

Team's Petition Urges US Supreme Court to Take Important Case Defending the Indian Child Welfare Act

News

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On September 3, the firm filed a petition for certiorari that urges the US Supreme Court to review the Fifth Circuit's decision declaring unconstitutional aspects of the Indian Child Welfare Act (ICWA). In 1978, Congress enacted ICWA to combat an unprecedented crisis threatening Indian children, families, and Tribes. More than a *quarter* of Indian children were removed from their homes, with many of those removals unwarranted and reflecting ignorance of, or outright hostility toward, Indian families and culture. Over the past 40 years, ICWA's pro-child and pro-family standards have come to be regarded as the "gold standard" for child welfare. And ICWA continues to play an essential role in protecting Indian children, families, and Tribes. Recently, however, a sharply divided Fifth Circuit invalidated important aspects of ICWA. Now, the firm's petition asks the Supreme Court to take up the case and reverse the errors in the Fifth Circuit's decision. The petitioners include four Indian tribes: the Cherokee Nation, Oneida Nation, Quinault Indian Nation, and Morongo Band of Mission Indians.

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