A Native Pathway to Adulthood:
Training for Tribal and Non-Tribal Child Welfare Workers
Participant Manual

The University of Oklahoma OUTREACH National Resource Center for Youth Services
A Native Pathway to Adulthood:
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Child Welfare Workers

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Acknowledgements

We would like to thank the Children’s Bureau of the Administration for Children, Youth and Families, United States Department of Health and Human Services for providing the opportunity to develop this curriculum. We also like to acknowledge our project officer, Pamela Johnson, who supported and encouraged all of the grantees and provided inspiration throughout the life of the project.

Our greatest appreciation goes to the members of the Advisory Group and Curriculum Work Group who, during the life of the project, merged into one, very committed team. These individuals not only attended regular project meetings to share ideas and give feedback, they also hosted events, attended numerous trainings, and provided opportunities for this curriculum to take shape and grow. The success of this project is due to this dedicated group of individuals.

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Acknowledgements

We would also like to thank every person who participated in our trainings over the last three years. Without your participation in this project as well as your helpful feedback, the content of the curriculum would not have the richness of information about the varying ways to assist tribal youth to adulthood.

In partnership with the Advisory and Curriculum Work Group members, many staff at The University of Oklahoma, National Resource Center for Youth Services have worked tirelessly on creating, refining, and enhancing The Native Pathways to Adulthood Curriculum. Each person added an essential element and, most importantly, remained passionate about the importance of the work in spite of the many twists and turns the project took during the three year project period. These staff include: Dorothy I. Ansell, Jean Carpenter-Williams, Kathy Sutter, Kristal S. Nicholson, Nancy Mason, Charlotte Berryhill, Judy Jarvis, Wayne Kruse, Kristi Witt, Danny Stout, Twyla Snider, Gay Munsell, Becky Copeland, and Susan Arkeketa Consultant, Sue Barton, assisted with curriculum design and training during a time of transition and artist, John Tiger, worked with staff to create the artwork that best conveys the theme of the curriculum.

Thanks to everyone for their dedication and good work.

Peter R. Correia, III
Director
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1. Identify one impact of the cultural environment on Native American adolescent development.
   a. loss of extended family  
   b. a sense of distrust  
   c. identity  
   d. all of the above  
   e. a and c

2. List two benefits that youth-adult partnerships bring to young people, adults, and tribal communities.
   a. more effective planning  
   b. increase sense of belonging  
   c. learning from each other  
   d. all of the above  
   e. none of the above

3. A young person’s connection to his/her tribe has little impact on his/her successful transition to adulthood.
   True False Not sure

4. Name three activities, resources, and/or individuals that you can engage to convey history, tradition, and social norms to youth.

5. What happened in the past should not affect the work I do with young tribal members now.
   True False Not sure

6. I know specific resources that are available through the tribes and local Indian communities.
   True False Not sure

7. It is most important to find out what is wrong with a young person when doing an assessment.
   True False Not sure

8. I know how to complete a culturally competent life skills assessment.
   True False Not sure

9. I know how to complete a culturally congruent plan of transition.
   True False Not sure

10. Name one traditional approach for teaching life skills.

11. The skills necessary for Native American youth to transition to adulthood are the same as those for other cultural groups.
   True False Not sure
Housekeeping Issues
Knows and understands about why independent living services are necessary for transitioning tribal youth.

Knows and understands the elements of Chafee, the State Plan, and availability of resources to tribal youth since its enactment.

Knows and understands the impact of federal and social policy of the Indian Child Welfare Act and historical distrust on transitioning tribal youth.

Knows and understands the distinct needs of transitioning tribal youth and the role of the child welfare worker, tribal community, and ICWA.

Knows how to use the Life Skills Strengths/Needs Assessment, results, and local resources to develop a culturally congruent plan of transition.
A Native Pathway to Adulthood:

Day One

Welcome: State and Traditional Tribal Welcome/Prayer
Introductions and Housekeeping Issues
History of the Project
Overview of Curriculum Competencies
Four Core Principles
John H. Chafee Programs and the States’ Responses to Chafee
Historic Distrust and its Impact on Transitioning Tribal Youth
Defining Tribal Independent Living
Life Skills
Four Phases of the Life Path Continuum
Culturally Competent Teaching Strategies

Day Two

Key Learnings
Adolescent Development in a Tribal Context
Tribal Identity
Minefield
Five Roles of Adults
The Assessment Process
Naturalistic Inquiry
Goal Planning
Accessing Community and Tribal Resources
Case Planning
Review and Close
History of The Tribal Independent Living Curriculum Project

Independent living programs provide a variety of services to help youth in foster care ease the transition into adulthood. Services to help tribal youth meet their unique cultural needs are limited or nonexistent. Recognizing this need for services, The University of Oklahoma National Resource Center for Youth Services (NRCYS) started The Tribal Independent Living Curriculum Project (TILCP) to develop an independent living curriculum for Indian child welfare practitioners. At the outset, it was acknowledged that collaboration would be essential to the Project’s success. A decision was made to work with Tribes, the National Indian Child Welfare Association, the New Mexico Indian Child Welfare Association and others to help identify and address older tribal youth needs.

An advisory board composed of Indian child welfare practitioners was created to assist in the development and implementation of the project. Soon after, a tribal competency work group emerged to review the evolving curriculum and it was decided that tribal youth would be represented and incorporated in all phases of the Project. Focus groups were used to help in the collection and dissemination of information related to tribal youth involved in the transition out of foster care. Once the curriculum was approved for facilitation, training host sites were identified to pilot the curriculum.
Overview of Curriculum

A Native Pathway to Adulthood

COMPETENCIES

ADOLESCENT DEVELOPMENT
- Knows and understands the impact of the cultural environment(s) on Native-American adolescent development.

POSITIVE YOUTH DEVELOPMENT
- Knows and understands the importance of youth-adult partnerships and benefits to young people, adults, and tribal communities.

TRIBAL IDENTITY
- Knows and understands the significance of a youth’s connection to extended family, clan, tribe, and community.
- Knows how to connect youth with activities, resources, and individuals that convey history, tradition, and social norms including rites of passage.

FEDERAL AND SOCIAL POLICY
- Knows and understands the origins of historic distrust/trauma and the implication for the helping relationships.

COMMUNITY AND TRIBAL RESOURCES
- Knows how to identify specific services available through the tribes and local Indian communities.

ASSESSMENT AND GOAL PLANNING
- Knows and appreciates the benefits of completing a strengths-based assessment, both traditional and contemporary.
- Knows how to conduct a culturally competent life skills assessment and to develop a culturally congruent plan of transition.

LIFE SKILLS INSTRUCTION
- Is aware that there are traditional approaches for teaching life skills.
- Knows and understands the skill sets needed by Native American youth to transition to adulthood.
Four Core Principles

In the continuing work of the Muskie School of Public Service, University of Southern Maine, and National Resource Center for Youth Services, College of Continuing Education University of Oklahoma, four core principles have emerged as essential for adolescent transitional living programs to be successful. It is the thinking of current experts in the field that the principles defined below form the basis for thirteen promising practices criteria. See the Suggested Practice Criteria check sheet on the pages that follow.

Youth Development

A process which prepares young people to meet the challenges of adolescence and adulthood through a coordinated, progressive series of activities and experiences which help them to become socially, morally, emotionally, physically, and cognitively competent. Positive youth development addresses the broader developmental needs of youth, in contrast to deficit-based models, which focus solely on youth problems. (National Collaboration of Youth Members)

Collaboration

The process by which several agencies or organizations make a formal, sustained, commitment to work together to accomplish a common mission. (The Community Collaborations Manual, National Assembly of Voluntary Health and Social Welfare Organizations.)

Cultural Competence

Culture is difference in race, ethnicity, nationality, religion/spirituality, gender, sexual orientation, socio-economic status, physical ability, language, beliefs, values, behavior patterns, or customs among various groups within a community, organization, or nation. (A Guide to enhancing Cultural Competency of Runaway Homeless Youth Programs, HHS, ACF, ACYF.)

Gaining cultural competence is a long-term process of expanding horizons, thinking critically about the issues of power and oppression, and acting appropriately. Culturally competent individuals have a mixture of beliefs and attitudes, knowledge, and skills that help them establish trust and communicate with others. (Advocates for Youth)

Permanent Connections

Positive Relationships that are intended to last a lifetime. They may be either formal (e.g. adoption or reunification with family) or informal (e.g., mentors or peer support groups). Very often they are identified by the youth. (National Resource Center for Youth Services.)
Below are the thirteen criteria. Review each of them and:

Circle the number that your IL/TL program already has in place.
Put a check next to the numbers that some other organization provides.
Put a star next to those services or activities you want to work on.

