancheria, California*
15. *Cloverdale Rancheria of Pomo Indians of California*
16. *Cortina Indian Rancheria of Wintun Indians of California*
17. *Death Valley Timbi-sha Shoshone Tribe*
18. *Elk Valley Rancheria, California*
19. *Enterprise Rancheria of Maidu Indians of California*
20. *Ewiiapaayp Band of Kumeyaay Indians, California*
21. *Federated Indians of Graton Rancheria, California*
22. *Fort Bidwell Indian Community of the Fort Bidwell Reservation of California*
23. *Greenville Rancheria*
24. *Habematolel Pomo of Upper Lake, California*
25. *Hoop Valley Tribe, California*

26. *Hopland Band of Pomo Indians, California*
27. *Ione Band of Miwok Indians of California*
28. *Jamul Indian Village of California*
29. *Karuk Tribe*
30. *Kashia Band of Pomo Indians of the Stewarts Point Rancheria, California*
31. *La Jolla Band of Luiseño Indians, California*
32. *Lone Pine Paiute-Shoshone Tribe*
33. *Los Coyotes Band of Cahuilla and Cupeño Indians, California*
34. *Lytton Rancheria of California*
35. *Mesa Grand Band of Diegueño Mission Indians of the Mesa Grande Reservation, California*
36. *Middletown Rancheria of Pomo Indians of California*
37. *Mooretown Rancheria of Maidu Indians of California*
38. *Morongo Band of Mission Indians, California*
39. *Northfork Rancheria of Mono Indians of California*

40. *Pechanga Band of Luiseño Mission Indians of the Pechanga Reservation, California*
41. *Pit River Tribe, California*
42. *Quartz Valley Indian Community of the Quartz Valley Reservation of California*
43. *Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona*
44. *Ramona Band of Cahuilla, California*
45. *Redding Rancheria, California*
46. *Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California*
47. *Resighini Rancheria, California*
48. *Rincon Band of Luiseño Mission Indians of the Rincon Reservation, California*
49. *Round Valley Indian Tribes, Round Valley Reservation, California*
50. *San Manuel Band of Mission Indians, California*
51. *Santa Rosa Band of Cahuilla Indians, California*
52. *Scotts Valley Band of Pomo Indians of California*
53. *Smith River Rancheria, California*

54. *Soboba Band of Luiseño Indians, California*
55. *Susanville Indian Rancheria, California*
56. *Sycuan Band of the Kumeyaay Nation, California*
57. *Torres Martinez Desert Cahuilla Indians, California*
58. *Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California*
59. *Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California*
60. *Viejas Band of Kumeyaay Indians*
61. *Washoe Tribe of Nevada & California*
62. *Wiyot Tribe, California*
63. *Yurok Tribe of the Yurok Reservation, California*

Indian Organizations:

1. *Indian Child and Family Preservation Program*
2. *Inter-Tribal Council of California, Inc.*
3. *Owens Valley Board of Trustees*
4. *Owens Valley Career Development Center*
5. *Tribal STAR (Successful Transitions for Adult Readiness)*