



With Honor and Humility

Rethinking State Court ICWA Practice

Presented by Judge Smith & Commissioner Ressa
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A Call to Justice

**‘We stand before you not just to inform, but to call for
transformational justice for Indigenous families.’**

A call to listen and judge differently

Tribal Court Perspective

- Sovereignty, Healing, and the Higher
Mandate of Justice
- First Contact — the beginning of the harm



‘Your decisions either honor Indigenous sovereignty or undermine it. There is no neutral ground.’

Tribal courts focus on healing and reclaiming identity



State Court Perspective

- From Legal Compliance to True Justice
- Progress uneven – especially in minor guardianships
- Adversarial court processes hurt families
- Restorative ICWA court practices rebuild trust

‘Justice demands relational repair, not just procedural compliance.’

Envisioning Possibilities





‘We can either perpetuate systems of custody and control or champion systems of restoration and repair.’

Closing — With Gratitude

- Thank you for your time and leadership
- Honor the opportunity to share tribal and state court perspectives
- Justice must be co-created with respect, humility, and courage
- We invite you to join us in restoring trust and upholding sovereignty