Quinnehtukqut Legal News

www.ptla.org | *A Newsletter for Native Americans in Connecticut* | Fall 2021

Two Approaches to Addressing Native Mascots in Connecticut Advance

By Ryan Lolar, Staff Advocate at Pine Tree Legal Assistance, Inc.

The removal of Native mascots from every level of sports has long been the aim of Native advocates and Tribal Nations. Many Native mascots are inaccurate representations of Native people, usually caricaturizing stereotypes of Native people and portraying an image of Native people that are not even from the area the team is located. Some of these changes have occurred at the highest level in sports over the past couple of years with the Washington Football Team of the National Football League (NFL). Then, Cleveland's Major League Baseball (MLB) team first retired the offensive "Chief Wahoo" logo and is now changing the team's name to be the Cleveland Guardians starting next year.

IllumiNative, a Native-led nonprofit organization that was one of the mobilizing forces for the changes of the mascots in the NFL and the MLB worked on those projects after release of a scientific study conducted by the University of California, Berkeley and the University of Michigan showed the negative impact of racist mascots on Native people and Nations. The study documented higher rates of depression, suicidal ideation, self-harm, and substance abuse in Native youth and increased discrimination in schools against Native students. It also showed a clear majority of Native people that rejected certain representations, like Washington's NFL team. Finally, a component of the study revealed that many Americans know little to nothing about Native Americans, rarely encounter information about them, and don't believe Native people face discrimination. That these people might have their only interaction with Native people be an interaction with Native mascots compounds the negative impact to Native people and Tribal Nations.

In Connecticut, two approaches are now advancing to address Native mascots within the state. The first approach is a part of a budget bill that passed earlier this year. The provision in the budget bill would disallow any

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Is the Indian Child Welfare Act in Danger? The Brackeen Case and the Possible Upcoming Supreme Court Case.

By Ryan Lolar, Pine Tree Legal Assistance, Inc. NAU Staff Advocate

The Indian Child Welfare Act of 1978 (ICWA) was made law to respond to the crisis of Indigenous children being taken from their homes and placed outside of their tribal communities by state child welfare agencies. Nationally, 25% to 35% of all Indigenous children were removed from their homes and 85% of those children were placed outside of their communities before the enactment of ICWA.

ICWA addressed the crisis by setting federal requirements for state child custody proceedings that involve an "Indian child." ICWA requires that states determine whether a child is an "Indian child" under ICWA, in other words whether the child is a tribal member of a federally-recognized tribe or eligible to become a member of a federally-recognized tribe. If the state determines that a child is an "Indian child" under ICWA, then the state must commit to certain procedural steps. If a child is an Indian child and is located on reservation, then the Tribe whose reservation the child lives on shall have exclusive jurisdiction, unless jurisdiction is by Federal law embedded within the state. The Mohegan Tribal Court and Mashantucket Pequot Tribal Nation Tribal Court exercise exclusive jurisdiction over child welfare proceedings involving Mohegan and Mashantucket Pequot children.

Next, ICWA sets standards for state court proceedings. State's must notify the Tribal Nation of an identified Indian child of the proceeding and that Tribal Nation has the right to intervene at any point in the proceeding. Some of the most important provisions of ICWA are related to the steps that state child welfare agencies must go through in removing or placing Indian children. First, the state must make "active efforts" to keep children with their family household. Second, if the state must place the child outside of their

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The Emergency Rental Assistance Program and You

By Maddie Thomson Crossman, Attorney at Pine Tree Legal Assistance, Inc.

Many renters have struggled to pay their rent and utility bills during the COVID-19 pandemic. One response from the federal government has been to create and fund an Emergency Rental Assistance (ERA) program. This program gives money to states and tribes to pay housing expenses for certain eligible people. The goal is preventing homelessness. The Mohegan Tribe and the Mashantucket Pequot Tribal Nation both received federal appropriations for ERA. This means that eligible tribal members can use this money to pay their rent and other housing costs.

