

CALIFORNIA TRIBAL FAMILIES COALITION

2018 ICWA Legislation Pending in California

The California Tribal Families Coalition is sponsoring three bills to address ICWA compliance issues raised in the 2017 ICWA Compliance Task Force Report provided to Attorney General Becerra. The bills are described below, and we are seeking your support. Please review this overview and attached letters of support. Fact Sheets may be found on our website at: www.caltribalfamilies.org
We appreciate your time and attention to these important bills and hope you will join us by submitting letters in support of this legislation.

AB 3076 (Reyes) Legal Counsel for Tribes: This bill provides legal counsel for tribes in dependency cases where ICWA applies. Many tribes do not have resources sufficient to retain legal counsel, leaving tribes as the sole unrepresented party in child welfare cases where ICWA applies. Tribes often rely social workers to represent their interests in these matters, which has been cited by judges and tribes alike as being an impediment to ICWA compliance. This bill will authorize legal assistance to tribes thereby increasing compliance and reducing the number of appeals related to ICWA cases.

AB 3047 (Daly) Court Fee Waivers: Indian Child Welfare Act: This bill helps ensure tribes are rightfully represented in child custody proceedings where ICWA applies by providing a fee waiver for out-of-state tribal attorney's using California's "pro hac vice" process so they can represent their clients in a specific case without the \$500 fee. Waiving the fee will help ensure that tribes do not struggle with insurmountable costs and are rightfully represented during these important cases. Other states including, Michigan, Nebraska and Oregon have similar legislation allowing California tribal attorneys to appear without a fee.

AB 3176 (Waldron) Indian Child Welfare Act: Conformance Bill: This bill incorporates the 2016 Bureau of Indian Affairs ICWA regulations into the Welfare and Institutions Code to ensure compliance with ICWA, a law designed to protect Indian children, families and tribes.

If you have any questions or would like to learn more about these bills, please contact Delia M. Sharpe, Executive Director of the California Tribal Families Coalition, at 916-583-8289 or delia.sharpe@caltribalfamilies.org.