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### Custody Case: What's Fair and Caring?

There is an emotional legal case being fought for custody of a six-year old girl Lexi, who is reportedly 1/64 Choctaw Indian. Most of the national news sources broadcast some version of the battle between the Page family in Santa Clarita, CA and the Choctaw Indian



Tribe based in Oklahoma. Using the law of the Indian Child Welfare Act (ICWA) the Choctaw Tribe has had the State of California remove Lexi from the Page's home after four years of foster care. While the law case is being conducted in the courts, SEE encourages consideration by students of the ethical values in conflict in this case.

The Choctaw Tribe have a goal (supported by Federal ICWA Law) to maintain ethnic Indian children within the influence of their Indian cultural and birth family. The case here is complicated by the small percent of Indian heritage in Lexi's birth family and the fact that the extended family is not recognized in the media as a family practicing Indian culture and made no attempt to help her when the birth parents were found disqualified to care for her.

The Page family won an initial exemption from the Choctaw Tribe to provide foster care for Lexi and then the Page's began a process to adopt her. Lexi's extended family later began to cite the IWCA with the support of the Choctaw Tribe and have had Lexi removed from the Page's home and relocated with them to Utah.

Clearly there are multiple core values in conflict. There is respect for the law and the Indian culture along with care for a child and the fair treatment of the Pages all circulating around this case. Based on the limited facts provided here, students could discuss what core values should take precedence in the resolution of this dilemma? Should Lexi have been taken from the Page family in tears as document in the CBS video? What moral and technical (legal, political, negotiation) skills would be helpful to bring this case to a just resolution? We welcome students to post responses on our Reasoning with Ethics comment page at <http://ethicsed.org/ethicsblog>

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Link to CBS news story-- <https://youtu.be/5vLSs8UmpKo>