INDIAN CHILD WELFARE POLICIES AND PROCEDURES

12. Case Management Services for Children and Families of Non-Federally Recognized Tribes and Canadian First Nations

Original Date: September 7, 2016
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Approved by: Frank Ordway, Chief of Staff

Purpose

The purpose of this policy is to provide guidance on case management practices throughout the life of a case when children are from non-federally recognized tribes or Canadian First Nations and the Indian Child Welfare Act (ICWA) does not apply.

Scope

This policy applies to caseworkers.

Laws

Chapter 13.34 RCW Juvenile Court Act-Dependency and Termination of Parent-Child Relationship
Chapter 74.13 RCW Child Welfare Services

Policy

1. Caseworkers must:
    a. Contact and partner with non-federally recognized tribes and Canadian Frist Nations when working with children who are or may be a member throughout the life of a child welfare.
    b. Seek to keep children connected to their non-federally recognized tribes and Canadian First Nations family, community, and culture.

Procedures

1. When caseworkers receive information indicating that children are from a non-federally recognized tribe or Canadian First Nation and are not enrolled, they must:
    a. Contact the tribe by phone, email, facsimile, letter, etc. to inform them that DCYF is working with children who are or may be members and to request help:
        i. Locating relatives or other tribal placements for children.
        ii. Obtaining available services or resources for children and families.
    b. Follow child welfare policies including, but not limited to:
        i. Family Assessment, to gain a greater understanding of the family's strengths, needs, and resources.
        ii. Notification to Foreign Consulates, when children are a member of a Canadian First Nation with dual citizenship are in Department of Children, Youth, and Families (DCYF) placement and care authority after consulting the Office of Attorney General.

iii. Shared Planning Meetings and Case Plan, to preserve children's culture and respect their right to be connected to and participate in their community when developing case plans.
iv. Kinship Care: Searching for, Placing with, and Supporting Relatives and Suitable Other Persons, to search for, notify, place, and support children when they are placed in out-of-home care with kinship caregivers or the child's tribal community members.
v. Chapter 22. Local Indian Child Welfare Advisory Committee policy when conducting LICWAC meetings.
vi. Chapter 4. Sharing Confidential Records with Tribes when contacting tribes or Canadian First Nations for help.

2. Tribal Membership
   a. If parents or guardians request assistance with establishing tribal membership, provide the following help for children who are:
      i. Not legally free, by assisting parents and guardians, if willing, in completing the membership paperwork when the child is:
         A. Not a member but is eligible for membership.
         B. A member in one tribe and may be eligible for membership in another tribe where:
            I. The tribe consents to membership in another tribe.
            II. Tribes allow multiple memberships.
      ii. Legally free, by consulting with the tribe.
         A. If the tribe agrees, obtain a court-order to complete membership.
         B. If the tribe disagrees, do not proceed with membership.
   b. Parents and guardians sign the paperwork when they wish to apply for membership children in a tribe; not caseworkers, volunteers, interns, or work study students.

Resources

Child Welfare Case Plan policy
Child Welfare Family Assessment policy
Child Welfare Kinship Care: Searching for, Placing with, and Supporting Relatives and Suitable Other Persons
Child Welfare Notification to Foreign Consulates policy
Child Welfare Shared Planning Meetings policy
DCYF Administrative 13.04 Protecting Privacy and Confidential Information policy
ICW Chapter 4. Sharing Confidential Records with Tribes policy
ICW Chapter 10. Local Indian Child Welfare Advisory Committee policy

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