

# CALIFORNIA TRIBAL COURT/STATE COURT FORUM

## Forum E-Update

APRIL 2013

CALIFORNIA TRIBAL  
COURT/STATE COURT  
FORUM

HON. RICHARD C. BLAKE  
Cochair

HON. DENNIS M. PERLUSS  
Cochair

Hon. Abby Abinanti  
Hon. April E. Attebury  
Hon. Mitchell L. Beckloff  
Hon. Jerilyn L. Borack  
Hon. Anthony J. Brandenburg  
Hon. Leonard P. Edwards (Ret.)

Volunteer Mentor Judge  
Hon. Kimberly A. Gaab  
Hon. Michael Golden  
Hon. Cynthia Gomez  
Mr. Olin Jones  
Hon. Suzanne N. Kingsbury  
Hon. William Kockenmeister  
Hon. James R. Lambden  
Hon. Anthony Lee  
Hon. Lester J. Marston  
Hon. Robert Moeller  
Hon. David E. Nelson  
Hon. Kimberly J. Nystrom-Geist  
Hon. Deborah A. Ryan  
Hon. Deborah L. Sanchez  
Hon. Dean T. Stout  
Hon. Allen H. Sumner  
Hon. Juan Ulloa  
Hon. Claudette C. White  
Hon. Christine Williams  
Hon. Christopher G. Wilson  
Hon. Joseph J. Wiseman  
Hon. Sarah S. Works

### FORUM PROPOSALS ANNOUNCEMENTS

**Child Support:** Proposed New Rule for Title IV-D Case Transfers to Tribal Court will be posted for public comment (April 19, 2013 - June 19, 2013).

<http://www.courts.ca.gov/documents/Tribal-ITC-FLIV-D.pdf>

**Psychotropic Medication:** Proposed Revised Rules and Forms Relating to Notice of Indian Tribes will be posted for public comment (April 19-June 19).

<http://courts.ca.gov/documents/PsychotropicMedsProposal.pdf>

**Tribal Access to Confidential Juvenile Court Files:** Proposed Amendments to Section 827 of the Welfare and Institutions Code will be posted for public comment (April 19-June 19).

<http://www.courts.ca.gov/documents/Tribal-ITCWIC827Draft.pdf>

### OTHER ANNOUNCEMENTS

#### **Celebration of the Violence Against Women Act (VAWA) Reauthorization**

Forum members volunteered to assist forum member, Judge Gomez, with planning for the Annual Native American Day, scheduled for September 25, 2013, in Sacramento at the Capitol. As part of that day's events, participants will celebrate VAWA 2013.

### PUBLICATIONS

#### **Indian Health Services Manual**

The federal Department of Health and Human Services is updating the Indian Health Services manual as it relates to sexual assault policies. For more information, please see link: [Indian Health Service policy on Sexual Assault, Part 3 - Chapter 29](#)

#### **Promising Strategies: Public Law 280**

This publication was recently published by the Tribal Law and Policy Institute and was funded by the Bureau of Justice Assistance (BJA) U.S. Department of Justice. [http://www.walkingoncommonground.org/files/Promising%20Strategies%20280%20Final%203-13\(1\).pdf](http://www.walkingoncommonground.org/files/Promising%20Strategies%20280%20Final%203-13(1).pdf)

#### **American Judges Association Court Review**

The Third Branch of the Third Sovereign: A Brief History of Tribal Courts and Their Perception on the Supreme Court, by Keith Richotte, Jr.

<http://aja.ncsc.dni.us/publications/courtrv/cr49-1/CR49-1Richotte.pdf>

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## JUDICIAL COUNCIL ADMINISTRATIVE OFFICE OF THE COURTS

JUDICIAL COURT OPERATIONS  
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CENTER FOR FAMILIES,  
CHILDREN & THE COURTS  
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Tribal/State Programs Link:  
[http://www.courts.ca.gov/progr  
ams-tribal.htm](http://www.courts.ca.gov/progr<br/>ams-tribal.htm)

## TRAININGS

### Cross-Court Exchanges

The forum is hosting a series of gatherings that we are calling cross-court educational exchanges. The focus of these exchanges is to discuss and problem-solve together local justice systems' concerns relating to domestic violence, sexual assault, stalking, teen dating violence and/or elder abuse. The judges are inviting tribal leadership and local county and tribal professionals who work in the fields of child welfare, juvenile and criminal law, education, mental health, probation, social services, victim and other supportive services.