You may have applied for ERA when the program started. But the rules changed in August 2021. Even if you were denied before, or if you think you have been given all the ERA you could get, read on! You may be eligible now, even if you weren't before. You may be eligible for more assistance even if you had already reached the limit before.

To qualify for ERA, a person or household must meet three basic requirements:

1. Is your income below 80% of your area's median income?

Area median income is different in different parts of the state. For example, each county has a different median income, and the area around New Haven has a different median income from New Haven County as a whole. For example, if you live in Fairfield County, you might qualify for ERA with a higher household income than a person living in New Haven County. You can find calculations of the income limits in your area at: https://www.huduser.gov/portal /datasets/il/il2021/select_Geography.odn.

2. Have you experienced financial hardship during the COVID-19 pandemic?

Many people lost their jobs during the pandemic, and this caused financial hardship. But there are other kinds of financial hardship the pandemic caused to families. For example, if you had to pay for home internet so your children could attend school remotely. If this was a new expense for you, this could count as financial hardship during the pandemic. The financial hardship does not have to have been caused by the pandemic; it just needs to have started between March 2020 and the present.

3. Are you having difficulty meeting your housing needs?

The purpose of ERA is to keep people safely housed. Having difficulty meeting your housing needs doesn't have to mean that you are about to be evicted. If you have fallen behind on your rent and utilities, or you are living in an unsafe or crowded home because you can't afford to move, you may be having enough difficulty meeting your housing needs that you could be eligible for ERA.

If you or your family could answer "yes" to these three questions, you might qualify for ERA, and you could have up to 18 months of your rent and utility bills paid by the program.

Many people seek out ERA when they realize they are being evicted, but you don't have to wait! You can apply as soon as you are having difficulty paying for your housing needs. Resources can be found on how to apply and what organizations to contact for help at: https://portal.ct.gov/DOH/DOH/Programs/UniteCT

A Renewed Look at the Violence Against Women Act

By Dov Korff-Korn, NAU/FWU Pine Tree Legal Intern (Summer 2021)

TW: This article deals with difficult discussions of domestic violence, sexual assault, stalking, and dating violence, particularly against Indigenous people. If you or someone you know is experiencing these, please find resources for state and Tribal DV/SA agencies within the resource pages at the back of this newsletter.

Congress passed the Violence Against Women Act (VAWA) in 1994. VAWA was a landmark piece of legislation, the first comprehensive federal law focused on ending violence against women. VAWA supports holistic criminal justice system and community-based responses to domestic violence, sexual assault, stalking, and dating violence. Since 1994, VAWA initiatives administered and funded through the U.S. Department of Justice (DOJ) and Department of Health and Human Services (HHS) have significantly improved federal, state, tribal, and local handling of domestic and sexual violence crimes. These programs have included funds for Tribal Courts to exercise Special Domestic Violence Criminal Jurisdiction, funds for survivor-focused Tribal DV/SA agencies, and more.

Many of the programs and provisions of VAWA require consistent renewal to stay in effect. In 2000, 2005, and 2013, bipartisan majorities in Congress reauthorized VAWA. Notably, the 2005 VAWA reauthorization broadened access to services for Indigenous women and communities, as well as for other communities of color and immigrant women. The 2013 reauthorization similarly expanded protections for tribal members, as well as for same-sex couples and undocumented immigrants. Attempts to renew VAWA in 2018 failed amidst political gridlock and the federal government shutdown. In April 2019, the House of Representatives passed a new VAWA reauthorization bill - but it never received the Senate's required approval. In March 2021, a bipartisan bill to update VAWA was introduced in Congress. The 2021 VAWA reauthorization bill, H.R. 1620, picks up where the 2019 short-term bill left off. It was passed by the House of Representatives on March 17th, but the Senate has yet to vote on the bill.

