



Report for the Period 2/24/2026 to 6/24/2026

Duties of the Ombudsperson for American Indian Families

The Ombudsperson for American Indian Families investigates complaints for non-compliance of the Indian Child Welfare Act (ICWA), the Minnesota Indian Family Preservation Act (MIFPA), the Minnesota African American Family Preservation and Child Welfare Disproportionality Act (MAAFPCWDA) as it pertains to Native Children, the Tribal State Agreement, Minnesota Statutes, Court Rules and DHS and DCYF Policies that involve child protection cases, including placement, public education and housing issues related to child protection that impact American Indian children and families. The Ombudsperson is advised by and reports to the American Indian Community-Specific Board, who are all appointed by the Minnesota Indian Affairs Council. OAIF Statute

Executive Summary

- Attended ICWA Legal Skills Gathering in Colorado, hosted by the Casey Family Programs.
- Presented to 9th District Juvenile Practice Workshop, hosted by 9th Public Defender Office.
- Gave an interview about promising state practices in measuring ICWA Compliance in Minnesota.
- Attended 2nd Annual Together We Can Community Partner Event and emphasized importance of incarcerated parents having regular visits with their children.
- Attended the National Indian Child Welfare Annual Conference in Oklahoma.
- Attended the Minnesota Chippewa Tribe Legislative Dinner and spoke with Legislators about supporting legislation for the Agency and the Advisory Board.
- Attended part of ICWA GAL Training. (Investigator attended the full ICWA GAL Training.)
- Continued communications with the Office of Ombudsperson for Foster Youth about their legislation.
- Testified before the Judiciary Legislative Committee re: OOFY Legislation.
- Attended meeting and presented report to the American Indian Child Welfare Advisory Board.
- Continued communications with the State-Tribal Partnership Program Coordinator.
- Meetings with American Indian Well-Being Unit, ICWA Cabinet, St. Paul Indians in Action (SIA), MUID Family Preservation Committee, Children's Justice Advisory Task Force, Children's Justice Initiative (CJI) meetings around the State, and Citizens Review Panel Meetings for Chisago, Hennepin and Ramsey.
- Attended various state agency meetings/briefings/trainings including DHS/DCYF, Data Practices, COOP, HR, SmART, Minnesota Ombuds Connect, Minnesota Management and Budget (Internal Control), Agency Budget, Pollution Control and Dept of Natural Resources Severe Weather and other topics.
- Meet and Greet Meetings with counties around the State.
- Agency continues to observe court hearings around the State and started to observe Beltrami County.
- Continued conversations and communications with Tribal Representatives, Tribal Attorneys, County Attorneys, Parent Attorneys, Youth Attorneys and GAL Program- ICWA Division.
- Assisted in planning and attended the Dakota County ICWA Court and Tribal Flag Installation Ceremony.
- Contacted American Indian Community-Specific Board applicants.
- Meetings: US Ombuds Association Board, Membership and Planning Conference and Chapters.
- Meetings with IT Consultant and others to continue to enhance the Agency's case management system.
- Ongoing discussions on the Agency providing information and resources to parents and relatives and Agency helping to recruit more Native/ICWA Placement homes.

Summary Data

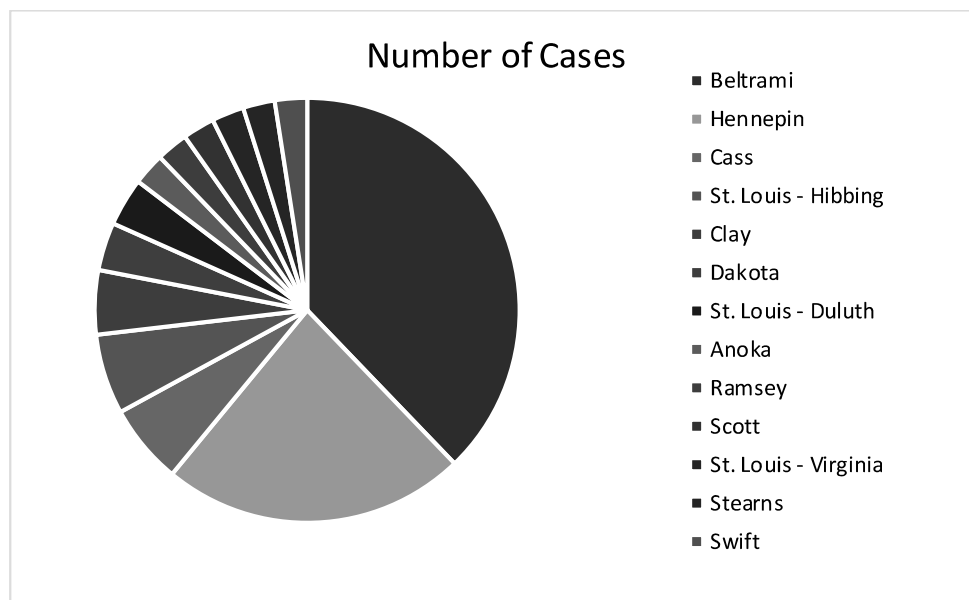
Number of new cases/inquiries for this reporting period: **94**

