

Testimony of Harmony Bercier
Senate Human Services Committee
In Support of House Bill 1564
March 11, 2025

Dear Chairwoman Lee and Senate Committee members,

Thank you for the opportunity to provide testimony in strong support of House Bill 1564. My name is Harmony Bercier, and I am an enrolled member of the Turtle Mountain Band of Chippewa. As a North Dakota constituent, I have dedicated the past eight years to coordinating efforts between State, Court, and Tribal partners to improve the accurate implementation of the Indian Child Welfare Act (ICWA). I am grateful for the thoughtful revisions that have strengthened this bill, and I urge the committee to vote in favor of its passage.

This version of HB 1564 provides essential clarifications and improvements that will enhance the practical application of ICWA in North Dakota. By reinforcing the requirement for active efforts immediately following an emergency removal, this bill helps ensure that preferred placements are secured, best practices are followed, and Native children remain connected to their families and communities. Research has shown that early and consistent active efforts lead to better outcomes for children, reducing time spent in care and increasing family reunification rates.

Additionally, the inclusion of affidavit testimony as an option when a party cannot be reached for consent removes unnecessary barriers that have historically caused delays in proceedings. This practical solution ensures that cases can move forward in a timely and fair manner while maintaining the integrity of the ICWA process. Aligning statutory language with existing child welfare laws and ensuring clarity around who is responsible for carrying out certain provisions further strengthens consistency and ensures that best practices are followed across all cases involving ICWA-eligible children and their families.

North Dakota has emerged as a national leader in strengthening ICWA implementation, and this bill is yet another example of the state's commitment to protecting Native children and families. The collaborative efforts between State, Court, and Tribal partners have resulted in notable improvements, including increased compliance with ICWA requirements, stronger relationships between jurisdictions, and better outcomes for children and families. HB 1564 reinforces this progress by addressing key areas that enhance efficiency, accountability, and clarity in ICWA-related cases.

Through my work coordinating efforts between State, Court and Tribal partners, I have seen firsthand the importance of clear, consistent policies that support collaboration and accountability. HB 1564 not only strengthens North Dakota's leadership in this area but also demonstrates a continued commitment to ensuring that Native children and families are treated with the dignity, respect, and legal protections they deserve.

I respectfully urge the committee to support HB 1564. Thank you for your time and consideration. Please reach out with any questions.

Respectfully,
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