The 2021 VAWA congressional reauthorization coincided with President Biden's appointment of Deb Haaland to Secretary of the U.S. Department of the Interior. Secretary Haaland, an enrolled member of Laguna Pueblo, is the first Indigenous person to head the Department of the Interior. Her historic appointment is particularly meaningful because the Department of the Interior oversees the Bureau of Indian Affairs and public lands – entities that directly involve and implicate tribal sovereignty. The 2021 VAWA

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Native American Voting Rights Act Proposed in Congress

By Ryan Lolar, Staff Advocate at Pine Tree Legal Assistance, Inc.

Proposed legislation would change state and federal voting for Tribal Nations and Tribal members. The bill is the bipartisan Native American Voting Rights Act of 2021 (NAVRA), which would put into law several protections for Indigenous' voters. The legislation is supported by a number of Indigenous focused non-profits and Tribal organizations, including the Native American Rights Fund (NARF), the National Congress of American Indians (NCAI), the United South and Eastern Tribes (USET) Sovereignty Protection Funds, and Illuminative.

There have been similar efforts to overhaul Native voting rights in recent years, but these efforts have not passed. This year's effort is informed in part by several high-profile cases arising in Montana and Arizona around state policies that restricted Native voting rights. Firmer protections for Indigenous voters have long been the goal of Tribal leaders and Native-focused non-profit organizations.

The provisions of the NAVRA are covered below:

Native American Voting Rights Act of 2021

NARF notes, "[d]espite the Indian Citizenship Act in 1924 and the Nationality Act in 1940, Native American voters continue to face unique challenges when exercising their right to vote, including, but not limited to the adverse effects of voter suppression, partisan gerrymandering, disparate treatment, and discriminatory tactics." The barriers that Indigenous voters face range from problems facing reservation communities to problems facing the Urban Indian community as well. Many of these barriers are detailed in a 2020 study done by NARF titled 'Obstacles at Every Turn' https://vote.narf.org/wp-content/uploads/2020/06/obstacles_at_every_turn.pdf

NAVRA proposes to increase protections for Indigenous voters with the following provisions:

- Establishing Native American voting task forces in states.
- States must designate a polling place and a voter registration site in each precinct where tribal voters reside on tribal lands for state and federal elections.
- Sets factors for adding polling places on tribal lands.
- States must provide pre-paid ballots and voting materials to voters in states with absentee or mail-in ballots and in states where early in-person voting is allowed must require that one early voting location be on tribal lands. This section also sets standards for early in-person voting.

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The Quinnehtukqut Legal News is published by Pine Tree Legal Assistance, Inc. and is funded in part through a grant from the Legal Services Corporation. The views expressed by the authors in this newsletter are not necessarily shared by Pine Tree Legal Assistance or its staff.

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We Want to Hear From You!
If you have comments, articles or ideas on how the newsletter can be helpful to you, please let us know.

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How To Reach Us

Pine Tree Legal Assistance, Inc., including its Native American Unit, has currently closed it's walk-in hours out of precaution due to the Covid-19 pandemic. We are available to be reached on our toll free line at 1-877-213-5630; V/TTY 711, or through the expanded call center hours at Pine Tree Legal Assistance, Inc. by calling:

Presque Isle	207-764-4349
Machias	207-255-8656
Bangor	207-942-8241
Augusta	207-622-4731
Lewiston	207-784-1558
Portland	207-774-8211

HOURS:

Monday	12:00 - 2:30 pm
Tues, Thurs, Fri.	9:00 – 11:30 am

We apologize for any inconvenience this may cause, but we hold the health and safety of our clients and staff in very high regard, and look forward to reopening to walk-in service and in-person outreach when it is deemed safe to do so.

New Tribal Gaming Compacts Signed, Tribal Gaming Now Includes Sports Betting

By Ryan Lolar, Staff Advocate at Pine Tree Legal Assistance, Inc.

