

QEW TESTIMONY

QUESTIONS TO CONSIDER

01

Application and Verification

Was the tribe contacted at the first threat to removal?

Was the ICWA office contacted directly?

Was the ICWA Inquiry/Case Status Form and process used?

Was there a diligent family search conducted?

Was support provided to enroll if applicable?

Is/was ICWA being applied during the verification process?

02

Emergency Removal

Was the removal necessary to prevent imminent physical damage or harm to the child/ren?

If child/ren are not in ICWA preferred placement, was/is there a concurrent plan and an ongoing search for an ICWA preferred placement?

Were active efforts provided to maintain or reunite the family?

Can a safety plan and in-home services be provided to the family?

Are siblings placed together?

Has visitation been offered and/or occurred?

Is the removal still necessary to prevent damage or harm?

03

Notice

Notice was received by tribe at least 10 days prior to the required hearing?

Formal notice came via certified or registered return receipt requested?

Is informal notice and/or communication between state and tribal partners occurring in a meaningful way?

04

Jurisdiction

Is the child a ward of a tribal court?

Does the family live on or are they domiciled on the reservation?

Is a transfer to a tribal court possible and in the best interest of the child and family?

05

Active Efforts

Is there evidence of meaningful active efforts?

Were the efforts Affirmative, Active, Thorough and Timely?

Were active efforts provided to attend to the social and cultural standards and/or practices of the identified tribe/s?

Was there a comprehensive assessment with a focus on keeping the family together?

Identification of appropriate services and barriers for the family?

Efforts to work with the Tribe in providing services and support?

Culture was considered in the provision of preservation strategies?

Was and/or is there a diligent/ongoing search for family & extended family for placement and/or support?

Siblings are together, if not are there consistent efforts to maintain sibling relationships?

Family visitation is frequent and occurs in the most natural setting?

Frequent monitoring of progress and participation in services?

Family has access to any and all local social services?

Alternative active efforts are utilized when more traditional services are not working?

Family was provided with post-reunification services and monitoring?