



RECEIVED
FEB 16 2018

Washington State
Supreme Court

Stillaguamish Tribe of Indians

ṭix̣dx̣^w bədbəda?

PO Box 3782 · 17014 59th Ave. NE
Arlington, WA 98223

Washington State Supreme Court
PO Box 40929
Olympia, WA 98504-0929

February 1, 2018

Re: APR 8 – Nonmember Lawyer Licenses to Practice Law

May it please this Honorable Court,

I am writing to express my strong support for APR 8, Nonmember Lawyer Licenses to Practice Law, specifically as it speaks to Indian Child Welfare proceedings.

I am a social worker for an Indian Child Welfare department and I can say that this exact problem arose on a case the Tribe had out of Kansas. Our presenting officer was not allowed access to the case, or to represent the Tribe in proceedings after it was made abundantly clear that our Tribe could legally intervene and we had the intention to do so. In the fight to claim Native children as our own, that court violated ICWA several times. Thankfully, a local Tribe was able to lend its support through association of counsel and our presenting officer was able to brilliantly argue for, and ultimately win, transfer of jurisdiction to our Tribe. I was relieved that the law, and by extension justice, was upheld.

But this instance begs the question: what would have happened if co-counsel was unavailable or unwilling to be in association with our presenting officer?

Our Tribe and our child welfare department take a highly active approach in fighting for the rights of our Native children. The ability to intervene, engage in court matters, and have legal standing to do so is a hill we are more than willing to fight and die on. Had another local Tribe's attorney *not* been present, those children would have realistically entered adoption proceedings, forever losing their identities as proud Native Americans and their connection to their larger cultural community. The inherent rights and benefits bestowed upon them at birth as a tribal member would evaporate and cannot be reclaimed when these minors reach adulthood. What happens to Native children living in areas where association of counsel is prohibitive? Are Tribes, sovereign nations, to lose an already precariously poised generation? While it may sound hyperbolic, these very real situations lead to very real consequences for the children as individuals and Native communities. At its most extreme, whole Tribes can be erased.

We are held to the standards of federal law and best practices/ethics of child welfare. While cases of a non-barred attorney needing limited license to practice Indian Child Welfare proceedings may be rare in comparison to other dependency proceedings, the affirmative decision of APR 8 would ensure that the federal law of ICWA is not violated because of procedural mire.

I trust that you will find this letter helpful when making your determinations as to APR 8. I thank you for your time and attention in this matter.

Sincerely,



Shannon Finn
ṭiṭdx^w bədbəda? Social Worker

D: 360.572.3462

C: 360.391.2491

F: 360.925.2862

E: sfinn@stillaguamish.com