Number of court hearings observed for this reporting period: **165**

Total number of cases that are being monitored/investigated: **229 cases**
(since 1/1/2024)

Table 1. Counties identified during reporting period.*

Geographical locations of intakes (online, telephone, and email)



*Some counties with less than 2% are not shown in the graph; Appendix 1 provides the full list of counties.

Tribes

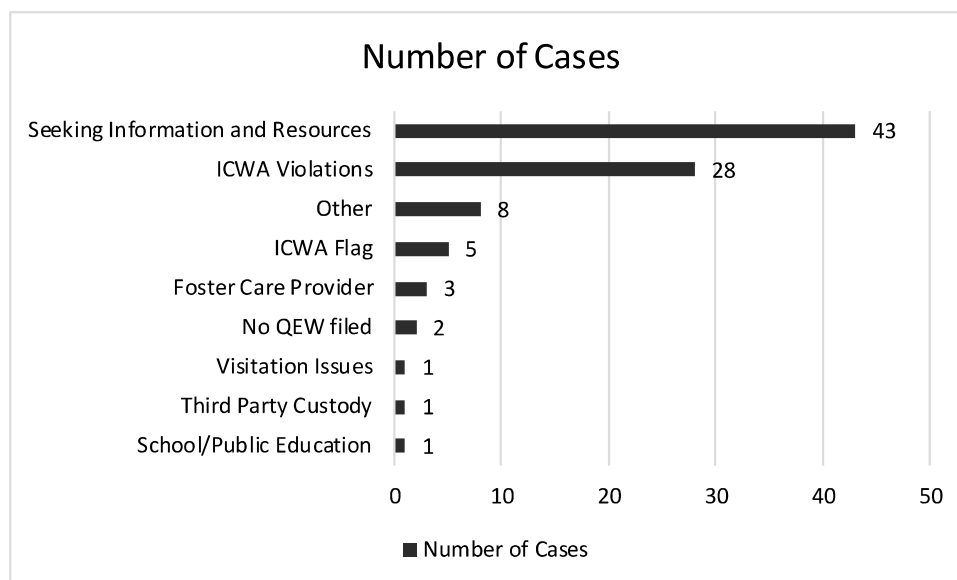
Table 2. Tribes identified during this reporting period.

Tribe	Number of Cases	Number of Cases (% of col)
Leech Lake Band of Ojibwe	24	26.1%
Red Lake Nation	20	21.7%
No Tribe	8	8.7%
White Earth Nation	8	8.7%
Other	7	7.6%
Bois Forte Band of Chippewa	5	5.4%
Mille Lacs Band of Ojibwe	3	3.3%
Bad River Band of the Lake Superior	2	2.2%
Grand Portage Band of Lake Superior Chippewa	2	2.2%
Ho-Chunk Nation	2	2.2%
Rosebud Sioux	2	2.2%
Sisseton-Wahpeton Oyate of the Lake Traverse Reservation	2	2.2%
Turtle Mountain Band of Chippewa Indians	2	2.2%
Unknown Tribe	2	2.2%
Cherokee Nation	1	1.1%
Lac Courte Oreilles	1	1.1%
Standing Rock Sioux	1	1.1%

Cases by Concern

Table 3. Reasons for contacting the agency.

Table 3 shows that Seeking Information and Resources and ICWA Violations are overwhelmingly the top concerns that have been received during this reporting period.