1. A plan of transition for each youth that is…
   • Based on an assessment of strengths and needs
   • Developed with active youth involvement, and
   • Reviewed on a periodic basis

2. A clearly defined life skills instruction component that provides youth with…
   • Knowledge and understanding of a core set of life skills, and
   • Opportunities to practice skills in a real world environment

3. Educational supports aimed at helping youth…
   • Obtain his/her secondary education degree
   • Increase literacy
   • Select a career field and develop an educational/career plan
   • Begin a post-secondary educational/vocational program and/or
   • Complete a post-secondary educational/vocational program

4. An employment component that…
   • Provides opportunities for career exploration
   • Provides assistance in developing an educational and career plan
   • Provides career-related work experience
   • Provides career role models, and
   • Builds and manages partnerships with local educational institutions, industries, and employment program

5. Established community linkages that…
   • Connect youth with community resources,
   • Connect youth with adult mentors,
   • Create job/career opportunities for youth, and
   • Create leadership opportunities for youth

6. A supervised independent living component that allows youth to…
   • Select their own housing
   • Pay their own bills and maintain their own budget
   • Work out landlord/roommate disputes, and
   • Assume the lease or establish their own housing arrangement at the end of the program
7. Health services that…
   • Prepare youth to manage their own medical/dental/mental health needs,
   • Connect youth with appropriate health resources in their own community, and
   • Work on substance abuse issues

8. Emotional well-being and cultural identity services that help youth…
   • “Make peace with the past” (e.g. trauma counseling),
   • Work through the emotional stages of transition,
   • Promote cultural identity/development, and
   • Identify and engage in appropriate leisure activities

9. Permanent Connection activities that help youth…
   • Reunite with family members
   • Return to their home communities,
   • Consider and prepare for adoption and other permanent connections, and
   • Develop/expand personal support systems

10. Youth developmental activities that provide opportunities for youth to…
    • Increase their advocacy skills and exercise their leadership ability
    • Participate in community services
    (e.g. peer tutoring, counseling, and education)

11. Aftercare services that provide…
    • Information and referral
    • Temporary financial assistance
    • Help in establishing and maintaining own living arrangements
    • Peer support opportunities
    • Opportunities to share personal transition experiences with younger youth, and/or
    • Personal support for youth during the transition to self-sufficiency
    • Encourages staff & care providers to develop new knowledge and skills, and
    • Educates the community (e.g. schools, employers) about the needs of youth while in transition.

12. On-going training component that…
    • Orient new staff & care providers to IL/YD philosophy,
    • Provides continuing education for experienced staff and care providers,

13. On-going evaluation components that measure…
    • Immediate program outcomes (results at the end of the program),
    • Short-term outcomes for youth (6-12 months after program completion), and Long-term outcomes for youth (more than a year after program completion)
In 1999, the Foster Care Independence Act was passed creating the John H. Chafee Program. States were asked to submit state plans to the federal government by June 2001. The plan explained how each state would meet the requirements of the John H. Chafee program and outlined the services to be provided with the funds requested. Staff that provide transition services to youth in out-of-home care should be familiar with this program. The National Resource Center for Youth Services has created a web page referencing each state’s response to Chafee.

The web address is http://www.nrcys.ou.edu/NRCYD/state_home.htm.
Trust is a necessary component in any successful relationship. However, the establishment of trust is not an easy task. Past experiences and history play a significant role in the building or rebuilding of trust since we interact with others based on our perceptions, interpretations, and reactions to the events of our lives. Throughout history relations between the Native American Indian and the Anglo American have been highly conflictual. This long-term conflict has bred a type of distrust that goes beyond the one-to-one relationship of caseworker and tribal youth.

Historic distrust develops when one culture’s encounters with another culture, organization, agency, government, institution, and/or any other authority are characterized by negative results for that culture. Historic distrust is a dynamic that can occur between a helper of the dominant society and a client of a minority community (Lacerate, 1981; Good Tracks, 1973).

It is a distrust that is hard to address, yet must be recognized and dealt with in order that caseworkers and tribal youth can be “helpful” to each other throughout the transitioning period.

In her article, *Historic Distrust and the Counseling of American Indians and Alaska Natives*, Barbetta Lockart (1981) identifies some stereotypic expectations of Anglo Americans from the Native American perspective:

- Giving Advice – Viewed as having a quick, ready answer for everything.

- Expecting Change – Expecting or demanding immediate change.

- Judgmentalism – Native American clients may feel “on trial”. This attributed to the Anglo being a historic authority figure.

- “White Liberal” – Feeling of imposing values and beliefs on them.

- Moving Too Fast - Time is looked at differently in Native American

- Culture – It is believed that things are taken care of when the time is right according to an internal feeling or belief, not according to a clock.

- Inconsistency – Being inconsistent will reinforce the belief that Anglos are inconsistent.

“What is needed to help tribal youth make the transition to adulthood?”

There has been much discussion about what tribal youth need to make a successful transition to adulthood. The terms “independent living,” “life skills training,” and “transitional living” mean a lot of different things to different people. Jot down your ideas in the space below. Remember to include any rites of passage activities that are specific to your tribal community. Be prepared to share your ideas with others.

I BELIEVE TRIBAL YOUTH NEED THE FOLLOWING TO MAKE A SUCCESSFUL TRANSITION TO ADULTHOOD:
A process that involves all children in care in learning the appropriate maturational skills for daily living, concentrating at adolescence on those independence giving functions—education, jobs, friends, decisions, and choice—that naturally come to the fore in adolescence, with follow-up services available as long as the youth seeks or requires them.

_Helen D. Stone ©CWLA (1985)_
Four Phases of the Life Path Curriculum
Your Support System: Who do you go to when…

Want to Learn New Things
Want to Play
Want to Explore New Ideas
Want Acceptance and Approval
Want Good, Sound Advice
Want Friendship
Have a Problem

Your Own Needs
Components of Service Learning

Investigate and Define:
Look around your community to see where there are needs. Have the youth brainstorm about problems or concerns that they see. Allow youth to take ownership.

Empower:
Once a problem has been identified, empower the youth to problem-solve. Develop treatment/educational goals and objectives to tie service and learning together. Have youth brainstorm possible solutions. Try to reach consensus.

Pre-Teach:
This is your opportunity to link goals/curriculum to the actual experience. This enhances both the curriculum and the volunteer experience.

Participate:
This is it. Make sure both the youth and the nonprofit organizations you are working with have a clear understanding of the goals and objectives of the volunteer experience.

Evaluate:
Have the youth reflect on the volunteer experience. This is the most crucial aspect of service learning. Take your time and let youth learn from the experience and each other.

Recognize:
It is important to "recognize" youth who volunteer as soon possible after the event. Be creative...it makes a lasting impression.

Copyright 1996 Scott. Carpenter#: All rights reserved.
**Name of Service Project:** A Garden of Others

**Date of Project:**

**Description:** Youth will grow food and provide food to meal programs, pantries, etc.

**Contact Person:** Joe at Hunger Task Force  Phone: 

<table>
<thead>
<tr>
<th>Goal/Objective/Curriculum</th>
<th>Day 1 __ /__ /__</th>
<th>Day 2 __ /__ /__</th>
<th>Day 3 __ /__ /__</th>
<th>Day 4 __ /__ /__</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investigate/Define</td>
<td>During discussion, about meal programs in the city, youth decide to take action.</td>
<td>Youth hold brainstorming session to address the problem. They will grow food on grounds and donate food to meal programs/pantries.</td>
<td>Youth will discuss: --job descriptions needed --interviewing for &quot;positions&quot; --responsibilities</td>
<td>Youth will conduct weekly meetings.</td>
</tr>
<tr>
<td>Youth will work to Improve appropriate Peer interaction</td>
<td>Read local newspapers and magazines/watch local news. Discuss articles/current events.</td>
<td>Youth will learn: --gardening skills --quality control --food preparation</td>
<td>Youth will be monitored on: --attendance --work attitude --productivity</td>
<td></td>
</tr>
<tr>
<td>Youth will build work skills (soft and hard skills)</td>
<td>To prepare for &quot;brainstorming&quot; session, therapist/youth will discuss and role play: --rules about brainstorming --how to compromise</td>
<td>Gardening Food Prep</td>
<td>Volunteerism</td>
<td></td>
</tr>
<tr>
<td>Youth will learn appropriate leisure-time skills.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Youth will improve ability to control temper.</td>
<td></td>
<td></td>
<td>Therapist will role play with youth: --work conflicts --difficulty doing one’s job --etc.</td>
<td></td>
</tr>
<tr>
<td>Participate</td>
<td>Pre-Teach</td>
<td>Empower Day</td>
<td>Investigate/Define</td>
<td>Curriculum/Goal</td>
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</tr>
<tr>
<td>Day 4</td>
<td>Day 3</td>
<td>Day 2</td>
<td>Day 1</td>
<td></td>
</tr>
</tbody>
</table>

Name of Service Project:

Date of Project:

Description:

Contact Person:

Phone:
Each teenager is an individual with a unique personality and special interests likes and dislikes. In general, however, there is a series of developmental tasks that everyone faces during the adolescent years.

A teenager's development can be divided into three stages — early, middle, and late adolescence. The feelings and behaviors of adolescents for each stage are described below. Please review this list and add characteristics from a tribal perspective that may not have been considered in each of the categories. Be ready to discuss with others.

