



Denver Indian Family Resource Center



*Honoring the tradition of
strong Indian families*



4407 Morrison Road, Suite 100
Denver CO 80219 www.difrc.org



Founded in 2000 in partnership with:



- **Casey Family Programs**
- **Denver Indian Center**
- **Denver Indian Health & Family Services**
- **Native American Counseling**

Guiding Statements



Vision

Generations of healthy, strong American Indian children and families.

Mission

To strengthen vulnerable American Indian children and families through collaborative and culturally responsive services.

DIFRC'S Purpose

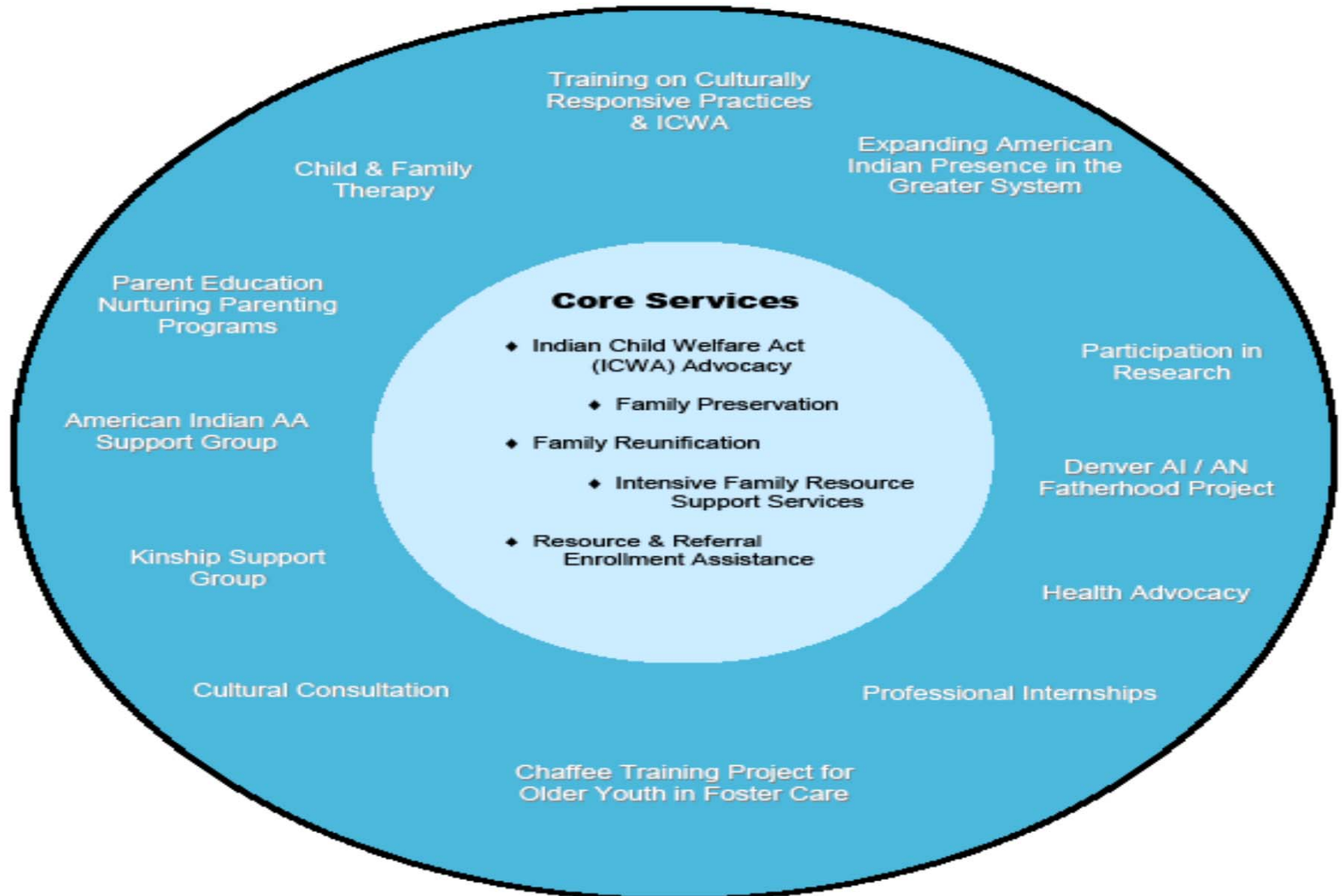


- ❑ To keep children safely with their families and within their culture.
- ❑ To address the disproportionate number of Indian children in the child welfare system.
- ❑ To serve American Indian children & families with child welfare issues in 7 counties of Metro Denver through culturally appropriate services.
- ❑ To advocate for active efforts toward family reunification following the standards of the Indian Child Welfare Act.

