
PERSPECTIVES ON *ADOPTIVE COUPLE V. BABY GIRL*

Annex: Perspectives is an initiative by the Boston University Law Review to provide a new online publication whereby its readership can engage with legal problems from multiple viewpoints. Perspectives will be a series of month-long discussions centered on a single topic, with each discussion consisting of a series of short articles by various scholars. The goal of Perspectives is to present scholarship that stimulates further investigation into each topic by offering a brief, digestible discussion, while providing our readers with an appreciation for the intricacy of the problem. The scholarship in Perspectives will not provide the reader with all of the detail necessary to claim expertise, but rather, it will present what experts find to be the most interesting and important aspects of the legal problem. The Boston University Law Review hopes that reading Perspectives is both enlightening and enjoyable.

EDITOR'S FOREWORD

For the *Boston University Law Review's* inaugural edition of *Annex: Perspectives*, we are excited to present four reflections on the recent Supreme Court decision, *Adoptive Couple v. Baby Girl*.¹ As evidenced by the Court's five to four decision, as well as the more than thirty amicus briefs filed, *Adoptive Couple* has been, and continues to be, a source of great disagreement. The dispute over who should be awarded custody of Baby Veronica was littered with issues, including how to interpret the language of the Indian Child Welfare Act (ICWA), how to incorporate the best interest of the child doctrine, how to determine who is a parent, and how to determine what a biological parent must do to gain parental rights. Some have called this decision a great victory for children, while others see *Adoptive Couple* as a retreat from the consistent enforcement of the ICWA. The *Law Review* is happy to present the perspectives of Professors Barbara Ann Atwood, James G. Dwyer, Naomi Cahn and June Carbone, and Matthew L.M. Fletcher and Kathryn E. Fort on this issue.

Perspective I: Hard Facts, Muddled Law: Decyphering the Baby Veronica Decision

Professor Barbara Ann Atwood is the Mary Anne Richey Professor Emerita of Law and Director of the Family and Juvenile Certificate Program at the University of Arizona: James E. Rogers School of Law. Prof. Atwood is not only an expert on family law and ICWA, but she also was one of the lead

¹ *Adoptive Couple v. Baby Girl*, 133 S. Ct. 2552 (2013).

authors for the *Amicus Brief of the American Civil Liberties Union and the ACLU of South Carolina in Support of Respondents*.

Perspective II: Adoptive Couple v. Baby Girl: Erasing the Last Vestiges of Human Property

Professor James G. Dwyer is the Arthur B. Hanson Professor of Law at William & Mary Law School. As an expert on family and adoption Law, Professor Dwyer is known for his prolific scholarship where he advocates for more child-centric legal norms.

Perspective III: Who's the Father?

Professor Naomi Cahn is the Harold H. Greene Professor of Law at The George Washington University Law School, a Senior Fellow at the Evan B. Donaldson Adoption Institute, and a member of the Yale Cultural Cognition Project. She is an expert on family law, feminist jurisprudence, and reproductive technology. Professor June Carbone is the Robina Chair in Law, Science and Technology at the University of Minnesota Law School. She is an expert on family law, bioethics, and assisted reproduction.

Perspective IV: Indian Children and Their Guardians ad Litem

Professor Matthew L.M. Fletcher is a Professor of Law, the Director of the Indigenous Law & Policy Center at Michigan State University College of Law, and the Chief Justice of the Poarch Band of Creek Indians Supreme Court, and an appellate judge for the Pokagon Band of Potawatomi Indians, the Hoopa Valley Tribe, and the Nottawaseppi Huron Band of Potawatomi Indians. Professor Kathryn E. Fort is the Interim Co-Director, Staff Attorney, and Adjunct Professor at the Indigenous Law & Policy Center at Michigan State University College of Law. She is an expert on the ICWA and teaches classes on federal Indian law.

The *Boston University Law Review* is thrilled to publish the following varied and outstanding perspectives. We would like to thank each of our contributors, as well as Professors Linda McClain and James Fleming for their enthusiasm and support for this initiative. Thank you as well to last year's editorial board that helped conceive of and frame this project. Finally, *Annex: Perspectives* would not be possible without the dedicated and diligent work of the *Law Review's* staff and editorial board.

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