**Early Adolescence (12-14 years)**

*Movement Towards Independence*
- Struggle with sense of identity
- Moodiness
- Improved abilities to use speech to express oneself
- More likely to express feelings by action than by words
- Close friendships gain importance
- Less attention shown to parents, with occasional rudeness
- Realization that parents are not perfect; identification of their faults
- Search for new people to love in addition to parents
- Tendency to return to childish behavior, fought off by excessive activity
- Peer group influence interests and clothing styles

*Career Interests*
- Mostly interested in present and near future
- Greater ability to work

*Sexuality*
- Girls ahead of boys
- Same-sex friends and group activities
- Shyness, blushing and modesty
- Show-off qualities
- Greater interest in privacy
- Experimentation with body (masturbation)
- Worries about being normal

*Ethics and Self-Direction*
- Rule and limit testing
- Occasional experimentation with cigarettes, marijuana, and alcohol
- Capacity for abstract thought
Middle Adolescence (15-16 years)

Movement Towards Independence
- Self-involvement, alternating between unrealistically high expectations and poor self-concept
- Complaints that parents interfere with independence
- Extremely concerned with appearance and with one’s own body
- Feelings of strangeness about one’s self and body
- Lowered opinion of parents, withdrawal of emotions from them
- Effort to make new friends
- Strong emphasis on the new peer group with the group identity of selectivity, superiority, and competitiveness
- Periods of sadness as the psychological loss of the parents takes place
- Examination of inner experiences, which may include writing a diary

Career Interests
- Intellectual interests gain importance
- Some sexual and aggressive energy directed into creative and career interests

Sexuality
- Concerns about sexual attractiveness,
- Frequently changing relationships
- Movement towards heterosexuality with fears of homosexuality
- Tenderness and fears shown towards opposite sex
- Feelings of love and passion

Ethics and Self-Description
- Development of ideals and selection of role models
- More consistent evidence of conscience
- Greater capacity for setting goals
- Interest in moral reasoning
Late Adolescence (17-19 years)

Movement Towards Independence
- Firmer identity
- Ability to delay gratification
- Ability to think ideas through
- Ability to express ideas in words
- More developed sense of humor
- Stable interests
- Greater emotional stability
- Ability to make independent decisions
- Ability to compromise
- Pride in one's work
- Self-reliance
- Greater concern for others

Career Interests
- More defined work habits
- Higher level of concern for the future
- Thoughts about one's role in life

Sexuality
- Concern with serious relationships
- Clear sexual identity
- Capacities for tender and sensual love

Ethics and Self-Direction
- Capable of useful insight
- Stress on personal dignity and self-esteem
- Ability to set goals and follow through
- Acceptance of social institutions and cultural traditions
- Self-regulation of self-esteem

Teenagers will naturally vary slightly from the descriptions in the above, but the feelings and behaviors listed for each area are, in general, considered common for each of the three stages. The mental and emotional problems that can interfere with these developmental stages are treatable.

From: American Academy of Child & Adolescent Psychology
Adolescent Development in a Tribal Context

Adolescent development is a unique process. Each individual follows a general course of development while the impact of genetics and the community experience distinguish the normality of the adolescent. In tribal communities, there are two phases of development: childhood and adulthood. Each phase carries expectations and responsibilities of individuals and the community. Bullerdick (1999) states that there is not a period of extended adolescence, only childhood. He shares that during the childhood phase the community’s responsibility is to nurture, protect, and guide. Once the tribal youth comes of age, there are tribal rites of passage that assist in the celebration of the youth’s transition to adulthood. In adulthood, the tribal youth takes on more obligations and responsibilities within the family and takes a more active role in tribal life, i.e. participating in cultural and spiritual activities and ceremonies (Graham et al, 2001).

Rites of passage, activities or ceremonies, in tribal communities serve two purposes: to move a child or youth forward in acceptance of new roles and identities and to clearly define their function and responsibility to the family, community, and tribe (Clay, 2000). With this in mind, we ask you to identify some of the rites of passage activities and ceremonies you have participated in during your life path.
Identity Pie

Blood/Genetic Identity

Current Identity

Ideal Identity
Review your notes and jot down concepts or statements shared yesterday that could serve as aids or reminders about our interactions with tribal youth. Then, turn to the person next to you and discuss your responses.
“Indian youth deserve and should command our special concern and attention and most of the efforts we put forth must come from a strong tribal commitment. Both the community and the governing structure must be involved in this responsibility. We need to encourage all Indian youth, both the exceptional and the average, providing them with the support and structure that will allow them to have the opportunity for a healthy developmental life. Efforts should be taken to focus attention on our Indian youth, enabling them to emulate the things we value highly in our tribal societies.”

Five Roles for Adults

Teacher
• Looks for “teachable moments.”
• Introduces new concepts by telling, showing and doing.
• Gives youth an opportunity to practice new skills.
• Recognizes that everyone does not learn at the same pace or in the same way.
• Allows youth to learn by trial and error.

Coach
• Explains the “rules of the game.”
• Provides encouragement.
• Gives helpful feedback.
• Challenges youth to do their best.
• Stays on the sidelines.

Counselor
• Listens to youth’s concerns.
• Helps youth clarify feelings, values, and goals.
• Helps youth focus on outcomes, not problems.
• Allows youth to take charge of their lives.
• Encourages youth to work toward a goal.

Mentor
• Looks for new opportunities and resources.
• “Opens doors” for youth.
• Takes youth along when handling personal business.
• Introduces youth to people and organizations that are valued.

Tribal Elder
• Provides a sense of cultural history for the youth.
• Strengthens traditional values in youth.
• Assists youth with spiritual guidance and support.
• Role models leadership qualities for youth.
The Assessment Process

- Gathering information
- Analyzing that information
- Drawing conclusions from that information
- Making decisions based upon that information

Guidelines

- Identify strengths and needs only (don’t think services)
- Don’t disguise services in needs statements
- Be specific
- Incorporate safety concerns as specific needs

Needs Statement

- Identifies or suggests behavior
- Is stated positively
- Is clear and brief, preferably in the youth’s words
- Uses the word “need”
- Addresses the youth’s needs or need for “a parent who...”
The Assessment Process

Assessing Strengths — recognizing and acknowledging positive attributes.

- What: do you do well/are you proud of/are some of your successes?
- Extended family?
- Ability to meet daily needs?
- Sources of joy?
- Vocational/Educational successes?
- Ambitions/Goals?

Assessing Needs

- What are the physiological/psychological requirements for well-being?
- What are the underlying conditions that must be present to reduce or eliminate risks to protection, well-being, or a sense of competence or success?
Naturalistic Inquiry

Naturalistic Inquiry is an interviewing technique that allows practitioners to honor and respect the reality and worldview of tribal youth through a series of open-ended questions. The naturalistic interviewing technique allows practitioners to get information that can help them develop more effective interventions.

**Naturalistic questions start with the following:**

How?

What?

Tell me…

Describe…

Explain…

**Some examples might be:**

Tell me what you’ve learned about yourself in this situation.

Describe a time in your life when you felt empowered.

How did you come into foster care?

How did you decide to stay in this foster home?
Now You!

• **Generate three questions** that would help you in your work with youth.

• **Generate three questions** that you might ask a social worker about a client’s case.

• **Generate three questions** that you might ask a parent or family member about a youth.

• **Generate three questions** that you might ask a teacher or school administrator about a youth’s academic abilities.
Tips for Using the Life Skills Strengths/Needs Assessment

- Become familiar with the Guideline Questions. Don’t rely on the Reporting Form to guide your interview. Create a cheat sheet to help you get started.

- Always start with Special Interest and Activities. Most people have no difficulty talking about what they like to do in their free time.

- Normally you would move from the Strengths side to the Needs side in a category. If your youth is showing signs of resistance, go through all of the questions on the Strengths side first.

- Show the reporting form to the youth at the beginning of the interview. Let them know they will get a copy when the interview is over. Or you can choose to allow the youth to write out their responses as well to increase investment.

- Record short, one or two word descriptions of what the youth tell you. If the guideline question is close-ended, add an additional open-ended question to obtain more information.

- When the interview is over, review the completed assessment form with the youth. Be prepared to modify some of what you have recorded if the youth does not feel it accurately describes what she/he way saying.

- Ask the youth to identify the need that he/she is most interested in working on right now. Circle or note this need on the completed form.

- Give the youth a copy of the completed document. Use carbon paper to produce a duplicate if you know that a copier is not available.
**STRENGTHS**

What the participants can do? What he/she likes to do? Who are the people who are willing to help the participants attain goals?