Throughout the year, Connecticut and the Tribal Nations within the state have been working on new tribal gaming compacts. One of the purposes of preparing these new compacts was to expand gaming in Connecticut and within the Tribal Nations to include sports betting. The Mashantucket Pequot Tribal Nation and the Mohegan Tribe and Connecticut entered gaming compact negotiations as a result of the Indian Gaming Regulatory Act (IGRA).

The IGRA distinguishes between three types of gaming: Class I, Class II, and Class III. Class I gaming includes any traditional Tribal games, as well as social games for only small prizes. Class II gaming includes bingo. Neither Class I nor Class II Gaming require a tribe to enter a compact with a state. Class I gaming is exclusively within Tribal jurisdiction. Class II gaming is within Tribal jurisdiction, but the type of gaming must be sanctioned within the state and the operation is overseen by the National Indian Gaming Commission. Class III gaming then includes most of what is considered “casino gaming” including, but not limited to, table games and slot machines. Class III gaming requires states to agree to certain terms in tribal-state compacts, as well as requiring Tribes to have gaming codes and requiring federal approval of the structure of the tribal-state relationship.

Importantly, sports betting is Class III gaming, which means that it required the Mohegan Tribe and Mashantucket Pequot Tribal Nation and Connecticut to negotiate new Tribal-State Compacts. These compacts were agreed to earlier in the year respectively between the Tribal Nations and Connecticut. Then, federal approval was granted last month, as the compacts were run in the Federal Register. This cleared the way for sports betting to get underway at the respective gaming operations of the Tribal Nations in early October. The new operations will be run out of Mohegan Sun, which is running its sports betting operations with FanDuel, and Foxwoods, which is running its sports betting operations with DraftKings. Sports betting is a form of gaming where participants wager on the potential of various outcomes in sports competitions from the results of matches, whether certain players will achieve certain stats, and so on.

Sports betting is one of the fastest growing games in American gaming. It is legal in 28 states and Washington D.C., and many Tribal Nations in states where it is legal are beginning to add services related to sports betting at tribal gaming facilities. While some states have opted to keep sports betting to in-person venues only, Connecticut and the Tribes are allowing for mobile sports betting. A show of the size of the market is in the total revenue for August of this year, when the national market had a gross revenue of around $412 million. Tribes use gaming operations to support tribal sovereignty and robust tribal economies through tribal economic development and with the heavy influx of new dollars from sports betting, it's likely that this trend will continue into the future.

COVID-19 STUDENT LOAN PROTECTIONS ENDING SOON

By Sophie Laing, Yale Liman Fellow at Pine Tree Legal Assistance, Inc.

At the beginning of the COVID-19 public health crisis the federal government passed the CARES Act. This law included many protections for student loan borrowers with federal student loans. If you have federal student loans, you have probably noticed some of these protections: for example, the suspension of payments (known as administrative forbearance), 0% interest, and a pause on collections of defaulted loans.

The Biden Administration announced that they have extended these student loan protections for the final time. People will have to resume making payments in February 2022. With this upcoming deadline, here are a few things to know if you have federal student loans:

- The CARES Act protections did not forgive any amount of your loans. The amount that was not paid is still owed. This may raise your monthly payment amount depending on what type of repayment plan you are on.
- Your student loan servicer was not allowed to charge you interest, or require you to make payments, from March 13, 2020 until the protections end.
- If you are on an income-driven repayment plan, the recertification date has been pushed until after the CARES Act protections end. Your servicer should notify you of the new date.
- Payments that have been suspended since March 2020 still count towards rehabilitation or Public Service Loan Forgiveness, as long as certain other qualifications were met.
- If your financial situation has changed since the last time you were making payments on your student loan, you may want to consider applying for an income-driven repayment plan. You can contact your loan servicer for details on how to apply. These plans are only available for federal student loans. Sometimes your payments can be as low as $0 a month.
- Other options for dealing with your student loans include deferment, forbearance, consolidation, and rehabilitation.
    - Deferment is a temporary postponement of payment, allowed in certain situations.
    - Forbearance is another type of temporary relief from payment, allowed for certain financial hardships. Interest still accrues on your loans while they are in forbearance.
    - Consolidation is when you combine multiple loans into one new loan, that has a single lower monthly payment and different interest rate. Consolidation may change the repayment plans you are eligible for.
    - Rehabilitation is a way for you to get your loan out of default. You work with your servicer to make nine voluntary, reasonable monthly payments, and then the default can be removed from your credit history.

