

LD 1970, An Act to Enact the Maine Indian Child Welfare Act

Before the Joint Standing Committee on Judiciary

June 5, 2023

Senator Carney, Representative Moonen and members of the Judiciary Committee, my name is Martha Proulx and I live in Belfast, Maine.

I submit this testimony to urge you to support LD 1970, “An Act to Enact the Maine Indian Child Welfare Act.”

In March of this year, I retired after 38 years from Maine’s Office of Child and Family Services, the agency that oversees Maine’s child welfare system. Part of my job responsibilities since 2005 had been the liaison to the federally recognized tribes. In that role I worked closely with the Wabanaki tribes to ensure that the Indian Child Welfare Act (ICWA) was followed. This act is best practice in child welfare and ensures that Native children remain connected to their family, their tribe, and their tribal community. Maine has led the way nationally in being committed to and following the Indian Child Welfare Act. In addition, the state engaged with the Wabanaki tribes to form the Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission. This Commission was a landmark event and has been a model for other states.

It is important to note that caseworkers, Assistant Attorneys General, and the Maine State court system already abide by the Indian Child Welfare Act. Codifying this practice in Maine law will reinforce this practice. Passing LD 1970 will ensure that Native children can grow up with their family, extended family, community, and culture. These strategies include state child welfare having to make active efforts in working with children and their families that would keep children safe, prevent separation and loss of their family, and reunify children when removal does occur. The Act requires preferences to place children in their culture and their family, providing children with continuity of belonging and support for their identity and development. The Act will bring qualified expert witnesses to inform and guide court decisions. It will, however, not cause undo burden on the state nor will it cause any financial changes as it will continue the practices already carried out.

I urge you to vote in favor of LD 1970: “An Act to Enact the Maine Indian Child Welfare Act.”

Sincerely, Martha Proulx

Martha Proulx
Belfast
LD 1970

Please find my written testimony in support of LD 1970 attached.