



COVID-19 Core Decision Making Team Declaration

Suspension of Transfer of Cases in Resolution # BC-07-26-17-J, Adoption of the Children's Code and the Nation's Indian Child Welfare Act Policy
March 20, 2020

The world is currently facing a pandemic of the coronavirus disease 2019 (COVID-19). The COVID-19 outbreak originated in Wuhan, China and has spread to many other countries throughout the world, including the United States. The World Health Organization has identified that the spread of COVID-19 is now a pandemic resulting in many countries experiencing the effects of illness and health issues related to COVID-19 and economic impacts.

On March 12, 2020, Chairman Tehassi Hill signed a “*Declaration of Public Health State of Emergency*” regarding COVID-19 which set into place the necessary authority should action need to be taken and allows the Nation to seek reimbursement of emergency management actions that may result in unexpected expenses.

On March 17, 2020, the Oneida Business Committee adopted emergency amendments to the Emergency Management and Homeland Security law to create and delegate authority to a COVID-19 Core Decision Making Team (COVID-19 Team). [3 O.C. 302.10]. When a public health emergency has been declared, the COVID-19 Team has the authority to declare exceptions to the Nation's laws, policies, procedures, regulations, or standard operating procedures during the emergency period which will be of immediate impact for the purposes of protecting the health safety, and general welfare of the Nation's community, members, and employees. [3 O.C. 302.10-2].

The Nation has begun full implementation of the Children's Code through its Indian Child Welfare Department (*Department*) as well as the Oneida Judiciary Family Court. An integral part of this code requires person-to-person contact through a Social Worker from the Department and guardian ad litem appointed by the Family Court. The Department works closely with area county personnel to ensure the safety of our children and families.

The nature of the current emergency requires that resources be managed properly to reduce contacts between families, children and personnel and avoiding the spread of COVID-19. Further, the Nation recognizes that there first contact with children that would be within the jurisdiction of the Nation under the Children's Code which occurs outside of our Department. Because of the public health emergency and the continued spread of COVID-19, the COVID-19 Team has determined that action should be taken to reduce confusion, transfer, and contacts regarding this vulnerable population.

The COVID-19 Team hereby declares that resolution # BC-07-26-17-J, *Adoption of the Children's Code and the Nation's Indian Child Welfare Policy*, Resolve #3, is amended to read:

- 3) Transfer of Cases. The following determination has been made for the transfer of cases from Brown and Outagamie County jurisdiction to the jurisdiction of the Oneida Family Court:
 - (a) When the Children's Code becomes effective all new cases in Brown and Outagamie County shall begin in or transfer to Oneida Family Court *unless such commencement or transfer would be*

impracticable under the circumstances of the case as decided by the Nation's Indian Child Welfare Department and the Nation's Child Welfare attorney.

This declaration shall be made effectively immediately and shall remain in effect for the duration of the Nation's public health emergency.



Oneida Nation Vice-Chairman