Selected Matters from Cases During the Period of this Report

- Parent attorneys are signing Green Cards on behalf of their clients, a practice that violates the Notice requirements under ICWA and MIFPA.
- Counties are not sending out the required ICWA Notices via registered/certified mail, return receipt.
- Tribe contacted Agency regarding ICWA Notice violations in a pending case. Agency sent two emails to the county requesting relevant documents and received no response. Ombuds then informed the county that a subpoena would be issued for the requested documents. Shortly thereafter, the county dismissed the case. When following up with the Tribe, their response was: “Yep, all good now, they finally did as we asked!”
- Continued numerous ICWA Flag issues: The Petition states the child has a tribal affiliation, however, Court Administration is not adding the ICWA Flag OR the Court finds that ICWA does not apply, however, Court Administration is not removing the ICWA Flag and not noting this in MGA.
- In multiple cases, Court-ordered authorizing visitation included language providing for "visits at the discretion of the county in consultation with the GAL," with no reference to the Tribe. This practice is contrary to the Active Efforts and collaboration requirements of ICWA and MIFPA.
- In several cases, counties failed to exercise due diligence in identifying and noticing all potentially applicable Tribes. In one instance, a parent identified possible Cherokee heritage, but the county declined to send notice to all three federally recognized Cherokee Tribes, stating that "claiming a remote Native ancestor is insufficient to trigger further obligations." This position is inconsistent with the broad notice requirements under ICWA and MIFPA.
- In the same case, there was confusion among some parties regarding which entities must receive ICWA Notice. Some believed that notifying the BIA was sufficient to satisfy the Notice requirement, rather than providing direct notice to the Tribes themselves.
- Counties have contacted Agency on seeking guidance on diligent efforts to obtain Tribal responses to notices, reflecting uncertainty about procedural obligations and next steps when Tribes have not replied. Agency provided information and resources to assist Counties in understanding their procedural obligations.
- Agency identified barriers preventing parents, legal custodians, and Indian custodians from exercising scheduled visitation with their children. In these cases, Agency provided information and resources and followed up to determine whether visits were occurring, as ordered by the Court.

- Agency continues to provide complainants with information and resources, including referrals to the DCYF American Indian Well-Being Unit.
- Agency received a complaint in which the validity of the underlying child protection case was called into question, raising concerns about how unresolved foundational legal issues may affect a child's path to permanency.
- Ombuds spoke with Assistant County Attorney regarding the problems that occur when County files their permanency petitions seeking alternative relief and not being specific: Petition asking for Transfer of Legal and Physical Custody or Termination of Parental Rights. After this discussion, County then made an oral motion to dismiss the relief of termination of parental rights and made it clear, the relief sought was a transfer of custody.
- Counties are not contacting Tribes, as required, if the child could be placed out of home.
- Agency continues to provide information and resources to parents that it is customary for counties to have a safety plan in place and to do a walk-through of the home before they close out an investigation.

Feedback from the Community

- *The Ombudsperson with the Office of Ombudsperson for American Indian Families is an extremely effective resource that comes in and does things that I, as a tribal worker, am not always able to accomplish!*

The Ombudsperson not only responds quickly, but rapidly takes action. I was told by the Ombudsperson that they have long lists of matters they need to address, yet they always seem to address matters related to my caseload in an incredibly timely fashion. Having someone with deep legal knowledge, competence, and fearlessness has proved incredibly useful to not only making sure the counties are providing Active Efforts, but even making sure agencies outside of the child protection realm, like jails, provide what they should provide for those within their walls. Tribal Representative, 5/29/2026.

- *We are so grateful you shared your wisdom & knowledge with our Juvenile Practice Workshop participants. Thank you for all you do. 9th Public Defender Office, 6/24/2026.*

Report from the American Indian Community-Specific Board

- Board Meeting on June 23, 2026 - attended by Board Members and the Community; presentations by SmART Director Tracey Sigstad on Agency's Budget and IT Consultant, Neil Cunningham, on case management system and enhancements that are being worked on.
- Board Members attended the Tribal Training Certification Partnership Summer Institute and the Minnesota Chippewa Tribe Dinner.
- Board Member assisted in planning and attended the Dakota County ICWA Court Opening and Tribal Flag Installation Ceremony.
- Board Member attended the Annual National Indian Child Welfare Conference in Oklahoma.

Appendix 1. Geographic locations of intakes (online, telephone, and email)

County of Residence	Number of Cases	Number of Cases (% of col)
Beltrami	31	33.7%
Hennepin	19	20.7%
Cass	5	5.4%
St. Louis - Hibbing	5	5.4%
Clay	4	4.3%
Dakota	3	3.3%
St. Louis - Duluth	3	3.3%
Anoka	2	2.2%
Ramsey	2	2.2%
Scott	2	2.2%
St. Louis - Virginia	2	2.2%
Stearns	2	2.2%
Swift	2	2.2%
Aitkin	1	1.1%
Blue Earth	1	1.1%
Cook	1	1.1%
Hubbard	1	1.1%
Itasca	1	1.1%
Kanabec	1	1.1%
Kandiyohi	1	1.1%
Out-of-State Residence (for states other than MN, including DC and Canada)	1	1.1%
Sherburne	1	1.1%
Stevens	1	1.1%