DIFRC SERVICES

Mission

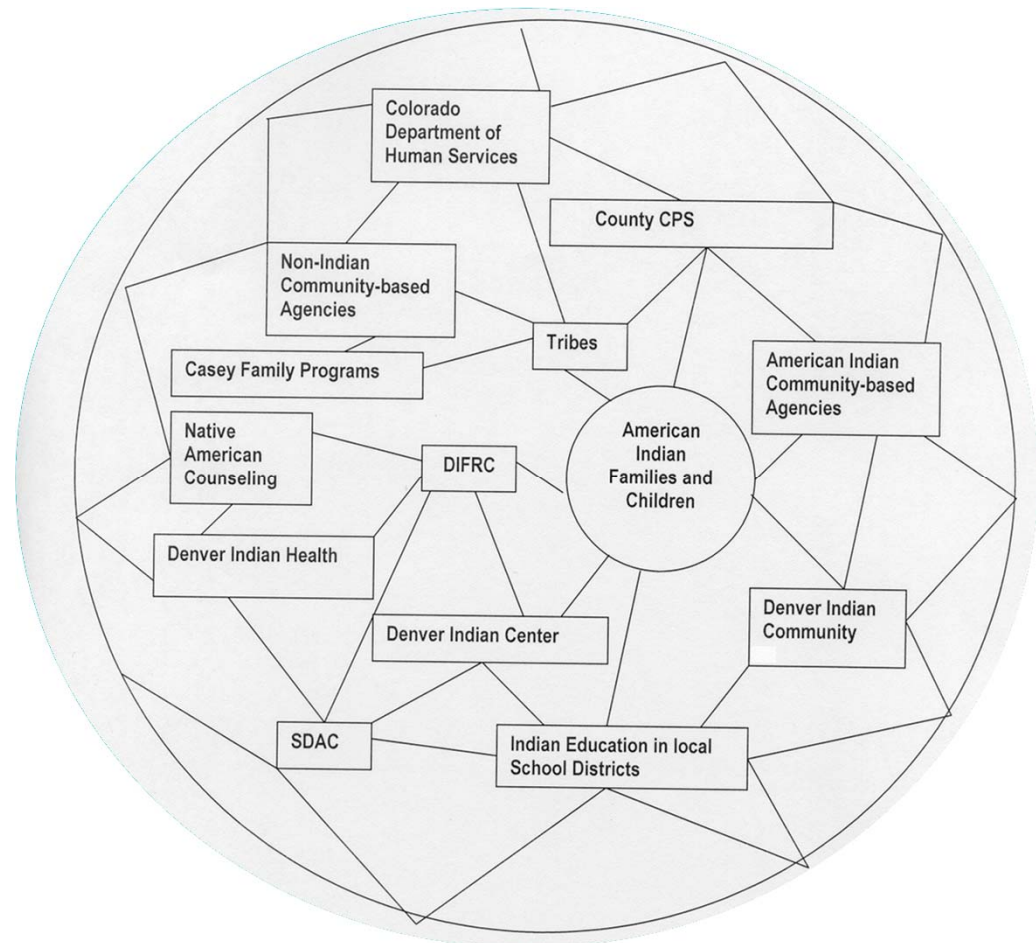
To Strengthen Vulnerable American Indian Children and Families Through Collaborative and Culturally Responsive Services



Collaboration With The Community

DIFRC Operating Principle:

Strive to share and collaborate with other providers around resources



Collaboration & Planning

- MOA's now exist with Denver, Jefferson, Adams and Arapahoe counties
- DIFRC participates in the Metro Denver Indian Child Welfare Improvement Initiative Steering Committee
- DIFRC collaborates with the Colorado Department of Human Services to sponsor ongoing regional trainings, titled: *The Indian Child Welfare Act: Basics and Best Practices*.
- DIFRC partnered with Denver Department of Human Services to recruit foster families, kinship care homes, and adoptive families. A Community Based Resource Team, (CBRT) was formed to develop strategies for recruitment of American Indian/Alaska Native families.