<table>
<thead>
<tr>
<th>1. SPECIAL INTERESTS AND ACTIVITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>How do you spend your free time?</td>
</tr>
<tr>
<td>Do (did) you have any hobbies?</td>
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<tr>
<td>What do you like to do on your vacation?</td>
</tr>
<tr>
<td>Do you play any sports?</td>
</tr>
<tr>
<td>Do you play any musical instruments?</td>
</tr>
<tr>
<td>Do staff or others know of any strengths here?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. SOCIAL AND PERSONAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>How would you describe yourself to others?</td>
</tr>
<tr>
<td>What one thing do you like best about yourself?</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>3. FAMILY AND FRIENDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Who do you call family?</td>
</tr>
<tr>
<td>Who are your friends?</td>
</tr>
<tr>
<td>In what ways are you a good friend to others?</td>
</tr>
<tr>
<td>What friends would you call for help?</td>
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</table>
### Life Skills Strengths/Needs Assessment

<table>
<thead>
<tr>
<th>STRENGTHS</th>
<th>NEEDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>What the participants can do? What he/she likes to do? Who are the people who are willing to help the participants attain goals?</td>
<td>State needs positively. What the participant wants to be doing</td>
</tr>
</tbody>
</table>

#### 4. CULTURAL SELF-ASSESSMENT

<table>
<thead>
<tr>
<th>STRENGTHS</th>
<th>NEEDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>What is your tribal affiliation?</td>
<td>Would you like to research your tribal background?</td>
</tr>
<tr>
<td>Do you speak or understand your tribe/clan language?</td>
<td>Would you like to learn your tribe/clan language?</td>
</tr>
<tr>
<td>Does your identity have cultural aspects?</td>
<td>How do you see yourself in terms of your own identity outside of your culture?</td>
</tr>
<tr>
<td>Is privacy a cultural barrier to others?</td>
<td>Is it difficult to convey to others that you are uncomfortable sharing your private life so you that you are not perceived as unsociable?</td>
</tr>
<tr>
<td>How traditional are you regarding your culture?</td>
<td>What can society do to better accept those who have traditional traits?</td>
</tr>
<tr>
<td>Where do you see yourself in relation to your tribal culture and heritage?</td>
<td>What can you offer your culture and heritage?</td>
</tr>
</tbody>
</table>

#### 5. RELIGION, VALUES AND BELIEFS

<table>
<thead>
<tr>
<th>STRENGTHS</th>
<th>NEEDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>How does religion play a part in your life?</td>
<td>Would you like to go to religious activities more?</td>
</tr>
<tr>
<td>What do you believe in?</td>
<td>Or talk with a priest, minister, or rabbi?</td>
</tr>
<tr>
<td>Who is your ideal person?</td>
<td>What would help you practice those things you believe in?</td>
</tr>
<tr>
<td>Do you have a personal philosophy or motto?</td>
<td>What would you have to change in order to be more like your ideal person?</td>
</tr>
<tr>
<td>What do you do that helps others?</td>
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</tbody>
</table>
## Life Skills Strengths/Needs Assessment

<table>
<thead>
<tr>
<th><strong>STRENGTHS</strong></th>
<th><strong>NEEDS</strong></th>
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<tbody>
<tr>
<td>What the participants can do? What he/she likes to do? Who are the people who are willing to help the participants attain goals?</td>
<td>State needs positively. What the participant wants to be doing</td>
</tr>
</tbody>
</table>

### 6. Education and Occupation
- What do you like best about school?
- What schooling do you have?
- What are your best subjects?
- What jobs have you held?
- What part of the your job did you like best?
- Would you like training or schooling?
- What work would you like to do?
- Is there something connected with your work that you would like to do more of?
- What does the employer or staff recognize as needs?

### 7. Emotional, Mental and Cognitive
- When can you think most clearly?
- When are you in the best mood?
- What makes you feel happy?
- How would you describe your attitude in general?
- How do you best work your problems out?
- How can you change your own mood or attitude?
- When you are feeling down, what is your best time of day?
- What would help you to think more clearly?
- What kinds of things could be done to make you feel happier?
- What could improve your attitude?

### 8. Physical Condition
- Physically, what can you do best?
- How would you rate your physical health?
- When do you feel physically best?
- When was your last dental check-up?
- What could be done so you would feel better?
- Are you receiving any regular treatment?
- Do you have any nutritional needs?
- When was your last physical exam?
- What would help you to be stronger and healthier?
# Life Skills Strengths/Needs Assessment

## STRENGTHS

<table>
<thead>
<tr>
<th>Question</th>
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<tbody>
<tr>
<td>What the participants can do? What he/she likes to do? Who are the people who are willing to help the participants attain goals?</td>
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## NEEDS

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<tr>
<th>Question</th>
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<tr>
<td>State needs positively. What the participant wants to be doing</td>
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### 9. SUPPORT SYSTEMS AND REACTION TO PROFESSIONAL SERVICES

<table>
<thead>
<tr>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td>What is your source of income?</td>
</tr>
<tr>
<td>What persons, agencies, etc. do you rely on for support?</td>
</tr>
<tr>
<td>What do you like about the way you are treated by the agency?</td>
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<tr>
<td>What staff have helped you most?</td>
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<table>
<thead>
<tr>
<th>Question</th>
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<tbody>
<tr>
<td>How could things be improved for you here?</td>
</tr>
<tr>
<td>What could staff do more to help you?</td>
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<tr>
<td>What do you think is your primary reason for being there?</td>
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### 10. OTHER

(This category is for observations and questions, which do not fit into other categories.)

<table>
<thead>
<tr>
<th>Question</th>
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<tbody>
<tr>
<td>What are you most proud of having accomplished?</td>
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<tr>
<td>What skills do you have that will help you live on your own?</td>
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<table>
<thead>
<tr>
<th>Question</th>
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</thead>
<tbody>
<tr>
<td>In five years, what would you like to say you have accomplished?</td>
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<tr>
<td>What do you need to do to prepare for independence?</td>
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</tbody>
</table>

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STRENGTHS

1. SPECIAL INTERESTS AND ACTIVITIES

2. SOCIAL AND PERSONAL

3. FAMILY AND FRIENDS

4. CULTURAL SELF ASSESSMENT

5. RELIGION, VALUES, AND BELIEFS

6. EDUCATION AND OCCUPATION

7. EMOTIONAL, MENTAL AND COGNITIVE

8. PHYSICAL CONDITION

9. SUPPORT SYSTEMS/REACTION TO PROFESSIONAL SERVICES

10. OTHER
B.A.S.I.C. Steps for Goal Planning

B rainstorming the options:
• Encourage youth to think of all the possible options.
• Add your own ideas only after the youth has become involved.

A llowing the youth to select:
• The plan must belong to the youth.
• Don’t push for the option that you like best.

S mall steps:
• Help the youth plan small steps that are challenging but not overwhelming.
• Success breeds success.

I dentify target dates:
• Without a target date, success is less measurable
• Target dates help people become accountable.

C ontact to monitor progress:
• Follow-up is important.
• Knowing that someone will call to find out how I am doing may make me work harder.
Goal Planning Worksheet

Goal:

What knowledge, skills, or strengths do I have to help me reach my goal?

How will your tribal community react to your accomplishing this goal?

What are all of the ways to achieve your goal?

Has anyone in your tribal community ever had this goal? If yes, what did they do to achieve this goal?

What do I need to find out about my goal?

What are some beliefs or values that I have to accomplish this goal?
<table>
<thead>
<tr>
<th>Step #1</th>
<th>Step #1</th>
<th>When:</th>
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## Community and Tribal Resources

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<th>Resource Name:</th>
<th>Contact Person:</th>
<th>Telephone:</th>
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<th>Resources/Services Available:</th>
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Community and Tribal Resources

Resource Name: ________________________________

Contact Person: ________________________________ Telephone: ________________________________

Resources/Services Available: ________________________________

Access Requirements: ________________________________

Resource Name: ________________________________

Contact Person: ________________________________ Telephone: ________________________________

Resources/Services Available: ________________________________

Access Requirements: ________________________________

Resource Name: ________________________________

Contact Person: ________________________________ Telephone: ________________________________

Resources/Services Available: ________________________________

Access Requirements: ________________________________
1. Identify one impact of the cultural environment on Native American adolescent development.
   a. loss of extended family     c. identity     e. a and c
   b. a sense of distrust        d. all of the above

2. List two benefits that youth-adult partnerships bring to young people, adults, and tribal communities.
   a. more effective planning     c. learning from each other     e. none of the above
   b. increase sense of belonging     d. all of the above

3. A young person’s connection to his/her tribe has little impact on his/her successful transition to adulthood.
   True     False     Not sure

4. Name three activities, resources, and/or individuals that you can engage to convey history, tradition, and social norms to youth.

5. What happened in the past should not affect the work I do with young tribal members now.
   True     False     Not sure

6. I know specific resources that are available through the tribes and local Indian communities.
   True     False     Not sure

7. It is most important to find out what is wrong with a young person when doing an assessment.
   True     False     Not sure

8. I know how to complete a culturally competent life skills assessment.
   True     False     Not sure

9. I know how to complete a culturally congruent plan of transition.
   True     False     Not sure

10. Name one traditional approach for teaching life skills.

11. The skills necessary for Native American youth to transition to adulthood are the same as those for other cultural groups.
    True     False     Not sure
A Native Pathway to Adulthood Training Evaluation

Trainer(s) ___________________________________________ Date ____________

Please provide your assessment of this training session. Your input will assist us in improving the quality of training. Please explain below-average and/or poor ratings in the “Comments” section.

