Partnering with the Pascua Yaqui Tribe, Bureau of Indian Affairs, Justice and Social Services programs to offer training on presenting evidence of child abuse and neglect

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For Immediate Release: March 3, 2016
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WASHINGTON – Acting Assistant Secretary-Indian Affairs Lawrence S. Roberts today announced that the Bureau of Indian Affairs (BIA), in partnership with the Pascua Yaqui Tribe, will hold a landmark training program in 2016 designed specifically for social workers and tribal court presenters in the preparation, preservation and presentation of evidence in child welfare cases.

"As we continue to promote full implementation of the Indian Child Welfare Act and best practices in Indian child welfare proceedings, it is important to provide tribal courts and child welfare workers the most up-to-date knowledge and tools to help families and protect children," Roberts said. "I'm very pleased that the Bureau of Indian Affairs and its partner, the Pascua Yaqui Tribe, will offer training regarding best practices in child welfare cases. I want to thank the Pascua Yaqui Tribe for its contributions to making this landmark training possible, and encourage tribal governments and courts to take advantage of it."

The BIA's publication of updated the Indian Child Welfare Act guidelines for state courts and launch of the *Tiwahe* initiative brought national attention to child welfare and family issues in Indian Country. The Tiwahe initiative leverages BIA programs in concert with other federal programs that support family and community health and cultural awareness. *Tiwahe* means "family" in the Lakota language.

The training will teach social services investigators and case managers about the procedural and evidentiary requirements of each phase of proceedings. It is tailored for:

- BIA and tribal court personnel involved with ICWA and tribal child welfare proceedings;
- Tribal social services investigators, case managers, and supervisors primarily assigned to ICWA and/or tribal child welfare cases; and
- Tribal court personnel involved in presenting child welfare cases in state courts and those representing tribes.

The program has been developed with the help of Casey Family Programs, the nation's largest operating foundation focused on safely reducing the need for foster care placements and building Communities of Hope for children and families across America. The first session will take place March 8-10 at the Tribe's Casino Del Sol Conference Center and Resort in Tucson, Ariz. Additional training dates and locations will be announced at a later date.

The BIA's Office of Indian Services Division of Human Services (DHS) and Office of Justice Services Tribal Justice Services Directorate (TJS) will offer child welfare evidence training that:

- Develops the skills of child protection investigators and caseworkers in the civil legal process;
- Focuses on roles and responsibilities, particularly civil rules of evidence and procedure; • Is designed for tribal court prosecutors or presenters representing the tribe's position in child protection cases;
- Is designed around preparing, preserving and presenting by tribal social workers and presenters evidence of child abuse in both Indian Child Welfare Act (ICWA) context and in tribal court; and
- Provides an opportunity for non-law trained and inexperienced tribal court personnel to learn the basics of due process requirements in child abuse cases whether in state or tribal jurisdictions.

The training is based on a fact pattern developed by BIA regional social services directors in conjunction with tribal court judges and other tribal court personnel. Casey Family Programs helped develop the training process, and the Pascua Yaqui Tribe contributed greatly to the course materials, and will provide facilities and other support.

The curriculum is divided into two distinct sections – Pre-Adjudication and Post-Adjudication – with an important due process component in the proceedings. The fact pattern, which begins in state court under ICWA, uses the natural structure of a civil child welfare case to demonstrate the applicable rules of procedure and evidence at each phase of a judicial proceeding: first under ICWA and then upon transfer to tribal court for adjudication and disposition. Course materials include a social services case file and a legal file for each phase of judicial proceedings with terminology, applicable laws and rules also provided for each phase.

Teams comprised of tribal court and social services workers are also encouraged to attend. Applications can be obtained from the Pascua Yaqui Tribe's website at http://www.pascuayaquinsn.gov/images/announcements/cw_evidence_training_with_registration_form.pdf.

The BIA-TJS's mission is to provide training and technical assistance to tribal courts in both civil and criminal matters. Because tribal justice systems ensure public health and safety in tribal communities and protect the political integrity of tribal governments, they are one of the most visible aspects of a tribe's exercise of its inherent sovereignty. For more information, visit http://www.indianaffairs.gov/WhoWeAre/BIA/OJS/ojs-services/ojs-tjs/index.htm.

The BIA Division of Human Services' mission is to promote the safety, financial security, and social health of Indian communities and individual Indian people. For more information, visit http://www.indianaffairs.gov/WhoWeAre/BIA/OIS/HumanServices/index.htm.
