

*Mark Fiddler*  
FIDDLER LAW OFFICE



MINNESOTA LAWYER  
**ATTORNEYS**  
OF  
THE **YEAR 2013**

**M**ark Fiddler grew up wanting to make a difference. Turning down ordained ministry, he's been a private practice attorney in Minneapolis for 25 years focusing almost exclusively on cases involving the welfare of children. They include adoption, foster care, third-party custody and the Indian Child Welfare Act passed after Indian children were being removed from their families at disproportionate rates.

Fiddler has tried headline-making cases all the way to the U.S. Supreme Court, including as lead attorney for a couple who adopted "Baby Veronica" at birth. Her biological mother placed her for adoption and her biological father — a member of the Cherokee Nation — had never met her. The father, however, filed for custody when she was four months old and the South Carolina Supreme Court ruled in his favor, exclusively based on the ICWA.

Fiddler — who is Native American and founding director of the Indian Child Welfare Law Center — represented the couple pro bono for most of their lengthy legal battle to regain custody of their adoptive daughter.

"I thought they legally adopted a child under state law and it was wrongfully upended merely on the basis of Indian ancestry," he says.

In June 2013, the U.S. Supreme Court agreed, ruling that the federal law created to keep Indian families together didn't block the adoption. "Baby Veronica" was returned to her adoptive parents and the much-debated case drew national attention.

Fiddler says that while the intention of the ICWA is well-intended, the best interest of the child — not the tribe — must come first. The case helped change the federal law to offer some more consistency among states.

Fiddler's position subjected him to enormous wrath. "I was not very popular with my own community," he says. "But I think one of the guiding stars of being a lawyer is your client's interests have to be paramount above your personal interests. ... And you develop some really thick skin."

— Liz Wolf