The first cross court exchange at Quechan was a huge success, thanks to Judge Claudette White and Judge Juan Ulloa. The next exchange is co-hosted by Judge Abinanti and Judge Wilson as follows:

Date: May 29, 2013

Time: 9:00 a.m. – 5:00 p.m.

Where: Klamath Office Administration, 190 Klamath Blvd - Klamath, CA 95548

Thanks to funding from CalEMA, the AOC is able to pay for associated travel and lodging costs for up to four tribal and state court judges who wish to participate in these exchanges. If you are interested in participating, please contact Jenny Walter, at [jennifer.walter@jud.ca.gov](mailto:jennifer.walter@jud.ca.gov) or 415-865-7687.

These programs are supported with funds from the Office on Violence Against Women, U.S. Department of Justice that are administered through the California Emergency Management Agency (CalEMA), the U.S. Department of Health and Human Services, Court Improvement Program, and the California Department of Social Services.

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## GRANT OPPORTUNITIES

### **Community-Based Violence Prevention Demonstration Program**

**Deadline: April 22, 2013**

Applicants are limited to states (including territories) and units of local government (including federally recognized tribal governments, as determined by the Secretary of the Interior). Applicants must demonstrate a significant crime and violence problem affecting youth (specifically, high levels of aggravated assaults, shootings, and killings over an extended period of time) to be eligible for this program. OJJDP welcomes joint applications from two or more eligible applicants; however, one applicant must be clearly indicated as the primary applicant (for correspondence, award, and management purposes) and the others indicated as coapplicants. OJJDP expects applicants to have strong support within local government. Specifically, successful applicants will be those cities, counties, states, or tribal governments that have signed letters of support from, at a minimum, their mayor or chief executive officer, chief of police, and the local school superintendent and have proven how the implementation of their comprehensive, community-based violence prevention strategy fits into their jurisdiction's youth violence prevention plan. OJJDP may visit designated sites prior to making a final determination of award. For more information see link:

<http://www.ojjdp.gov/grants/solicitations/FY2013/CBVP.pdf>

### **OVW Fiscal Year 2013 Tribal Domestic Violence and Sexual Assault Coalitions Program**

**Deadline: April 25, 2013**

Applicants are limited to: (1) current grantees who are seeking funding to continue projects that were funded in Fiscal Year 2011 or earlier; and (2) new applicants, which include established nonprofit tribal coalitions that formerly received funding from the Tribal Coalitions Program, as well as first-time applicants that have never before received funding from the Tribal Coalitions Program. First-time applicants must be incorporated as a nonprofit organization, must be able to provide proof of incorporation, and must have a primary mission of addressing crimes of sexual assault and/or domestic violence committed against Alaska Native and American Indian women.

For more information see link: <http://www.ovw.usdoj.gov/docs/fy2013-tribal-coalitions-solicitation.pdf>

### **OVW Fiscal Year 2013 Tribal Domestic Violence and Sexual Assault Coalitions Program**

**Deadline: April 25, 2013**

The Tribal Domestic Violence and Sexual Assault Coalitions Program (Tribal Coalitions Program) assists nonprofit organizations and individuals or groups of individuals to build Indian leadership and capacity in tribal communities to advocate for systemic change that will enhance the safety of women in an Indian Tribe. Tribal Coalition nonprofit organizations have accomplished this through technical assistance, expanding the capacity of the tribal coalitions, developing or enhancing appropriate standards for tribal governments, tribal nonprofit organizations, tribal organizations, victim services and victim service providers to increase the ability of these entities to address sexual

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assault, domestic violence, dating violence, and stalking. In the Violence Against Women and Department of Justice Reauthorization Act of 2000 (VAWA 2000), Congress first authorized resources for the development and operation of nonprofit, nongovernmental tribal domestic violence and sexual assault coalitions. Today, there are 19 established Tribal Coalitions. These Tribal Coalitions are made up of members from tribal sexual assault and domestic violence programs, as well as individual women and men who are committed to ending violence against Indian women in their tribal communities. <http://www.ovw.usdoj.gov/docs/fy2013-tribal-coalitions-solicitation.pdf>

