

**Public Policy Position
SB 498**

The American Indian Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 270 members. The American Indian Law Section is not the State Bar of Michigan and the position expressed herein is that of the American Indian Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The American Indian Law Section has a public policy decision-making body with 9 members. On May 18, 2024, the Section adopted its position by electronic voting due to the loss of quorum at a regular board meeting. 7 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 2 members did not vote.

Support with Recommended Amendments**Explanation:**

The American Indian Law Section, supports the bill contingent on the removal of ICWA/MIFPA cases from the Foster Care Review Board Process. FCRB hearings are generally very quick and simply do not provide adequate opportunity for expert analysis or input from several individuals regarding the decisions they review. For ICWA/MIFPA cases, this can create problems when tribal experts are required before a court can make a decision regarding removal or placement. Given the number of different tribes and cultures, it is the position of both CLS and AILS that the FCRB members cannot be properly educated on all of the necessary information given the brief time they give to each case. Therefore, ICWA/MIFPA cases should not be subject to FCRB review.

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