CENTRAL COUNCIL
Tlingit and Haida Indian Tribes of Alaska
9097 Glacier Highway • Juneau, Alaska 99801

CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA
Eightieth Annual Tribal Assembly
April 15-17, 2015
Juneau, Alaska

Resolution TA/ 15-02

Title: Requesting the State of Alaska to Withdraw Its Opposition to a Rehearing of the Tununak II v. State of Alaska

By: Juneau Tlingit and Haida Community Council

WHEREAS, the Central Council of Tlingit and Haida Indian Tribes of Alaska (Central Council) is a federally recognized tribe with nearly 30,000 tribal citizens; and

WHEREAS, the Tlingit and Haida tribes of Southeastern Alaska is a sovereign tribe with inherent rights to protect its children and families; and

WHEREAS, the State of Alaska has intruded and violated the ability of immediate family and extended family to be able to take custody of and/or adopt a grandchild and place that child with a grandmother; and

WHEREAS, without notice or consideration to the Native family and grandmother, the State of Alaska in Tununak II v. State of Alaska took a Native child and placed that child through adoption into a non-Native family; and

WHEREAS, over the course of time, through the processing of state court system, the child lived with a non-Native family for seven (7) years in the non-Native family thus taking away the opportunity of growing up in the Native culture and lifestyle of Native families; and

WHEREAS, the State of Alaska has violated the sovereignty of an Indian tribe and the Indian Child Welfare Act (ICWA); however, the State of Alaska has the opportunity to reverse this situation in its State Supreme Court and provide for a reconciliation of this inappropriate ruling and to provide harmony for the Native family.

NOW THEREFORE BE IT RESOLVED that the Eightieth Tribal Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska delegation convened in Juneau, Alaska on April 15-17, 2015, hereby request the Governor, Lt. Governor, and the Attorney General of the State of Alaska publicly oppose the Alaska Supreme Court to reverse its earlier ruling in the Tununak II v. State of Alaska case and in accordance with the amicus brief of the U.S. Department of Justice. The effect of this request is to create the legal ability and process for the child to be placed back with the Native family to her grandmother and to cause the government to create a rule that Native children who are placed as a result of a "Child in Need of Aid", foster

care or formal adoption be subject to a notice to the immediate family, extended family and to their federally recognized tribe.

ADOPTED this 16th day of April 2015, by the Eightieth Tribal Assembly of Central Council of Tlingit and Haida Indian Tribes of Alaska.

CERTIFY

President Richard J. Peterson

ATTEST

for: Tribal Secretary Jolene Edenshaw