Content

1. The training content applies to my role as a caseworker.
   Strongly Disagree ----------------------------------------------- Strongly Agree
   1 2 3 4 5

2. The information presented was easy to understand and well organized.
   Strongly Disagree ----------------------------------------------- Strongly Agree
   1 2 3 4 5

3. The handouts and resources will be useful to me on the job.
   Strongly Disagree ----------------------------------------------- Strongly Agree
   1 2 3 4 5

Comments __________________________________________________

Presentation

1. The trainers presented the material clearly and in an organized manner.
   Strongly Disagree ----------------------------------------------- Strongly Agree
   1 2 3 4 5

2. Trainers were knowledgeable about the subject matter.
   Strongly Disagree ----------------------------------------------- Strongly Agree
   1 2 3 4 5

3. The trainers worked well together as an effective team.
   Strongly Disagree ----------------------------------------------- Strongly Agree
   1 2 3 4 5

Comments __________________________________________________
A Native Pathway to Adulthood Training Evaluation

Atmosphere of the Training

1. There was enough opportunity for me to get actively involved in the training.
   Strongly Disagree ---------------------------------------- Strongly Agree
   1  2  3  4  5

2. My questions, comments, and concerns were adequately responded to by the trainers.
   Strongly Disagree ---------------------------------------- Strongly Agree
   1  2  3  4  5

3. The training location was comfortable for learning.
   Strongly Disagree ---------------------------------------- Strongly Agree
   1  2  3  4  5

Comments  Adamantly

Questions and concerns I still have about the information and skills covered are:

Specific information and skills I learned which I will use:

Changes in practice I hope to make as a result of my learning include:

Barriers/problems I might face in trying to use the new information and skills I learned include:

The supports and resources, which could help me apply what I learned to my job, include:
Appendix A: Contents

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Recognizing the special relationship between the United States and the Indian tribes and their members and the Federal responsibility to Indian people, the Congress finds-

(1) that clause, section 8, article I of the United States Constitution provides that "The Congress shall have power to regulate Commerce with Indian tribes" and, through this and other constitutional authority, Congress has plenary power over Indian affairs;

(2) that Congress, through statutes, treaties, and the general course of dealing with Indian tribes, has assumed the responsibility for the protection and preservation of Indian tribes and their resources;

(3) that there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children and that the United States has a direct interest, as trustee, in protecting Indian children who are members or are eligible for membership in an Indian tribe;

(4) that an alarmingly high percentage of Indian families are broken up by the removal, often unwarranted, of their children from them by nontribal public and private agencies and that an alarmingly high percentage of such children are placed in non-Indian foster and adoptive homes and institutions; and

(5) that the states, exercising their recognized jurisdiction over Indian child custody proceedings through administrative and judicial bodies, have often failed to recognize the essential tribal relations of Indian people and the cultural and social standards prevailing in Indian communities and families.


The Congress hereby declares that it is the policy of this Nation to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs.


For the purpose of this chapter, except as may be specifically provided otherwise, the term-

(1) "child custody proceeding" shall mean and include:

   (i) "foster care placement" which shall mean any action removing an Indian child from its parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator where the parent or Indian custodian cannot have the child returned upon demand, but where parental rights have not been terminated;

   “termination” of parental rights” which shall mean any action resulting in the termination of the parent-child relationship;
“preadoptive placement” which shall mean the temporary placement of an Indian child in a foster home or institution after the termination of parental rights, but prior to or in lieu of adoptive placement; and

(iv) “adoptive placement” which shall mean the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption. Such term shall not include a placement based upon an act which, if committed by an adult would be deemed a crime or upon an award, in a divorce proceeding, of custody to one of the parents.

(2) "extended family member" shall be as defined by the law or custom of the Indian child’s tribe or, in absence of such law or custom, shall be a person who has reached the age of eighteen and who is the Indian child’s grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent;

(3) “Indian” means any person who is a member of an Indian tribe, or who is an Alaska Native and a member of a Regional Corporation as defined in section 1606 of Title 43;

(4) “Indian child” means any unmarried person who is under age of eighteen and is either (a) a member of an Indian tribe or (b) is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe;

(5) “Indian child’s tribe” means (a) the Indian tribe in which an Indian child is a member or eligible for membership or (b), in the case of an Indian child who is eligible for membership in more than one tribe, the Indian tribe with which the Indian child has the more significant contacts;

(6) “Indian custodian” means any Indian person who has legal custody of an Indian child under tribal law or custom or under State law or to whom temporary physical care, custody, and control has been transferred by the parent of such child;

(7) “Indian organization” means any group, association, partnership, corporation, or other legal entity owned by Indians, or a majority of whose members are Indians;

(8) “Indian tribe” means any Indian tribe, band, nation, or other organized group or community of India recognized as eligible for the services provided to Indians by the Secretary because of their status as Indians, including any Alaska Native village as defined in section 1602(c) of Title 43;

(9) “Parent” means any biological parent or parents of an Indian child or any Indian person who has lawfully adopted an Indian child, including adoptions under tribal law or custom. It does not include an unwed father where paternity has not been acknowledged or established;

(10) “Reservation” means Indian country as defined in section 1151 of Title 18 and any lands, not covered under such section, title to which is either held by the United States in trust for the benefit of an Indian tribe or individual or held by any Indian tribe or individual subject to a restriction by the United States against alienation;

(11) “Secretary” means the Secretary of the Interior; and
“Tribal court” means a court with jurisdiction over child custody proceedings and which is either a Court of Indian Offenses, a court established and operated under the code or custom of an Indian tribe, or any other administrative body of a tribe, which is vested with authority over child custody proceedings.

**SUBCHAPTER I - CHILD CUSTODY PROCEEDINGS**

25 V.S.C. § 1911 Indian tribe jurisdiction over Indian child custody proceedings

(a) *Exclusive jurisdiction*

An Indian tribe shall have jurisdiction exclusive as to any State over any child custody proceeding involving an Indian child who resides or is domiciled within the reservation of such tribe, except where such jurisdiction is otherwise vested in the State by existing Federal law. Where an Indian child is a ward of a tribal court, the Indian tribe shall retain exclusive jurisdiction, notwithstanding the residence or domicile of the child.

(b) *Transfer of proceedings; declination by tribal court*

In any State court proceeding for the foster care placement of, or termination of parental rights to, an Indian child not domiciled or residing within the reservation of the Indian child's tribe, the court, in absence of good cause to the contrary, shall transfer such proceeding to the jurisdiction of the tribe, absent objection by either parent, upon the petition of either parent or the Indian custodian or the Indian child's tribe: Provided, That such transfer shall be subject to declination by the tribal court of such tribe.

(c) *State court proceedings; intervention*

In any State proceeding for the foster care placement of, or termination of parental rights to, an Indian child, the Indian custodian of the child and the Indian child's tribe shall have a right to intervene at any point in the proceeding.
**The Federal Indian Child Welfare Act**

*(d) Full faith and credit to public acts, records, and judicial proceedings of Indian tribes*

The United States, every State, every territory or possession of the United States, and every Indian tribe shall give full faith and credit to the public acts, records, and judicial proceedings of any Indian tribe applicable to Indian child custody proceedings to the same extent that such entities give full faith and credit to the public acts, records, and judicial proceedings of any other entity.


*(a) Notice; time for commencement of proceedings; additional time for preparation*

In any involuntary proceeding in a State court, where the court knows or has reason to know that an Indian child is involved, the party seeking the foster care placement of, or termination of parental rights to, an Indian child shall notify the parent or Indian custodian and the Indian child’s tribe, by registered mail with return receipt requested, of the pending proceedings and of their right of intervention. If the identity or location of the parent or Indian custodian and the tribe cannot be determined, such notice shall be given to the Secretary in like manner, who shall have fifteen days after receipt to provide the requisite notice to the parent or Indian custodian and the tribe. No foster care placement or termination of parental rights proceeding shall be held until at least ten days after receipt of notice by the parent or Indian custodian and the tribe or the Secretary: Provided, That the parent or Indian custodian or the tribe shall, upon request, be granted up to twenty additional days to prepare for such proceeding.

*(b) Appointment if counsel*

In any case in which the Court determines indigency, the parent or Indian custodian shall have the right to court-appointed counsel in any removal, placement, or termination proceeding. The court may, in its discretion, appoint counsel for the child upon a finding that such appointment is in the best interest of the child. Where State law makes no provision for appointment of counsel in such proceedings, the court shall promptly notify the Secretary upon appointment of counsel, and the Secretary, upon certification of the presiding judge, shall pay reasonable fees and expenses out of funds which may be appropriated pursuant to section 13 of this title.
(c) Examination of reports or other documents

Each party to a foster care placement or termination of parental rights proceeding under State law involving an Indian child shall have the right to examine all reports or other documents filed with the court upon which any decision with respect to such action may be based.

(d) Remedial Services and rehabilitative programs; preventive measures

Any party seeking to effect a foster care placement of, or termination of parental rights to, an Indian child under State law shall satisfy the court that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts have proved unsuccessful.

