



CALIFORNIA INDIAN LEGAL SERVICES

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AUTHORIZATION TO JOIN CALIFORNIA TRIBAL AMICUS BRIEF IN SUPPORT OF RESPONDENTS IN THE CASE:

Adoptive Couple v. Baby Girl, Birth Father, and Cherokee Nation

On January 4th, the U.S. Supreme Court granted review of the above case involving the Indian Child Welfare Act. This case has the potential to affect the rights of Tribes nationwide.

The South Carolina Supreme Court gave custody of Baby Girl to her non-custodial Indian father after her biological mother consented to adoption by a non-Indian couple without disclosing the child’s Cherokee heritage, which would have invoked the Indian Child Welfare Act (ICWA).

At stake in the U.S. Supreme Court’s review is: 1) whether a non-custodial Indian parent can invoke the ICWA to block an adoption that was voluntarily and lawfully initiated by a non-Indian parent under state law, and 2) whether the ICWA defines “parent” to include an unwed biological Indian father who has not complied with state law rules to attain legal status as a parent.

The Supreme Court’s decision in this case could adversely impact every tribe in the United States on how future decisions are made by state courts regarding placement of Indian children in cases where the ICWA applies (juvenile, dependency, guardianship, adoption, etc.).

On behalf of California Tribes, California Indian Legal Services will be filing an *amicus* brief (“friend of the court”) in support of the Birth Father and the Cherokee Nation. CILS is asking all California tribes to join the *amicus brief*. If your tribe or tribal organization would like to join the *amicus* brief, you may complete and submit the authorization (below).

All authorizations need to be received no later than March 22, 2013.

You do not need to be an existing client of CILS to join the *amicus* brief. Authorizations can be submitted to Delia Parr via fax or email: dparr@calindian.org or (707) 443-8913.

I, _____, _____
(Name) (Title)
am authorized by the _____ to join the
(Tribe or Tribal Organization)

Tribe/Tribal Organization in the *amicus* brief being filed by California Indian Legal Services in support of Respondents in the U.S. Supreme Court Case *Adoptive Couple v. Baby Girl, Birth Father, and Cherokee Nation*.

