

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE RESOLUTION 578

Introduced by Bloomfield, 17.

PURPOSE: The purpose of this interim study is to review, investigate, and assess the State of Nebraska's compliance with both the federal Indian Child Welfare Act of 1978 and the Nebraska Indian Child Welfare Act, referred to collectively herein as ICWA, and to make recommendations for improvements. The State of Nebraska has four Native American tribes, namely, the Ponca, Omaha, Santee Sioux, and Winnebago tribes, and may be impacted by any cases in which ICWA applies. The study committee may consult with a broad array of tribal, public, and private stakeholders, utilize existing and past studies, reports, and data relating to compliance with ICWA, and, if possible, hold public hearings by utilizing the authority provided by section 50-406 and the Rules of the Nebraska Unicameral Legislature. If possible, at least one public hearing should be conducted on a Native American reservation to ensure the study committee has full access to the tribes' collective experience and expertise in effectuating the ICWA.

The study shall consider issues related to the State of Nebraska's compliance with the ICWA including, but not limited to:

- (1) Outcome measures;
- (2) Coordination between the state and tribes;
- (3) Percentage of Native American children placed in Nebraska's child welfare system;

(4) Percentage of Native American children placed with Native American foster parents;

(5) Percentage of Native American children placed with relatives as defined by ICWA;

(6) Number of Native American foster parents in Nebraska;

(7) What active efforts are being utilized to reunify Native American families;

(8) What culturally appropriate services are available and being utilized; and

(9) The fulfillment of the legislative intent of ICWA.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee and the State-Tribal Relations Committee of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

2. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.