(e) Foster care placement orders; evidence; determination of damage to child

No foster care placement may be ordered in such proceeding in the absence of a determination, supported by clear and convincing evidence, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

(f) Parental rights termination orders; evidence; determination of damage to child

No termination of parental rights may be ordered in such proceeding in the absence of a determination, supported by evidence beyond a reasonable doubt, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

(a) Consent; record; certification matters; invalid consents

Where any parent or Indian custodian voluntarily consents to a foster care placement or to termination of parental rights, such consent shall not be valid unless executed in writing and recorded before a judge of a court of competent jurisdiction and accompanied by the presiding judge's certificate that the terms and consequences of the consent were fully explained in detail and were fully understood by the parent or Indian custodian. The court shall also certify that either the parent or Indian custodian fully understood the explanation in English or that it was interpreted into a language that the parent or Indian custodian understood. Any consent given prior to, or within ten days after, birth of the Indian child shall not be valid.

(b) Foster care placement; withdrawal of consent

Any parent or Indian custodian may withdraw consent to a foster care placement under State law at any time and, upon such withdrawal, the child shall be returned to the parent or Indian custodian.

(c) Voluntary termination of parental rights or adoptive placement; withdrawal of consent; return of custody

In any voluntary proceeding for termination of parental rights to, or adoptive placement of, an Indian child, the consent of the parent may be withdrawn for any reason at any time prior to the entry of a final decree of termination or adoption, as the case may be, and the child shall be returned to the parent.

(d) Collateral attack; vacation of decree and return of custody; limitations

After the entry of a final decree of adoption of an Indian child in any State court, the parent may withdraw consent thereto upon the grounds that consent was obtained through fraud or duress and may petition the court to vacate such decree. Upon a finding that such consent was obtained through fraud or duress, the court shall vacate such decree and return the child to the parent. No adoption which has been effective for at least two years may be invalidated under the provisions of this subsection unless otherwise permitted under State law.
The Federal Indian Child Welfare Act

25 U.8.C. § 1914. Petition to court of competent jurisdiction to invalidate action upon showing of certain violations

Any Indian child who is the subject of any action for foster care placement or termination of parental rights under State law, any parent or Indian custodian from whose custody such child was removed, and the Indian child's tribe may petition any court of competent jurisdiction to invalidate such action upon a showing that such action violated any provision of sections 1911, 1912, 1913 of this title.


(a) Adoptive placements; preferences

In any adoptive placement of an Indian child under State law, a preference shall be given, in the absence of good cause to the contrary, to a placement with (1) a member of the child's extended family; (2) other members of the Indian child’s tribe; or (3) other Indian families.

(b) Foster care or preadoptive placements; criteria; preferences

Any child accepted for foster care or preadoptive placement shall be placed in the least restrictive setting which most approximates a family and in which his special needs, if any, may be met. The child shall also be placed within reasonable proximity to his or her home, taking into account any special needs of the child. In any foster care or preadoptive placement, a preference shall be given, in the absence of good cause to the contrary, to a placement with -

(i) a member of the Indian child's extended family;

(ii) a foster home licensed, approved, or specified by the Indian child’s tribe; an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or

(iv) an institution for children approved by an Indian tribe or operated by an Indian organization which has a program suitable to meet the Indian child’s needs.
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(c) Tribal resolution for different order of preference; personal preference considered; anonymity in application of preferences

In the case of placement under subsection (a) or (b) of this section, if the Indian child's tribe shall establish a different order of preference by resolution, the agency or court effecting the placement shall follow such order so long as the placement is the least restrictive setting appropriate to the particular needs of the child, as provided in subsection (b) of this section. Where appropriate, the preference of the Indian child or parent shall be considered; Provided, That, where a consenting parent evidences a desire for anonymity, the court or agency shall give weight to such desire in applying the preferences.

(d) Social and cultural standards applicable

The standards to be applied in meeting the preference requirements of this section shall be the prevailing social and cultural standards of the Indian community in which the parent or extended family resides or with which the parent or extended family members maintain social and cultural ties.

(e) Record of placement; availability

A record of each such placement, under State law, of an Indian child shall be maintained by the State in which the placement was made, evidencing the efforts to comply with the order of preference specified in this section. Such record shall be made available at any time upon the request of the Secret or the Indian child's tribe.


(a) Petition; best interests of child

Notwithstanding State law to the contrary, whenever a final decree of adoption of an Indian child has been vacated or set aside or the adoptive parents voluntarily consent to the termination of their parental rights to the child, a biological parent or prior Indian custodian may petition for return of custody and the court shall grant such petition unless there is a showing, in a proceeding subject to the provisions of section 1912 of this title, that such return of custody is not in the interest of the child.
(b) Removal from foster care home; placement procedure

Whenever an Indian child is removed from a foster care home or institution for the purpose of further foster care, preadoptive, or adoptive placement, such placement shall be in accordance with the provisions of this chapter, except in the case where an Indian child is being returned to the parent or Indian custodian from whose custody the child was originally removed.

25 U.S.C. §1917. Tribal affiliation information and other information for protection of rights from tribal relationship; application of subject of adoptive placement; disclosure by court.

Upon application by an Indian individual who has reached the age of eighteen and who was the subject of an adoptive placement, the court which entered the final decree shall inform such individual of tribal affiliation, if any, of the individual's biological parents and provide such other information as may be necessary to protect any rights flowing from the individual's tribal relationship.


(a) Petition; suitable plan; approval by Secretary

Any Indian tribe which became subject to State jurisdiction pursuant to the provisions of the Act of August 15, 53 (67 Stat. 588), as amended by title IV of the Act of April 11, 1968 (82 Stat. 73, 78), or pursuant to any other Federal law, may reassume jurisdiction over child custody proceedings. Before any Indian tribe may reassume jurisdiction over Indian child custody proceedings, such tribe shall present to the Secretary for approval a petition to reassume such jurisdiction which includes a suitable plan to exercise such jurisdiction.
(b) Criteria applicable to consideration by Secretary; partial retrocession

(1) In considering the petition and feasibility of the plan of a tribe under subsection (a) of this section, the Secretary may consider, among other things:

(i) whether or not the tribe maintains a membership roll or alternative provision for clearly identifying the persons who will be affected by the reassumption of jurisdiction by the tribe;

(ii) the size of the reservation or former reservation area which will be affected by retrocession and assumption of jurisdiction by the tribe;

(iii) the population base of the tribe, or distribution of the population in homogeneous communities or geographic areas; and

(iv) the feasibility of the plan in cases of multiracial occupation of a single reservation or geographic area.

(2) In those cases where the Secretary determines that the jurisdictional provisions of section 1911 (a) of this title are not feasible, he is authorized to accept partial retrocession which will enable tribes to exercise referral jurisdiction as provided in section 1911 (b) of this title, or, where appropriate, will allow them to exercise exclusive jurisdiction as provided in section 1911 (a) of this title over limited community or geographic areas without regard for the reservation status of the area affected.

(c) Approval of petition; publication in Federal Register; notice; reassumption period; correction of causes for disapproval

If the Secretary approves any petition under subsection (a) of this section, the Secretary shall publish notice of such approval in the Federal Register and shall notify the affected State or States of such approval. The Indian tribe concerned shall resume jurisdiction sixty days after publication in the Federal Register of notice of approval. If the Secretary disapproves any petition under subsection (a) of this section, the Secretary shall provide such technical assistance as may be necessary to enable the tribe to correct any deficiency which the Secretary identified as a cause for disapproval.
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(d) Pending actions or proceedings unaffected

Assumption of jurisdiction under this section shall not affect any action or proceeding over which a court has already assumed jurisdiction except as may be provided pursuant to any agreement under section 1919 of this title.

25 U.S.C. § 1919. Agreements between States and Indian tribes

(a) Subject coverage

States and Indian tribes are authorized to enter into agreements with each other respecting care and custody of Indian children and jurisdiction over child custody proceedings, including agreements which may provide for orderly transfer of jurisdiction on a case-by-case basis and agreements which provide for concurrent jurisdiction between States and Indian tribes.

(b) Revocation; notice; actions or proceedings unaffected

Such agreements may be revoked by either party upon one hundred and eighty days' written notice to the other party. Such revocation shall not affect any action or proceeding over which a court has already assumed jurisdiction unless the agreement provides otherwise.


Where any petitioner in an Indian child custody proceeding before a State court has improperly removed the child from custody of the parent or Indian custodian or has improperly retained custody after a visit or other temporary relinquishment of custody, the court shall decline jurisdiction over such petition and shall forthwith return the child to his parent or Indian custodian unless returning the child to his parent or custodian would subject the child to a substantial and immediate danger or threat of such danger.
The Federal Indian Child Welfare Act

25 U.S.C. § 1921. Higher State or federal standard applicable to protect rights of parent or Indian custodian of Indian child

In any case where State or Federal law applicable to a child custody proceeding under State or Federal law provides a higher standard of protection to the rights of the parent or Indian custodian of an Indian child than the rights provided under this subchapter, the State or Federal court shall apply the State or Federal standard.

