

**LTBB CHILD WELFARE COMMISSION  
RESOLUTION 11-4-2011-01**

**RESOLUTION SUPPORTING THE MICHIGAN INDIAN FAMILY  
PRESERVATION ACT**

WHEREAS: Waganakising Odawak Statute WOS 2009-013 June 1, 2009, Section III established the Child Welfare Commission; and

WHEREAS: Section IV. Outlines the duties of the Child Welfare Commission; and

WHEREAS: Section IV A. states that the CWC shall be the licensing and monitoring body of community based shelter facilities including: group, shelter, foster, adoptive homes, and child placing agencies in consultation with the Department and other applicable entities; and

WHEREAS: Section IV B. states that the CWC be advised of pending state court proceedings as provided in the Indian Child Welfare Act and may make recommendations to the Tribal Prosecutor regarding intervention in such proceedings and transfer of jurisdiction from state court to the Tribal Court; and

WHEREAS: Section IV C. states that the CWC may advise the Tribal Council and Tribal Court on child welfare matters and recommend statutes, policies and procedures to protect children and help families.;

WHEREAS: Section IV D. states that the CWC may make recommendations to the Tribal Prosecutor regarding the need to take formal Court action to protect a child;

WHEREAS: Section IV E. states that the CWC may make case management recommendation to the Tribal Social worker regarding the care, custody and supervision of Tribal children under court jurisdiction;

WHEREAS: Section IV F. states that the CWC may make recommendations for programs and services to the Department;

WHEREAS: Section IV G. states that the CWC may engage in further activities as directed by the Tribal Council to protect and improve the welfare of Tribal Children;

**WHEREAS:** the LTBB Child Welfare Commission was created and charged to protect and promote the welfare of our children and families by fully exercising the Tribe's rights and responsibilities under the Federal Indian Child Welfare Act of 1978 and Tribal Law, and

**WHEREAS:** the LTBB Child Welfare Commission has reviewed the draft of the State of Michigan Proposed Legislation known as the Michigan Indian Families Preservation Act; and

**WHEREAS:** The LTBB Child Welfare Commission recognizes that the Federal Indian Child Welfare Act has not been implemented consistently across the State of Michigan; and

**WHEREAS:** The Michigan Indian Families Preservation Act is proposed legislation that once enacted into state law would provide a direct link to state social workers and others to provide the clarification needed and to heighten the awareness of the understanding, purpose and implementation of the Federal Indian Child Welfare Act for consistent state wide implementation, and

**WHEREAS:** Enactment of the Michigan Indian Families Preservation Act into state law would further protect the continued survival of federally recognized tribes and tribal sovereignty in the state of Michigan, and

**WHEREAS:** The current draft of the Michigan Indian Families Preservation Act does not include descendants of Treaty, State Historic or Canadian Tribes; and

**WHEREAS:** The LTBB Child Welfare Commission recognizes that one is not any less "Indian" if one is not "federally recognized" and that there is still a very strong political status when one is a descendant of a Treaty, State Historic or Canadian Tribe; now

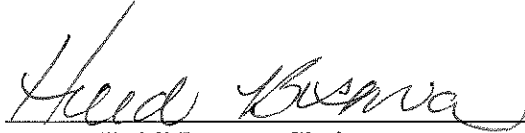
**THEREFORE BE IT RESOLVED:** That the LTBB Child Welfare Commission supports the current draft of the Michigan Indian Family Preservation Act as a good first step;

**BE IT FURTHER RESOLVED:** That the LTBB Child Welfare Commission strongly encourages ongoing and continued efforts towards eventually including descendents of our Treaty, State Recognized and Canadian Tribes into the Michigan Indian Families Preservation Act.

#### **Certification**

I hereby certify that the foregoing recommendation was formally adopted at a regularly scheduled Child Welfare Commission Meeting held on November 4, 2011; 5 in favor, 0 opposed, 0 abstain, 0 absent.

Date: 11/4/11

  
Heidi Bosma, Chair

