



UNDERSTANDING LEGAL STANDARDS OF THE INDIAN CHILD WELFARE ACT (ICWA)

Tuesday, October 16, 2018
Penobscot Judicial Center, Multi-Purpose Room

8:30 – 9:00: Registration

▼ Approved 1.5 General Credits

9:00 – 10:30: ICWA Legal Overview

Hunter Umphrey, AAG and Heidi Silver, AAG

10:30 – 10:45: Break

▼ Approved 1.25 General Credits

10:45 – 12:00: 2016 BIA Guidelines & Tribal-State Court Agreements vs. Tribal Courts

Maine District Court Judge, TBD

12:00 – 12:45: Lunch

12:45 – 1:45: Qualified Expert Witness

Esther Anne and Alivia Moore

▼ Approved 1 General Credits

1:45 – 2:45: Intergenerational Trauma & Cultural Humility (Dawnland Film)

Michael Augustine, Esther Anne, and Alivia Moore

2:45– 3:00: Break

3:00 – 4:00: ICWA – Competent and Ethical Representation (ethics credit)

Aria Eee, Esq., Deputy Bar Counsel



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PRESENTER BIOGRAPHIES

Esther Anne, MSW

Esther Anne, *Peskatomuhkahti, Ckwaponahkiyik, nuceyu Sipayik* (Passamaquoddy, Wabanaki from Pleasant Point) joined the Edmund S. Muskie School of Public Service in 2003, engaging young people in foster care to ease their transition into adulthood. Esther had the honor of having a critical role as a Muskie staff person and a Wabanaki community member in the creation of the Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission and Maine-Wabanaki REACH. She is now deeply engaged in the implementation of the Commission's recommendations through the lens of restorative justice and decolonization. Prior to joining Muskie, Esther worked as a Family Support Specialist for Penobscot Nation Department of Human Services, providing preventive and early intervention services to Penobscot families. She currently facilitates the tribal-state Indian Child Welfare Act Workgroup and helps create products for tribal-state collaboration and best child welfare practice through the Capacity Building Center for Tribes. Esther is working toward reclamation of Wabanaki territory, language, and ways of knowing and being, enjoys making art, outdoor activities and spending time with the young people in her life.

<https://usm.maine.edu/cutler/esther-anne>

<http://www.mainewabanakireach.org/>

Michael Augustine, LMSW

Michael Augustine is a child welfare case manager for the Penobscot Nation where he has been since July 2017. Before that, he worked in child welfare for the State of Maine in the Bangor office, and has also been a group facilitator for former youth in care. He earned his Master's Degree in Social Work in 2013 and is a member of the ICWA Workgroup.

Aria Eee, Esq.

Aria Eee serves as Deputy Bar Counsel to the Board of Overseers. Her responsibilities include advising on ethics concerns, presenting legal education programs, and investigating bar complaint matters. Aria began her legal career as a NAPIL fellow and then as counsel for the Passamaquoddy Tribe's Housing Authority. She also had a solo practice in Washington County before joining the Attorney General's office where she litigated numerous cases



involving children and their families. As a summer Adjunct Professor, Aria teaches Professional Responsibility for students at Maine Law School. Aria is a member of the ABA, Gignoux Inn of Court, MSBA, NOBC, and county bar associations throughout Maine.

Alivia Moore

Alivia Moore, a member of Penobscot Nation, serves on the Maine Tribal-State ICWA Workgroup as a former youth in tribal care. She also provides a foster home for Penobscot children and serves as an ICWA Qualified Expert Witness in Maine State Court. She launched Penobscot Nation's family violence prevention program called "All Our Relations Thriving" and is now Director of Outreach and Programs in Maine at Gedakina, an indigenous-led non-profit. As a Two-Spirit community organizer, she works to restore Wabanaki cultural lifeways as a path to heal our tribal families and revitalize indigenous systems.

Heidi Silver, Esq., AAG

Heidi D. Silver has been an assistant attorney general since August of 2000. Heidi represents the Maine Department of Health and Human Services (DHHS) in child protection cases filed in Aroostook County, including those involving the Houlton Band of Maliseets and the Aroostook Band of Micmacs. Heidi has participated in several ICWA related work groups, including the one that negotiated the 2002 Intergovernmental Agreement between the Houlton Band of Maliseets and the State of Maine. She also represents DHHS in paternity and child support establishment/enforcement proceedings and in adult guardianship proceedings. Heidi attended Colby College for her undergraduate degree and subsequently received her law degree from the Northeastern University School of Law in 1997. She practiced employment law in Concord, New Hampshire for two years before returning to her hometown in northern Maine.

Hunter Umphrey, Esq., AAG

Hunter Umphrey is an assistant attorney general representing the Department of Health and Human Services (DHHS) in child abuse and neglect proceedings. He is admitted to practice law in the courts of the State of Maine, the Federal District of Maine, the United States Supreme Court, the Penobscot Nation, and the Passamaquoddy Tribe. He is an experienced litigator with an active trial and appellate practice. He served on the Working Group to Improve the Provision of Indigent Legal Services between the first and second sessions of the 128th Legislature. He was also elected to represent the City of Old Town on Regional School Unit 34's board of directors and is a member of the John Waldo Ballou Inn of Court.

Maine District Court Judge, TBD