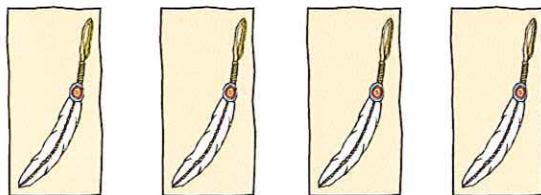


## What if You Still Have Questions?

Please do not hesitate to give me a call, write me a letter, or send me an email. I will be happy to try to answer questions you have about the Ombudsperson investigative process, ICWA implications and processes, or how you can help yourself and assert your rights to fair treatment in the social service agencies.



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# Ombudsperson for American Indian Families for the State of Minnesota



**Telephone: (651) 643-2523**  
**Fax: (651) 643-2539**  
**Toll Free: 1-888-234-4939**  
**www.ombudsfamilies.state.mn.us**

## What is an Ombudsperson?

- The idea of an Ombudsperson comes from Scandinavian origins when a King's representative was appointed to help citizens in their dealings, complaints or concerns with the government.
- In Minnesota, the Ombudsperson for Families, an independent agency, was created by the Minnesota legislature in 1991 under Minn. Statute §257.0755-257.0762 in response to requests from families who had been negatively impacted by social service agencies.
- The Ombudsperson for Families was created to ensure that agency decisions, acts, rules, programs, procedures and any other form of policy and decision making processes are in compliance with the laws that protect children of color in Minnesota. Specifically for American Indian families, this means compliance with the Indian Child Welfare Act (ICWA) and the Minnesota Indian Family Preservation Act (MIFPA).

## What Does the Ombudsperson Do?

- My job is to help people resolve problems with social service agencies and officials and investigate complaints by Indian community members when they believe they have been treated unfairly or feel that nobody is listening to them.
- The Ombudsperson does not take sides in any dispute.
- If an injustice has been found in any case the Ombudsperson can recommend corrective action. However, this office does not have the authority to enforce the recommendations to the agency. When action is not taken to correct these errors, the Ombudsperson may suggest policy changes to the legislature.

## How Does the Office Work?

If you have a question or complaint you may call the Ombudsperson, write a letter or contact me via email. There is no charge for our services.



When calling please be ready to give:

- your name, address and telephone number
- a description of your situation
- names, dates of birth of children involved
- Your tribal affiliation and the tribal affiliation of your children
- Your and/or your children's tribal enrollment information
- Names and contact information of social workers and other agency or service providers.

### **Indian Child Welfare Act (ICWA) Considerations**

Indian families have Federal and State laws that offer protection to them when it comes to child protection proceedings and out of home placements of Indian children. Social workers should be aware of these protections, and preventative measures for potential out of home placements, and the “active efforts” that must be given to Indian families. If your social worker is unsure of these measures

inform them of your Indian status. If the situation does not get better immediately contact their supervisor, your attorney, and/or an ICWA advocate.

Some resources for ICWA assistance in Minnesota include:

- The Minneapolis American Indian Center (Hennepin County and metro area only):
  - ICWA Division
  - ICWA Court Monitor
  - Airrnet, American Indian Resource and Referral (Airr.net)  
1530 East Franklin Ave  
Minneapolis, MN 55404  
(612) 879-1700
- Indian Child Welfare Law Center (all of Minnesota)  
1113 East Franklin Ave, Suite 600  
Minneapolis, MN 55404  
(612) 879-9165
- Indian Child Welfare Legal Advocacy Project (Ramsey County Only)  
579 Wells St  
St. Paul, MN 55101  
(651) 793-8946
- SMRLS, Southern Minnesota Regional Legal Services (all of Minnesota)  
(651) 495-0473



- Anishinabe Legal Services  
(Leech Lake, Red Lake, and White Earth Residents only)  
411 1st St., P.O. Box 157  
Cass Lake, MN 56633  
(218) 335-2223

### **What the Ombudsperson Does Not Do**

- I cannot give legal advice
- I do not investigate attorneys, police, judges, or elected officials, nor their decisions or actions
- I do not investigate federal agencies.

### **When can I help you?**

Before you call the Ombudsperson it is important that you have done the following:

- Try to solve the problem on your own by talking with your social worker or the worker's supervisor
- If the worker or the worker's supervisor is unresponsive or does not give you a resolution to your situation that is satisfactory to you then go to the head of the agency/organization to try to solve the problem
- Make sure you have gone through all possible appeals.

### **What Else Should You Do?**

- Be pleasant when discussing your problem and concerns.
- Be prepared and write down your questions before calling a government office and have all information at hand that you may need in your discussions.
- Do not hesitate to call or write government offices for help.
- Keep good records, take notes, and ask for names of employees you talk with.
- Save all important papers.
- Do not ignore mail from your social worker, court system, or service providers.
- Keep in touch with your social worker, attorney, and the Ombudsperson.
- Do not be afraid to ask questions.
- If you are having problems getting answers to your questions do not be afraid to talk to a supervisor.

