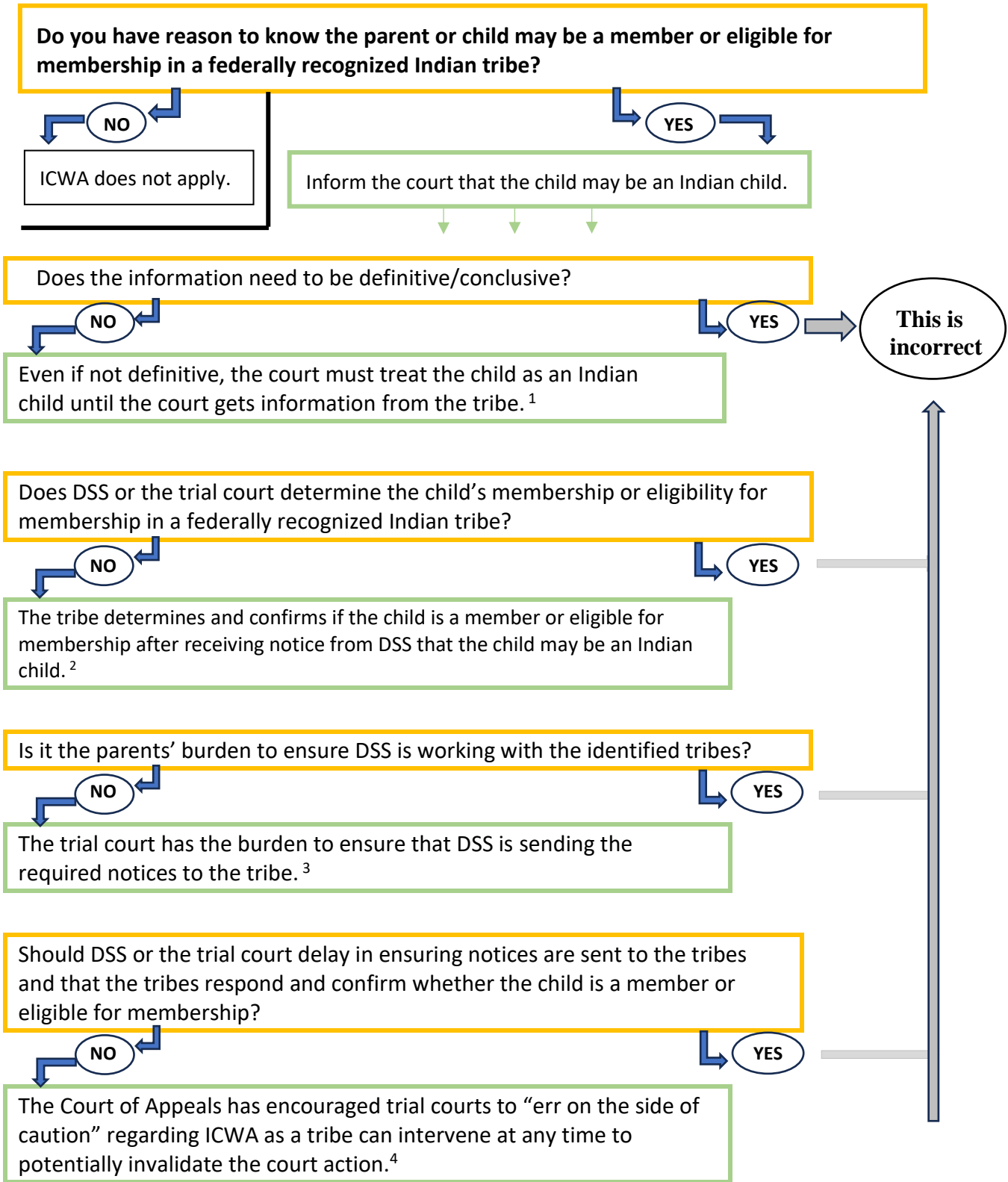


# ICWA in North Carolina



<sup>1</sup> See 25 C.F.R. § 23.107(a), (b)(1)-(2), (c)(1)-(2); 25 U.S.C. § 1912(a); *In re N.K.*, 375 N.C. 805, 822-23, 851 S.E.2d 321, 334 (2020).

<sup>2</sup> Tribal membership determination is “solely within the jurisdiction and authority of the Tribe.” 25 C.F.R. § 23.108(a)-(c). If the tribe and the Bureau of Indian Affairs repeatedly fail to respond or assist, the trial court may make an independent determination based on the available information. *In re N.K.*, 375 N.C. 805, 822-23, 851 S.E.2d 321, 334 (2020).

<sup>3</sup> 25 C.F.R. § 23.107(a), (b).

<sup>4</sup> *In re A.P.*, 260 N.C. App. 540, 544, 818 S.E.2d 396, 399 (2018); 25 U.S.C. §§ 1911(c), 1914.