25 U.S.C. § 1922. Emergency removal or placement of child; termination; appropriate action

Nothing in this subchapter shall be construed to prevent the emergency removal of an Indian child who is a resident of or is domiciled on a reservation, but temporarily located off the reservation, from his parent or Indian custodian or the emergency placement of such child in a foster home or institution, under applicable State law, in order to prevent imminent physical damage or harm to child. The State authority, official, or agency involved shall insure that the emergency removal or placement terminated immediately when such removal or placement is no longer necessary to prevent imminent physical damage or harm to the child and shall expeditiously initiate a child custody proceeding subject to the provisions of this subchapter, transfer the child to the jurisdiction of the appropriate Indian tribe, or restore the child to the parent or Indian custodian, as may be appropriate.


None of the provisions of this subchapter except sections 1911 (a), 1918, and 1919 of this title, shall affect a proceeding under State law for foster care placement, termination of parental rights, preadoptive placement, or adoptive placement which was initiated or completed prior to one hundred and eighty days after November 8, 1978, but shall apply to any subsequent proceeding in the same matter or subsequent proceedings affecting the custody or placement of the same child.
25 U.S.C. § 1931. Grants for on or near reservation programs and child welfare codes

(a) Statement of purpose; scope of program

The Secretary is authorized to make grants to Indian tribes and organizations in the establishment and operation of Indian child and family service programs on or near reservations and in the preparation and implementation of child welfare codes. The objective of every Indian child and family service program shall be to prevent the breakup of the Indian families and, in particular, to insure that the permanent removal of an Indian child from the custody of his parent or Indian custodian shall be a last resort. Such child and family service programs may include, but are not limited to:

(1) a system for licensing or otherwise regulating Indian foster and adoptive homes;

(2) the operation and maintenance of facilities for the counseling and treatment of Indian families and for the temporary custody of Indian children;

(3) family assistance, including homemaker and home counselors, day care, after school care, and employment, recreational activities and respite care;

(4) home improvement programs;

(5) the employment of professional and other trained personnel to assist the tribal court in the disposition of domestic relations and child welfare matters;

(6) education and training of Indians, including tribal court judges and staff, in skills relating to child and family assistance and service programs;

(7) a subsidy program under which Indian adoptive children may be provided support comparable to that for which they would be eligible as foster children, taking into account the appropriate State standards of support for maintenance and medical needs; and
The Federal Indian Child Welfare Act

(8) guidance, legal representation, and advice to Indian families involved in tribal, State, or Federal child custody proceedings.

(b) Non-Federal matching funds for related Social Security or other Federal financial assistance programs; assistance for such programs unaffected; State licensing or approval for qualification for assistance under federally assisted program

Funds appropriated for use by the Secretary in accordance with this section may be utilized as non-Federal matching share in connection with funds provided under titles IV-B and XX of the Social Security Act [42 U.S.C. § 620 et seq., § 1397 et seq.] or under any other Federal financial assistance programs which contribute to the purpose for which such funds are authorized to be appropriated for use under this chapter. The provision or possibility of assistance under this chapter shall not be a basis for the denial or reduction of any assistance otherwise authorized under Titles IV-B and XX of the Social Security Act or any other federally assisted program. For purposes of qualifying for assistance under a federally assisted program, licensing or approval of foster or adoptive homes or institutions by an Indian tribe shall be deemed equivalent to licensing or approval by a State.


The Secretary is also authorized to make grants to Indian organizations to establish and operate off-reservation Indian child and family service programs which may include but are not limited to -

(1) a system for regulating, maintaining, and supporting Indian foster and adoptive homes, including a subsidy program under which Indian adoptive children may be provided support comparable to that for which they would be eligible as Indian foster children, taking into account the appropriate State standards for support for maintenance and medical needs;

(2) the operation and maintenance of facilities and services for counseling and treatment of Indian families and Indian foster and adoptive children;

(3) family assistance, including homemaker and home counselors, day care, after school care, and employment, recreational activities, and respite care; and
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(4) guidance, legal representation, and advice to Indian families involved in child custody proceedings.

25 U.S.C. § 1933. Funds for on and off reservation programs

(a) Appropriate funds for similar programs of Department of Health and Human Services; appropriation in advance for payments

In the establishment, operation, and funding of Indian child and family service programs, both on and off reservation, the Secretary may enter into agreements with the Secretary of Health and Human Services, and the latter Secretary is hereby authorized for such purposes to use funds appropriated for similar programs of the Department of Health and Human Services; Provided, That authority to make payments pursuant to such agreement shall be effective only to the extent and in such amounts as may be provided in advance by appropriation Acts.


For the purpose of sections 1932 and 1933 of this title, the term "Indian" shall include persons defined in on 1603 (c) of this title.

SUBCHAPTER III - RECORDKEEPING, INFORMATION AVAILABILITY, AND TIMETABLES

25 U.S.C. § 1951. Information availability to and disclosure by Secretary

(a) Copy of final decree or order; other information; anonymity affidavit; exemption from Freedom of Information Act

Any State court entering a final decree or order in any Indian child adoptive placement after November 8, 1978, shall provide the Secretary with a copy of such decree or order together with such other information as may be necessary to show-
The Federal Indian Child Welfare Act

(1) the name and tribal affiliation of the child;
(2) the names and addresses of the biological parents;
(3) the names and addresses of the adoptive parents; and
(4) the identity of any agency having files or information relating to such adoptive placement.

Where the court records contain an affidavit of the biological parent or parents that their identity remain confidential, the court shall include such affidavit with the other information. The Secretary shall insure that the confidentiality of such information is maintained and such information shall not be subject to the Freedom of Information Act (5 U.S.C. 552, as amended).

(b) Disclosure of information for enrollment of Indian child in tribe or for determination of member rights or benefits; certification of entitlement to enrollment

Upon the request of the adopted Indian child over the age of eighteen, the adoptive or foster parents of an Indian child, or an Indian tribe, the Secretary shall disclose such information as may be necessary for the enrollment of an Indian child in the tribe in which the child may be eligible for enrollment or for determining any rights or benefits associated with that membership. Where the documents relating to such child contain an affidavit from the biological parent or parents requesting anonymity, the Secretary shall certify to the Indian child's tribe, where the information warrants, that the child's parentage and other circumstances of birth entitle the child to enrollment under the criteria established by such tribe.


Within one hundred and eighty days after November 8, 1978, the Secretary shall promulgate such rules and regulations as may be necessary to, carry out the provisions of this chapter.
SUBCHAPTER IV - MISCELLANEOUS PROVISIONS


(a) Sense of Congress

It is the sense of Congress that the absence of locally convenient day schools may contribute to the breakup of the Indian families.

(b) Report to Congress, Contents, etc.

The Secretary is authorized and directed to prepare, in consultation with appropriate agencies in the Department of Health and Human Services, a report on the feasibility of providing Indian children with schools located near their homes, and to submit such report to the Select Committee on Indian Affairs of the United States Senate and Insular Affairs of the United States House of Representatives within two years of November 8, 1978. In developing this report the Secretary shall give particular consideration to the provision of educational facilities for children in the elementary grades.


Within sixty days after November 8, 1978, the Secretary shall send to the Governor, chief justice of the highest court of appeal, and the attorney general of each State a copy of this chapter, together with the committee reports and an explanation of the provisions of this chapter.


If any provision of this chapter or the applicability thereof is held invalid, the remaining provisions of this chapter shall not be affected thereby.
The Indian Child Welfare Act Objectives and Requirements: A Summary

Purpose:

“To establish standards for the placement of Indian children in foster or adoptive homes, to prevent the breakup of Indian families and for other purposes” (Sawyers, 1990, p. 57).

Hagar (1997) stated:

The ICWA was enacted by Congress to stem the removal of Indian children from their homes. Congressional hearings found that the removals were often based upon Anglo standards that did not recognize the cultural and social mores prevailing in Native families and communities. The placement of Indian children in non-Indian environments proved devastating to many of the individual children and their adoptive families. The children were torn between two cultures, neither of which fully accepted them (pp. I-9 to I-10).

General Summarization of ICWA:

An Indian child is:

1. A member of an Indian tribe, or
2. Is eligible for membership in and Indian Tribe and is the biological child of a member of an Indian tribe.

❖ The Indian tribe has the last word on enrollment or eligibility.

Extended family:

1. Is defined by the law or custom of the Indian child’s tribe, or
2. In the absence of such law or custom, by a relative of the child

Transfer of Jurisdiction:

Custody proceedings may be transferred to the tribal jurisdiction, absent objection by either parent. (A parent does not have veto power though. An individual cannot defeat what Congress intended.)

❖ The Indian tribe has choice about accepting or declining transfer of a case.
**The Indian Child Welfare Act Objectives and Requirements: A Summary**

**Intervention:**
The Indian child’s tribe may intervene in proceedings at any time.

**Application:**
ICWA applies only to involuntary custody proceedings where the parent is denied free access to the child. Typically this is Child Welfare intervention and custody. Delinquency cases may fall under this if the parent is not providing appropriate care or lack of supervision.

- ICWA does not apply to divorce proceedings.

**Notice of Involuntary Proceeding**
State court must make notice of pending proceedings to the parent or Indian custodian and the Indian child’s tribe by registered mail with return receipt requested.

**Foster placements** cannot occur without support of clear and convincing evidence (This means at least 75% true) including testimony by qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

Foster placements must be within reasonable proximity to the child’s home.