## **Face Forward Serving Juvenile Offenders Grants**

**Deadline: May 10, 2013**

The U.S. Department of Labor, Employment and Training Administration (ETA), announces the availability of approximately \$26,000,000 in grant funds to award approximately 26 Face Forward grants. "Face Forward" conveys the idea of youth leaving their past transgressions behind and looking forward towards a promising future. Through diversion and/or record expungement strategies, these grants will give youth a chance to succeed in the workplace and to avoid the stigma of a juvenile record. The purpose of these grants is to improve the long-term labor market prospects of both court involved youth prior to adjudication and juvenile offenders. Grantees must utilize a strategy where they collaborate with non-profit legal services providers to assist participants with expungement actions, and/or be designated by the juvenile justice system as a diversion program. <http://www.grants.gov/search/search.do;jsessionid=Xl1dRk2G7y1BJ1TwSGFVf7RkfKTSQsy29XnyGvg9nyg6zfq2GT1!1962156644?opId=228734&mode=VIEW>

## **OJJDP FY 2013 Juvenile Drug Courts Training and Technical Assistance Program**

**Deadline: May 13, 2013**

This program supports training and technical assistance (TTA) for states, state and local courts, units of local government, and Indian tribal governments to build their capacity to develop, maintain, and enhance juvenile drug courts for substance-abusing youth. OJJDP is seeking a provider to deliver TTA to juvenile drug courts in best treatment practices for adolescents and court operations, based on the Sixteen Strategies of Effective Juvenile Drug Courts (hereafter referred to as the Strategies). The program is authorized by 42 USC Section 3797u-8. <http://www.ojjdp.gov/grants/solicitations/FY2013/JuvDrugCtTTA.pdf>

## **OJJDP FY 2013 National AMBER Alert Training and Technical Assistance Program (CFDA #16.543)**

**Deadline: May 13, 2013**

This program provides training and technical assistance support to enhance the national AMBER Alert network; increases and improves law enforcement response to missing, endangered, and abducted children; increases the recovery rate of abducted children; strengthens child alert systems in the nation's northern and southern borders to better protect American children abducted to or through foreign countries; creates greater community capacity in understanding broader issues related to exploitation and abuse of children; and enhances public participation in the recovery of missing, endangered, and abducted children. The successful applicant will work closely with OJJDP, the National Center for Missing & Exploited Children (NCMEC), the International Centre for Missing & Exploited Children (ICMEC), and appropriate agencies, organizations, and professionals to provide training and technical assistance to law enforcement agencies, AMBER Alert coordinators, child

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protection professionals, broadcasters, and others concerned with child abduction and victimization. The successful applicant will consult with OJJDP, who will provide input and guidance on training topics, publications, manuals, training conferences, and other substantive program issues and deliverables. <http://www.ojjdp.gov/grants/solicitations/FY2013/AMBERTTA.pdf>

## **OJJDP FY 2013 National Juvenile Justice Data Analysis Program**

**Deadline: May 13, 2013**

OJJDP will fund the National Juvenile Justice Data Analysis Program (NJJDP) to establish a central, primary source to conduct statistical data analyses and disseminate juvenile justice data to the public. These activities assist OJJDP in fulfilling its responsibility to provide vital juvenile justice data to the field regarding juvenile justice needs, risk behaviors, victimization, offending, and related issues. These important data inform juvenile justice policy and practice at the federal, state, and local levels. This solicitation is authorized by Sections 221–223 of the Juvenile Justice and Delinquency Prevention Act (JJDP Act), 42 U.S.C. §§ 5631-5633 and 42 U.S.C. §§ 3796ee et. seq. <http://www.ojjdp.gov/grants/solicitations/FY2013/NatJuvDataAnalysis.pdf>