Impact & Success in 2010



Intensive Case Management



Throughout 2010, DIFRC served 89 families and 226 children.

- Of the 116 children whose cases closed during 2010, the following permanency goals were attained:

48 children (41%) were preserved in their homes

22 children (19%) were placed with relatives

36 children (31%) were reunified with parents

1 child (1%) was adopted by relatives

1 child (1%) experienced a termination of parental rights

8 children's families (7%) withdrew from services



- Last year, **91%** of the children served whose cases closed experienced a **positive permanency outcome.**

Resource & Referral

621 families were provided external resources and referrals for various services, including:

- Housing**
- Legal**
- Tribal Enrollment**
- Transportation**
- Food**
- Clothing**

Child & Family Therapy

- Dr. Sidney Brown has provided Behavioral Health services to 71 individuals through 2010. Services include individual, couple, family/Talking Circle, and Parent Child Interactional Therapy (PCIT) sessions.
- Hosted 2 Master's in Counseling Interns.
- **New last year**, offered two sessions Native Wellness Institutes' *Leading the Next Generation's Healthy Relationships* curriculum.



Health Advocacy



Working to reduce the number of underinsured or uninsured children and families in our community.

- 21 children were enrolled with CHP+ or Medicaid
- 10 parents were enrolled with Medicaid
- 2 pregnant women were enrolled in Medicaid/CHP+
- 4 individuals were assisted and 20 were referred to Colorado Indigent Care Program (CICP)
- 15 additional families were referred to PE sites closer to them

Healthy Cooking and EOC

- 26 participants graduated from one of the five cycles of the Healthy Cooking classes offered in partnership with Operation Frontline Colorado.
- New Side by Side class was held in August and included 10 children ages 8-12.
- 17 families received \$7700 of utilities assistance from Energy Outreach Colorado.

Nurturing Parenting Program

- **46 parents have participated in one of 7 parenting cycles offered this year. 26 have graduated the 15 week program.**
- **5 families served through In-home parenting**
- **Adolescents and Parents offered new this year, 3 families participated.**
- **Nurturing Skills for Families, combines ages 0-12, tailor-made parenting programs increase parental commitment in attending and participating.**

Honoring Our Traditional Ways Promoting Responsible Fatherhood



- Utilizes *Fatherhood/Motherhood Is Sacred* curriculum
- 20 Fathers and 20 Mothers were served, completing four classes, by the program in year four (October 2009-September 2010)
- 9 Fathers and 6 Mothers have completed the 12 week program during the fourth year.
- Second Annual Conference titled “Cultural Responses to the Modern World” and Father’s Day Powwow.



Kinship Support Group

- Co facilitated with Catholic Charities of Denver, monthly support group for kinship caregivers of Indian children.
- Caregiver and teen groups address a topic each month while childcare is provided.





Ensuring Safety and Permanence for Indian Children: Indian Child Welfare Act and Kinship Care

Teri Haymond, LCSW

Child Welfare Supervisor, Denver Indian Family Resource Center



The Federal Indian Child Welfare Act: 25 U.S.C. 1901-63 (May 7, 1978)

- ⇒ Enacted specifically to protect cultural rights of Indian children, families, and tribes
- ⇒ Recognizes the sovereign nation's right to determine who is an Indian child
- ⇒ Recognizes sovereign nation's right to determine outcomes for child welfare
- ⇒ Mandates minimum standards for the removal and placement of Indian children
- ⇒ Defines "best interest" for Indian children

Why was the law needed?

1970's data

- ⇒ Up to 35% of all Indian children removed
 - Boarding schools
 - Child welfare removal
- ⇒ Up to 97% placed in non-Indian homes
- ⇒ Up to 98% were adopted out of tribal families
- ⇒ High teen suicide rate, depression
- ⇒ Adopted children didn't fit in either world

ICWA: Basic Goals

“There is no resource that is more vital to the continued existence and integrity of Indian tribes than their children.”

