

NCUIH Joins Coalition in Amicus Curiae Brief in Support of the Indian Child Welfare Act

Category: Policy Blog

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On December 13, NCUIH joined nearly 400 Tribes and Indian organizations in an *amicus curiae* brief filed in support of the Indian Child Welfare Act (ICWA). The brief, which was filed in the U.S. Court of Appeals for the Fifth Circuit, largely mirrors the brief filed in the lawsuit last year. As a reminder, a three-judge panel of the Fifth Circuit issued an opinion in August finding ICWA constitutional in part because it is not a race-based law. However, the judges granted an order to rehear the case *en banc* — before the entire 17-judge panel. Defendants in the case, the federal government and Intervenor-Tribes, filed their supplemental briefs for the *en banc* stage on Friday, December 6.