

Family Violence in Indian Country:
Ensuring victim protection and offender accountability

The intended audience for this curriculum is California's state court judicial officers and attorneys.

Competencies

C.1: The participant develops an understanding of the magnitude and scope of the issues of family violence in Indian Country in California.

C.2: The participant develops an understanding of the barriers to victim protection and offender accountability in family violence cases in California Indian Country.

C.3: The participant develops an understanding of the jurisdictional landscape existing in California Indian country.

C.4: The participant develops an understanding of how these issues may affect the ability of Native Americans to achieve adequate access to justice in various case types.

Learning Objectives:

Knowledge

K.1: The participant understands the rules related to tribal, federal and state regulatory and adjudicatory jurisdiction in Indian country

K.2: The participant understands the effect of Public Law 280 on jurisdiction in California Indian Country specifically as related to family violence cases.

K.3: The participant understands the role of and how tribal justice systems in ensuring victim protection and offender accountability in family violence cases.

K.6: The participant understands the need for cooperation between tribal, state and federal authorities to ensure access to justice for Native Americans in California.

K.7: The participant understands the implications of this jurisdictional scheme on family violence cases involving Native Americans and / or occurring on reservations

K.7: The participant will know what resources exist to further study and understand jurisdictional issues in Indian country.

Skill

S.1: When given a case scenario the participant will be able to identify possible jurisdictional issues.

Final Competencies and Learning Objectives

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S.2: When given a case scenario the participant will be able to identify the roles and responsibilities of tribal, state and federal justice agencies in ensuring access to justice.

S.3: The participant will demonstrate an ability to make appropriate and thorough findings regarding jurisdictional issues.

Value

V.1: The participant will appreciate the unique history and culture of Native American communities and how these impact family violence in tribal communities in California.

V.2: The participant will understand and value the differences between native and non-native justice systems.

V.3: The participant will understand and value the need for collaboration between state and tribal justice partners.

V.4: The participant will value and understand and value the unique needs of Native American victims of family violence and how the steps the court must take to ensure adequate protection.