Many people have been struggling with repaying their student loans, and the CARES Act has offered some help. But once those protections end, it is important to figure out what will happen next with your loans. Once you start missing payments, your loans go into default and there can be negative consequences that follow. If you have federal loans in default (this means 270 days without a payment), your credit can be harmed, and your tax refund or federal benefits could be seized by the government. If you have private loans that go into default, you could be sued in court. Even though private student loans are not covered by the CARES Act protections, you can contact your servicer to see if they have any affordable payment options.

To find out more information about your federal student loans, you can visit studentaid.gov.

To find out what type of federal loan you have, and its status, you can visit studentaid.gov and log in using your Federal Student Aid (FSA) ID.

To find out if your loan is federal or private, you should check your monthly bill and your credit report for the name of the loan holder.

Information for Veterans Receiving Emergency Care Outside the VA System

By Ryan Lolar, NAU Staff Advocate at Pine Tree Legal Assistance, Inc.

Definitions of Terms in this Article

Prudent Layperson: An individual possessing an average knowledge of medicine and health. This definition focuses on the patient's presenting symptoms rather than the final diagnosis when determining whether to authorize medical claims for payment.

VA Feasibly Available: VA's capability to provide the necessary emergency services at the time a Veteran is in need of such services. Travel time to the nearest VA medical facility capable of servicing those emergency care needs, the severity of the symptoms, and the mode of arrival are all evaluated in assessing whether VA services were feasibly available.

Service-Connected Condition: A condition that has been adjudicated and granted a disability rating by the Veterans Benefits Administration (VBA).

Adjunct Condition: A condition that is not directly service-connected, but is medically considered to be aggravating a service-connected condition.

Are you a Veteran who receives medical treatment or services through Veterans Affairs (VA)? If you do, you might wonder what happens when you have to receive emergency medical care outside of the VA system. If you are having a medical emergency or otherwise need to access treatment or services outside of the VA system, then the VA has a specific process that you need to follow to get your treatment or service covered.

First, you must inform the emergency health care provider that they need to report your emergency treatment to the VA through the VA's Emergency Care Reporting (ECR) portal at or by calling 844-724-7842.

The emergency health care provider must also contact the local VA medical center (VAMC) to coordinate any necessary follow-on care and transfer activities. Local phone numbers and email addresses for VAMC's can be located here: https://www.va.gov/COMMUNITYCARE/docs/providers/Care-Coordination_Facility-Contacts.pdf

Below, the eligible types of emergency treatment are covered.

There are 3 Types of Emergency Treatment that can be Paid for:

1. Authorized Emergency Treatment
2. Unauthorized Emergency Treatment (Service-Connected)
3. Unauthorized Emergency Treatment (Nonservice-connected)

If you seek VA coverage for any of the above types of treatment, there are four qualifications that must be met to have your emergency treatment covered:

1. You must be enrolled in the VA health care system or have a qualifying exemption from enrollment.
2. A VA health care facility or other federal facility with the capability to provide the necessary emergency services must not be feasibly available to provide the emergency treatment.
3. The medical situation is of such a nature that a prudent layperson would expect that a delay in seeking immediate medical attention would be hazardous to life or health.
4. You timely file your claim related to the emergency treatment.

