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Amicus Briefs Filed to Uphold the Indian Child Welfare Act and Support Indian Children and Families in *Brackeen v. Haaland* (formerly *Brackeen v. Bernhardt*)

(Portland, Ore., October 12, 2021)—On Friday, 180 tribal nations and 35 Native organizations, 25 states and the District of Columbia, and Casey Family Programs and 10 child welfare and adoption organizations filed briefs to protect the Indian Child Welfare Act (ICWA) before the United States Supreme Court. These three amicus briefs were filed in support of the United States and tribal intervenors' petitions asking the United States Supreme Court to review the Fifth Circuit Court of Appeals' decision in [Brackeen v. Haaland](#), a case challenging the constitutionality of ICWA.

The briefs provide important context for the Court's decision, expected by early to mid-January, about whether to review the lower court's ruling. The [Tribal Amicus Brief](#) focuses on the Indian child welfare crisis that led Congress to enact ICWA. The [States' Brief](#) describes how ICWA has become a critical tool for protecting Indian children and fostering state-tribal collaboration. And the [Casey Family Programs Brief](#) highlights how ICWA exemplifies child welfare best practices and leads to better outcomes for Indian children.

The Protect ICWA Campaign advocates to uphold ICWA and its critical protections for Indian children and families who are in state court child custody proceedings. For more than 40 years, ICWA has helped tens of thousands of Indian children and families by supporting the role of tribal governments in determining the best interests of Indian children and keeping Indian children connected to their family, community, and culture whenever possible.

Copies of all of the petitions and amicus briefs can be found on the [Tribal Supreme Court Project website](#).

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Protect ICWA Campaign

The Protect ICWA Campaign (the Campaign) was established by four national Native organizations: the [National Indian Child Welfare Association](#), the [National Congress of American Indians](#), the [Association on American Indian Affairs](#), and the [Native American Rights Fund](#). Together, the Campaign works to serve and support Native children, youth, and families through upholding the Indian Child Welfare Act. The Campaign works to inform policy, legal, and communications strategies with the mission to uphold and protect ICWA.