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#### **(S.D.)-Two Tribes Filing Lawsuit Against Social Services**

By: Chris Fankhauser Posted at: 03/21/2013 07:07 AM

SD tribes file lawsuit against social services

Eds: APNewsNow. Updates with lawsuit filed and details from suit. Will be updated.

SIOUX FALLS, S.D. (AP) - Two Native American tribes in South Dakota have filed a lawsuit Thursday alleging that the state's Department of Social Services has violated the Indian Child Welfare Act.

The lawsuit alleges that improper hearings are held when determining whether a child needs to be removed from a home.

The Indian Child Welfare Act requires that Native American children removed from homes be placed with relatives or put in foster care with other Native American families except in unusual circumstances.

The Oglala Sioux Tribe and the Rosebud Sioux Tribe filed the lawsuit along with three Native Americans parents in federal court in Rapid City. They are seeking class action status.

A representative from the Department of Social Services did not immediately return a message seeking comment.

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