- ⇒ Establishment of minimum federal standards for removal from home
- ⇒ Placement of Indian children who must be removed in homes that reflect culture
- ⇒ Remedial and rehabilitative services, active efforts towards reunification
- ⇒ To provide culturally congruent permanency planning

ICWA Key Practice Issues

- ⇒ Identification and eligibility
- ⇒ Notification
- ⇒ Jurisdiction
- ⇒ Active prevention and rehabilitation efforts that are culturally appropriate
- ⇒ Placement preferences that support the Indian child's cultural and social norms

Identification and Eligibility

“Does this child have American Indian ancestry?”

⇒ ICWA applies:

If Indian child is unmarried, under the age of 18, and is either

- a member of a federally recognized tribe
- is eligible for membership in a federally recognized tribe and is the biological child of a member of an Indian tribe.

⇒ The tribe must make the determination

Notification

- ⇒ Must be done on all involuntary proceedings
 - Foster placement
 - Change of placement
 - Termination of parental rights
 - Pre-adoptive or adoptive placement
- ⇒ By registered mail, return receipt
 - Tribe or tribes
 - Secretary of the Interior
 - Appropriate BIA Regional Director
 - Child's parents or Indian custodian

Jurisdiction

- ➔ State and tribe have concurrent jurisdiction
 - When child is living away from tribal land and
 - When child is not a ward of tribal court
- ➔ Exclusive tribal jurisdiction
 - If child is living on tribal reservation OR
 - Is a ward of tribal court OR
 - If tribal-state agreement specifies

Tribal Intervention

- ⇒ Can intervene at any point
- ⇒ ICWA creates presumption in favor of tribal jurisdiction transfers
- ⇒ Court shall transfer to tribal court unless
 - Parent objects or child over 12 objects (may be overruled)
 - Tribe declines (ICWA standards still apply)
 - Good cause exists (cultural witness required)

Active Rehabilitation Efforts

Goes beyond "reasonable efforts"

- ➔ ICWA mandates the state to make active efforts in every ICWA case in these two areas:
 - Provide services to the family to prevent removal
 - Reunify an Indian child with his or her parent after removal
- ➔ Required prior to termination of parental rights
- ➔ Means referral to culturally responsive services

Active Efforts: Identification, Always Ask and Ask Often

- ⇒ Encourage early identification of AI/AN children
 - “Does this child have American Indian ancestry?”
 - Distinguish Tribe, Clan, Band, Corporation or Village
 - Respect Tribes sole right to determine membership

- ⇒ Conducting a diligent search for relatives
 - Personal interviews with family members
 - Using Tribal resources (Family locators, ICWA office staff)
 - Use Indian community agencies
 - Use of American Indian/Alaska Native Assessment Form an available tool that is recommended

- ⇒ Advocating for relative and kinship placements

Standards of Evidence

- ⇒ Out of home placements require “clear and convincing evidence demonstrating that the child’s continued custody with the child’s parent is likely to result in serious emotional or physical damage to the child.”
- ⇒ Testimony of one or more qualified expert witnesses is required
- ⇒ Termination of parental rights requires evidence “beyond a reasonable doubt”

ICWA Placement Preferences

⇒ Foster care placement

- 1. Child's extended family (kin/non-kin)
- 2. Tribally approved home
- 3. Indian foster home
- 4. Tribally approved institution

⇒ Adoptive placement

- 1. Child's extended family
- 2. Other tribal family
- 3. Other Indian family

Placement Issues

- ⇒ Must be the least restrictive setting
- ⇒ Meet special needs
- ⇒ Be within reasonable proximity to child's home
- ⇒ Tribal resolution may override order of placement
- ⇒ Child or parent's preference may be considered
- ⇒ Social and cultural standards apply
- ⇒ Lack of Indian foster homes in Metro area
- ⇒ Utilize cultural contracts for non-Indian homes

ICWA Resources

- ➔ Online version of A Practical Guide to the Indian Child Welfare Act www.narf.org/icwa
- ➔ National Indian Child Welfare Association www.nicwa.org