



February 12, 2026

To: Chairperson Bosn and members of the Judiciary Committee

From: Katie Nungesser, Voices for Children in Nebraska

Re: Support of LB 1032, Provide for recognition and enforcement of tribal customary adoptions under the Nebraska Indian and Child Welfare Act and related laws

Children need stability, belonging, and connection to thrive. For Native children, cultural identity and family relationships are core parts of that stability. Voices for Children is in support of LB 1032 as it recognizes tribal customary adoption in Nebraska state law. This bill creates a legally clear, culturally respectful, and child-centered pathway to permanency. It strengthens systems, honors tribal authority, and promotes faster, more stable outcomes for Native children in care.

Tribal customary adoption allows Native children to achieve legal permanency while maintaining relationships with their biological family, extended kin, tribe, and community. This approach reflects the values, traditions, and laws of tribal nations and centers the well-being and identity of the child. LB1032 creates a pathway for permanency that honors those realities while providing children with legal security and long-term care arrangements that support healthy development.

This bill has the potential to meaningfully improve timeliness to permanency for Native children, which is a serious and ongoing challenge in Nebraska. In 2023, 61 percent of Native children in Nebraska courts had been in out-of-home placement for 13 months or more. Under LB1032, juvenile courts could provide concurrent jurisdiction to tribal courts to effectuate customary adoptions. Termination of parental rights could not proceed until a determination is made regarding the potential for a customary adoption. At the same time, when a customary adoption is possible, children would not be forced to wait for parental rights termination or a change to guardianship in order to achieve permanency with extended family under tribal law.

This bill also reflects respect for tribal sovereignty and self-determination. Tribes are best positioned to define family structures, permanency, and care practices for their children. Recognizing tribal customary adoption affirms that authority and strengthens collaboration between state systems and tribal nations.

The bill also creates clear responsibilities for the Department of Health and Human Services and state courts to consider and support Tribal Customary Adoptions, while following the lead of the child's Tribe. It establishes TCAs as a permanent pathway to stability and permanency for Native children in state care and requires that termination of parental rights not occur unless and until a Tribal Customary Adoption has been fully considered and ruled out.

Importantly, LB 1032 also ensures clear, repeated, and documented divisions of rights and responsibilities among biological and adoptive families. This clarity protects children, families,

courts, and agencies by reducing confusion and ensuring that all parties understand their roles, obligations, and legal responsibilities.

For Native children in Nebraska, permanency should be both legally secure and culturally grounded. LB1032 provides a framework that does both. It ensures that children can grow up with stability while remaining connected to their family, culture, and community.

We urge the committee to advance LB1032 and affirm Nebraska's commitment to culturally competent permanency, child well-being, and respectful partnership with tribal nations.

Thank you Senator Deboer for introducing this legislation and to this committee for your time and attention.