Emergency treatment will only be covered until you can be transferred to a VA or other federal facility. If you refuse to be transferred after your emergency condition is stabilized, then you may be liable for the cost of care beyond the point of stabilization. If the VA is contacted and cannot accept the transfer, then you will not be held liable for receiving further care at the non-VA facility. Additional requirements for each treatment type are covered below.

Treatment Type One: If the treatment is authorized, then there are two more requirements:

1. The treatment must be provided at a community emergency facility that is in the VA's Community Care Network (CCN) or Patient-Centered Community Care (PC3) network.

2. You must notify the VA of the treatment within 72 hours (about 3 days) of your arrival at the emergency treatment facility. If VA is not notified within 72 hours, the treatment cannot be authorized under this section. However, the treatment may still be covered under a different payment authority.

Treatment Type Two: If the treatment is not authorized, but is service-connected, one of the following criteria must also be met:

1. You receive emergency treatment of a service-connected or adjunct condition in a community emergency department; or

2. If you are permanently and totally disabled (P&T) as the result of a service-connected condition, you are eligible for emergency treatment of ANY condition; or

3. If you are participating in a VA Vocational Rehabilitation Program and you require emergency treatment to expedite your return to the program.

Treatment Type Three: If the treatment is not authorized and is nonservice-connected, all the following criteria must also be met:

1. Care was provided in a hospital emergency department (or similar public facility held to provide emergency treatment to the public); and
2. You received care from a VA facility (or via other community care authorities approved by VA) during the 24 months (about 2 years) before the emergency care; and
3. You are financially liable to the emergency treatment provider; and
4. The treatment was due to an injury or accident; you have exhausted all liability claims and remedies reasonably available to you or your provider against a third party for payment, and you have no contractual or legal recourse for extinguishing your whole liability to the provider; and
5. You are not eligible for imbursement under the other Treatment Type categories.

Information specific to VA services available in Connecticut can be found at: https://www.connecticut.va.gov/.

MASCOTS

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school with a Native mascot to draw money from the state Gaming Fund, which receives monies from the Mashantucket Pequot Tribal Nation and the Mohegan Tribe pursuant to the Tribes' respective gaming compacts with Connecticut. The schools with Native mascots would have until next year to either change their mascots, receive approval for their mascot from one of the Tribes, or forgo the additional funding that comes from the Gaming Fund.

Another approach advancing in the Connecticut state legislature would ban Native mascots at Connecticut schools outright. This approach has been taken recently to the north in Maine, where a bill supported by the Tribal communities in Maine was passed into law and prohibited Native mascots in the state starting in 2019. The Connecticut bill, Proposed Bill No. 5787, would apply this same approach. This bill did not get voted on this year but could be raised again next year. Connecticut would join a group of states that have recently taken this step, including Maine, Colorado, Nevada, and Washington state. As Native-led representation in law, politics, media, and other areas has grown, there has been increasing pressure to address some matters that have been longstanding areas of concern for Native people, including mascots.

Violence Against Women

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reauthorization bill explicitly addresses the epidemic of Missing and Murdered Indigenous Women (MMIW) by requiring the federal government to account for and enhance reporting on MMIW cases.

Indigenous communities in the U.S. (and Canada) face an epidemic known as Missing and Murdered Indigenous Women, Girls, and Two Spirit Individuals (MMIWG2S). In the U.S. today, at least 84% of Native women and 82% of Native men have experienced violence in their lifetime. Upwards of 90% of Native women have experienced violence committed by a non-

Native perpetrator. Fifty-six percent of Native women have experienced sexual violence in their lifetime. Non-native men, particularly white men, are responsible for the overwhelming majority of violence against Native women. Eighty percent of perpetrators of sexual violence against Indigenous women are non-native. On some reservations, that portion is as high as 96%. A U.S. Department of Justice report found that Native women are murdered at a rate more than 10 times the national average. Community resources, as well as statewide and Tribal crisis service resources are available at the back of this newsletter.

