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Sault Tribe chairman praises bills that would ensure equal treatment for Native children and guardians

SAULT STE. MARIE, Mich. – Sault Ste. Marie Tribe of Chippewa Indians Chairman Austin Lowes joined tribal leaders from across Michigan March 2 in calling on lawmakers to support newly introduced legislation that would ensure children involved in tribal court systems and their guardians receive access to the same support as those in state courts.

Senate Bills 137 and 138 were introduced today by Sen. Jeff Irwin (D-Ann Arbor) and Sen. John Damoose (R-Harbor Springs). They would make Michigan families eligible for the Guardianship Assistance Program regardless of the court that orders a child's guardianship. Children with guardianship orders from tribal courts are not currently eligible for the program, and neither are children who have guardianship orders from other states.

"Children who are appointed a guardian often have been through some underlying family issues, and they deserve equal treatment under the law regardless of which court has heard their case," said Lowes. "This legislation will guarantee that a Native child and their guardian have access to the same financial assistance and support services through the Guardianship Assistance Program as anyone else in Michigan, and I urge the legislature to move these bills quickly to ensure that no one is denied the resources they need."

The Guardianship Assistance Program provides financial support for families who provide permanent guardianship for children when adoption or family re-unification are not appropriate options. The amount of assistance is pegged to foster care rates. Guardianship, as a permanent option that often takes place within the child's extended family, usually provides a more secure placement that keeps children better connected to their communities.

Lowes, who is also a trained social worker, notes that there is a sense of urgency around the issue for many Native families. "We know of at least 10 Sault Tribe families and many other Native families from around the state who have been impacted by the current laws on Guardianship Assistance Program benefits because their cases involve a tribal rather than a state court," Lowes said. "When this happens, children remain in unfamiliar foster homes rather than in the home of a close relative, and those foster families may not uphold tribal cultures or customs."

The legislation has been referred to the Senate Committee on Civil Rights, Judiciary and Public Safety where a hearing is expected to be held in the coming weeks.

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