**Federal placement preferences are:**
1. Member of the Indian child’s extended family (this does not have to be an Indian relative)
2. A Tribally approved foster home
3. An Indian foster home approved by an agency other than the Indian tribe
4. A Tribally approved or operated institution

- Indian Tribes may develop their own placement preferences and should be followed.

**Active efforts** must be made to provide remedial services and rehabilitative programs to prevent the breakup of the family.

**Termination of parental rights** cannot occur without support of beyond a reasonable doubt (this means that there cannot be one doubt), including testimony by qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.
The Indian Child Welfare Act Objectives and Requirements:
A Summary

Federal adoptive placement preferences are:

1. A member of the child’s extended family
2. Other member of the Indian child’s tribe
3. Other Indian families

❖ Again, Indian Tribes may develop their own placement preferences and should be followed.

Good Cause:
Foster and adoptive placement preferences can be modified for the following good cause reasons:

• By request of the biological parents or child (who is of sufficient age). However, this does not take precedence over the wishes of the Indian Tribe.

• The extraordinary physical or emotional needs of the child as established by testimony of a qualified expert witness.

• The unavailability of suitable families for placement after a diligent search has been completed to meet the placement preferences.

Diligent Attempts to find suitable family includes:

1. Contact with the child’s tribe or social service program.
2. A search of all county or state listings of available Indian homes, and
3. Contact with nationally known Indian programs with available placement resources.

* Note: This summarization is to assist with providing the reader a general idea of the Indian Child Welfare Act and is not to be used as an all-inclusive interpretation of ICWA.

References

The assessment is located at www.caseylifeskills.org.
Ansell-Casey Life Skills Assessment

Instructions

The assessment is located at www.caseylifeskills.org

Click on the Ansell-Casey Life Skills Assessment tab. This will take you to the assessment. Also located on this page are the updates made to the assessment. These can be found under the “What’s New” button on the left hand of the screen. It is helpful to check this periodically. The Life Skills Guidebook and Ready, Set, Fly are also available on this page. These can be printed for free.

Click on proceed to assessments. On the left hand of the screen, an overview of the assessment and a list of frequently asked questions are available.

Select ACLSA-III for youth ages 15-18. Click on the Help button for a list of the corresponding ages with each assessment. Click Begin to start the assessment.

The licensing agreement will show up at this time. Click Yes I Agree.

Youth ID = A method for the youth ID needs to be created by your particular agency. The youth ID should protect confidentiality of the youth. A suggestion is: youth name, last initial and last 4 digits of SS#

Organizations ID = Needs to be created by your particular agency

Input email addresses of whomever will need a copy of the results (youth, placement provider, workers and/or IL Specialist).

Verify the ID’s and addresses and click next.

Make sure the youth answers all questions and that they scroll down on each page. The last page contains 20 blank answer spots. This is an area where you can ask 20 additional questions. These answers will not be scored in the results but might be helpful for culturally specific or case development questions.

Click I’m Finished!

The answers will pop up and you can review them with the youth. Make sure to give copies to:
Youth
Placement Provider
Primary Worker
Secondary Worker
IL Specialist
ACLSA History

Ansell-Casey Life Skills Assessment

www.caseylifeskills.org

Background and History

- 1994 Casey Family Programs
  - Independent Living Committee formed and generated initial items
  - Focus group of youth, caregivers, child welfare workers and consultants formed
  - Pilot program tested in urban and rural areas
ACLSA History

History of ACLSA

• 1995 and 1996
  ▪ ACLSA II (ages 12-15) was field tested
  ▪ ACLSA I (ages 8-10) and III (ages 16-19) were field tested
• Once the Version 2.0 was completed, Casey released each version

History of ACLSA

• 1999
  ▪ Passage of the Foster Care Independence Act and the John H. Chafee Independence Program
  ▪ Youth must be involved in developing their own plans for independent living
  ▪ ACLSA is an effective tool to engage youth in their own planning
History of ACLSA

- 2000
  - ACLSA 2.0 underwent psychometric testing to create the current version 3.0
  - Revision included social workers, caregivers, and youth

Overview of the Ansell-Casey Life Skills Assessment

- Free, on-line resource
- Provides an indication of skill level and readiness for living on one’s own
- Designed as first step and to be used in conjunction with goal setting, action planning, instruction, learning, and application
Overview of ACLSA

- Only takes 20-30 minutes to complete
- Available in both youth self report format and caregiver report format

Ansell-Casey Life Skills Assessment

- Four age-related levels
  - Level I  Ages 8-10
  - Level II Ages 11-14
  - Level III Ages 15-18
  - Level IV Ages 19- and older
    (Youth format only)
Life Skill Domains

- The ACLSA assesses life skills domains using a youth’s or caregiver’s perceptions of a young person’s abilities in several areas.

- Within each domain are items in a variety of skills and practical knowledge.

Six Life Skill Domains

- Daily Living Tasks
- Self care
- Social Development
- Work & Study Habits
- Money Management
- Housing and Community Resources
What happens after assessment?

- What should happen...
  - Individual plan of service
  - Life skill sessions

- What often happens...
  - Assessment filed in case record
  - Disconnect between assessment and instruction

Life Skills Guidebook (LSG)

- Bridges the gap between assessment and instruction
- Provides uniformity without sacrificing creativity
- Makes preparation easier
Life Skills Guidebook

- Corresponds to the developmental levels of the ACLSA
- Includes a comprehensive list of learning goals and expectations for each skill/domain
- Provides activities to teach the learning goals
- Suggests available resource to help the youth learn life skills

Where do you find the resources referenced in the Guidebook?

www.nrcys.ou.edu
Today is a day that I will remember for the rest of my life. To you this may be just another day in the office or just another court date that you were forced to come to. I have become accustomed to courtroom procedures for the last six years of my life. I have had a caseworker that looked out for my well being and had a judge to report to. These are not things that I had control over. But now, I get to move on and I will never have to be scared that in the morning I will be taken from another home. I no longer have to play catch-up with my lawyer because he only talks to me every other year. I won’t have to listen to a caseworker that thinks they know what is best for me, when they only talk to me five minutes a month. For people that are supposed to be the big decision-makers for me, some of them didn’t even know me. I am not saying this to point any fingers but just to let you know what goes on from my point of view.

The courtroom setting will be forever remembered by not only me but, also, my family. This courtroom is how I turned complete strangers into a loving family. This courtroom gave proof to me that when you work for “the system” it works for you. This courtroom has been a major part of my life so far. Just like the first time I was busted for smoking marijuana and realized I was an alcoholic. It showed me that when you walk in a room full of people that are only there to discuss you, you don’t want to feel like a failure. I have struggled with trusting anyone, learning about love, and knowing that it is okay to cry. But those kinds of things aren’t what you talk about in court.

At first, all court was to me was where we had to go to get our hopes up about moving back in with mom and realizing that dad had very little means about getting custody of us. Court days were very depressing and showed me that my life sucked. No one told me what I should do to make life easier and I shouldn’t have had to change anything, but if I didn’t where would I be. I did a lot of thinking the fourth year of being in custody. And I asked myself “Are any of these people living my life?” So, that is when I decided to do everything I could to improve me. Soon going to court for yet another review made me proud. For the first time in my life, I saw that I had the ability to make good out of bad. And that the lack of support would never hold me back.

I have gone through an attorney, two court houses, four prosecuting attorneys, and million caseworkers, and a partridge in a pear tree. And no one here has seen me go through it all from beginning to end. There have been many beneficial people that are in this courtroom now. Like my caseworker, you guys should only be grateful to have this woman in this courtroom. She is literally one in a million for me, seeing as how many caseworkers I have had. She is one of few that are honest and to the point with us kids. I started with nothing and now I have everything and then some. Before I didn’t have a mother or father figure, now I have more people looking out for me than I wish to have. I have a home and I am loved that is all I have ever asked for.
A Letter from a Child in Custody

Graduation night was one of the first nights that I actually looked back on my life and could say “You did it and you can do so much more.” So now I will do as I was told, and go out and begin to move mountains, reaching for the stars because the world is mine. I am strong enough for whatever else comes my way. I will always look for another door to open as one shuts in my face because God is always watching over me. So no matter what, all of the people that have helped me won’t be forgotten because I am a better person because of them. I have no doubt that if I should fall they will pick me up and lead me in the right path.

Being in a courtroom and having to answer to you guys has been almost half of my life and now I’m all grown up being sent out in this world. Thank you for listening. And (to foster mother) just because I am getting emancipated and am graduated doesn’t mean you are losing me. It means you’ve helped me grow up and see that it is harder to stick around than to leave someone you love and that if you just have faith, that person’s love is everything. I will never leave what God has sent on this earth for me.
History and Culture


Chavez, W. (2003, July). Remember the removal: We will never forget it. Bicycle ride of 20 teens tracing the Journey from the Smokey Mountains of North Carolina to Tahlequah, OK. Chavez relates their hardships, and the similarities and contrasts between their trip and that of their ancestors in 1838. *Cherokee Phoenix, XXVII, 4* (p.5)


Sample scale at: http://www.ou.edu/socialwork/data/pdf/ai-an_acculturation.pdf


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