A standout provision of the 2021 VAWA reauthorization bill is that it safeguards the jurisdiction of tribal nations over domestic and sexual violence offenses committed in Indian Country by non-Indians. The bill ensures that tribal nations can arrest, prosecute, and sentence non-Indians responsible for stalking, trafficking, and sexual assault in Indian Country. In addition to expanding tribal jurisdiction over sexual and domestic violence crimes the bill also recognizes tribal jurisdiction over crimes against children and tribal police officers.

VOTING

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- Makes it illegal to prohibit tribal IDs or IDs provided by the Bureau of Indian Affairs or Indian Health Service.
- Must provide language access, including requiring oral language assistance if written translation of the language is not culturally permitted
- Tribes may designate tribal buildings as the address that voters use to register, pick up a ballot, and drop off a ballot
- States must provide a reason for rejecting a provisional ballot
- Expands who can deliver voter registration, absentee ballots, absentee ballot applications, and sealed ballots on tribal lands to a designated location, so long as no compensation is received
- Empowers the U.S. Attorney General to enforce the law and grants Tribes and individuals a right to bring an action to enforce the law.
- States must receive Tribal consent, approval from the U.S. Attorney General, or an order from the D.C. federal district court to reduce any of the accessibility provisions provided for in the bill.
- Allows Tribes to request the U.S. Attorney General assign federal observers to elections and requires the U.S. Department of Justice to consult with Tribes annually on voting rights.

ICWA

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household, they must do so under ICWA's placement preferences.

ICWA is imperfect, as Indigenous children are still disproportionately represented in the population of children that are removed from their homes. However, ICWA remains the strongest policy to stop the long, genocidal practice of child removal. Today, ICWA is being challenged by several adoptive parents and states in a case called Brackeen v. Haaland. At the same time, many Tribal Nations, states, and advocates are pushing back against this challenge to preserve ICWA.

The Brackeen plaintiffs, who are challenging ICWA, advanced several arguments. First, that ICWA was unconstitutional because it discriminates against non-Indian adoptive parents. Second, that ICWA is unconstitutional because it is the federal government "commandeering" state governments. Commandeering is when the federal government requires a state to adopt a federal law or requires a state official to enforce federal law. Third, the Brackeen plaintiffs argue that the federal government should not be involved in child welfare at all.

Child welfare advocates and Tribal Law scholars reject all the above arguments. First, the parties defending ICWA argue that it is non-discriminatory because a child's status as a Tribal member or as being eligible to be a Tribal member is a citizenship decision made by Tribal Nations, not a racial or ethnic determination. This argument was backed up by a U.S. Supreme Court decision in Morton v. Mancari, where the Supreme Court held that it was appropriate for the U.S. Bureau of Indian Affairs to have a hiring preference for Tribal members because it was reasonable and rationally designed to promote Tribal self-government. Then, the parties defending ICWA disagree with the second and third arguments of commandeering and states' rights because Congress has exclusive authority to legislate and negotiate the relationship between the United States and Indian Tribes under the U.S. Constitution.

Currently, the decisions of the U.S. North District of Texas and the U.S. Fifth Circuit Court of Appeals only impact the states of Louisiana, Mississippi, and Texas because of the structure of the United States federal court system. However, both parties in the Fifth Circuit case filed petitions for certiorari to the Supreme Court of the United States, which means that they are asking the Supreme Court to hear the case and make its own determination on the decisions of the courts below. A Supreme Court decision would apply across the country, either with ICWA intact as is or with parts of ICWA struck down.

LEGAL RESOURCES

Connecticut Legal Services:

- CLS is a non-profit organization that provides free legal help to eligible people with legal problems in Connecticut. Most of our legal services are available only for people with household income at or below 125% of the federal poverty level.
- Services include family law, discrimination, public benefits, educational issues, housing matters, consumer issues and employment issues.
- **Contact:** https://ctlegal.org or 860-344-0447

Statewide Legal Services of Connecticut:

- Help with legal questions about family, public benefits, housing, unemployment and other problems.
- Provides free legal advice, answers questions, and helps you to understand your legal rights and responsibilities so you can make the right choices for you and your family.
- Some cases may be referred to other legal aid programs or a volunteer attorney.
- You must have a low household income for us to the able to help you.
- Your case must be in Connecticut.
- Cannot help with criminal or immigration problems.
- A non-profit organization with limited funding. Cannot help everyone who applies for help.
- **Contact:** https://slsct.org or (800) 453-3320

New Haven Legal Assistance Association:

- Free legal services to lower-income people in the New Haven area.
- Services include child protection, education law, family law, housing law (including fair housing), immigration, public benefits, disability rights, and workers' rights.
- **Contact:** https://nhlegal.org or (203) 946-4811

Greater Hartford Legal Aid:

Provides free legal services to lower-income people in the Hartford area to:

- Help tenants avoid homelessness.
- Preserve options for decent and affordable housing.
- Enhance the safety of family violence victims.
- Increase opportunities for an adequate public-school education.
- Maintain workers' employment and related income.
- Increase access to employment opportunities.
- Seek federal immigration protections for battered immigrants.
- Preserve government benefits and access to healthcare.
- Protect the health, safety, and self-determination of seniors.
- **Contact:** https://www.ghla.org or (860) 541-5000

CRIMINAL LEGAL MATTERS

Connecticut Public Defender Services:

- The State Division of Public Defender Services provides counsel in accordance with both the United States and Connecticut Constitutions to any indigent person charged with the commission of a crime that carries a risk of incarceration. In addition, representation and guardian ad-litem services are afforded to indigent children and parents in child welfare, family, and child support matters, in accordance with the Connecticut General Statutes and by order of the Superior Court.
- **Contact:** http://www.ct.gov/ocpd or (860) 509-6400
- Directories of Public Defender Services Offices available here: https://portal.ct.gov/OCPD/Contact-Info/Contact-Us---Offices-and-Locations

SPECIALIZED ASSISTANCE

Commission on Human Rights and Opportunities

- The mission of the Connecticut Commission on Human Rights and Opportunities is to end discrimination through civil and human rights law enforcement and to establish equal opportunity and justice for all persons within the state through advocacy and education.
- **Contact:** www.ct.gov/chro/site/default.asp (860) 541-3400

Disability Rights Connecticut

The mission is to advance the cause of equal rights for persons with disabilities and their families by:

- Increasing the ability of individuals, groups, and systems to safeguard rights.
- Exposing instances and patterns of discrimination and abuse.
- Looking for individual and systemic remediation when rights are violated.
- Increasing public awareness of unjust situations and of means to address them.
- Empowering people with disabilities and their families to advocate effectively.
- **Contact:** www.disrightsct.org (860) 297-4300 (voice) (860) 509-4992 (videophone)

Connecticut Pardon Team

- Offers many informational and educational processes designed to help you file your own Connecticut Full Pardon or a Certificate of Employability (Provisional Pardon).
- **Contact:** www.connecticutpardonteam.org/pardon-services or (860) 823-1571

Connecticut Coalition Against Domestic Violence and Partners

- CCADV is one of Connecticut's biggest organizations for supporting victims of domestic violence and the organizations that serve them.
- CCADV has a 'Statewide Resources' page that describes 18 partner agencies in Connecticut whose primary purpose is to provide comprehensive services to victims of domestic violence and their families. These resources can be found at: http://www.ctcadv.org/resource-library/links/.

CTSafeConnect

- If you need more immediate contact for information, assistance, or just someone to talk to regarding domestic violence, you can contact CTSafeConnect at their website https://ctsafeconnect.com/, by phone at (888) 774-2900, or by email at safeconnect@ctadv.org.
- CTSafeConnect is confidential, safe, free, and voluntary. CTSafeConnect is a project developed by CCADV.