## **Tribal Title IV-E Plan Development Grants**

**Deadline: May 14, 2013**

The purpose of this funding opportunity announcement is to make one-time grants to Tribes, Tribal organizations, or Tribal consortia that are seeking to develop, and within 24 months of grant receipt, submit to the Department of Health and Human Services (HHS) a plan to implement a title IV-E foster care, adoption assistance and, at Tribal option, guardianship assistance program. Grant funds under this announcement may be used for the cost of developing a title IV-E plan under Section 471 of the Social Security Act (the Act) to carry out a program under Section 479B of the Act. The grant may be used for costs relating to the development of data collection systems, a cost allocation methodology, agency and Tribal court procedures necessary to meet the case review system requirements under Section 475(5) of the Act, or any other costs attributable to meeting any other requirement necessary for approval of a title IV-E plan.

<http://www.acf.hhs.gov/grants/open/foa/view/HHS-2013-ACF-ACYF-CS-0579>

## **OJJDP FY 2013 Model Programs Guide**

**Deadline: May 20, 2013**

This solicitation invites eligible applicants to develop and expand content for OJJDP's Model Programs Guide (MPG). MPG provides an online resource for practitioners and policymakers of evidence-based juvenile justice programs and practices. The successful applicant will expand the number of programs reviewed and the types of evidence-based information available in MPG in adherence to the standards, criteria, and processes that have been established for the CrimeSolutions.gov Web site. (An existing Office of Justice Programs contractor will host and maintain the MPG Web site and CrimeSolutions.gov program database.) This program will be authorized by an Act appropriating FY 2013 funds for the Department of Justice.

<http://www.ojjdp.gov/grants/solicitations/FY2013/MPG.pdf>

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## **Native American Crime, Victimization and Justice Studies: Postdoctoral Fellowship**

**Deadline: May 20, 2013**

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), National Institute of Justice (NIJ) is pleased to announce that it is seeking applications for funding for one or more postdoctoral fellows. As the principal research agency within the Department, NIJ is dedicated to improving knowledge and understanding of crime and justice issues through science. The program offers scientists an opportunity to participate full-time on research addressing tribal crime, victimization, and justice issues relevant to the work of NIJ and public policy. This solicitation is expected to further the Department's mission by facilitating collaboration between academic scholars and government researchers. For more information see link:

<https://www.ncjrs.gov/pdffiles1/nij/sl001068.pdf>

## **OJJDP FY 2013 National Intertribal Youth Leadership Development Initiative**

**Deadline: May 20, 2013**

The award recipient will build on the successes of the past OJJDP National Intertribal Youth Leadership Summits and further expand the types of leadership development support that OJJDP offers to tribal youth. This initiative aims to enhance tribal efforts to increase youth engagement, coordination, and action related to juvenile justice, delinquency prevention, and public safety in Indian country. The recipient will employ multiple strategies, including national and regional learning events, to strengthen the ability of tribal youth to initiate, contribute to, and participate in culturally relevant efforts that reduce risk factors and enhance protective factors in youth, schools, communities, and families. This program will be authorized by an Act appropriating FY 2013 funds for the Department of Justice.

<http://www.ojjdp.gov/grants/solicitations/FY2013/TYPLeadership.pdf>

## **Research and Evaluation on Children Exposed to Violence**

**Deadline: May 20, 2013**

NIJ is seeking multidisciplinary research and evaluation proposals related to childhood exposure to violence. In particular, NIJ seeks applications that address polyvictimization, Internet harassment/electronic aggression (e.g., bullying through Facebook, harassing e-mails), resilience, or justice system responses to children identified as being exposed to violence. For the purposes of this solicitation, "Children Exposed to Violence (CEV)" encompasses a broad area that includes children as both direct victims and as bystanders or observers of various forms of violence in the home, school, or community (including, but not limited to, peer victimization/bullying/harassment, child maltreatment, domestic violence, and community violence). This solicitation may be used to address other types of violence to which children are exposed, with the exception of media violence (e.g., television and movie violence, music advocating aggression, and violent video games).

<https://ncjrs.gov/pdffiles1/nij/sl001042.pdf>

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## **OJJDP FY 2013 Community-Based Violence Prevention Field-Initiated Research and Evaluation Program**

**Deadline: May 28, 2013**

OJJDP will fund the Community-Based Violence Prevention (CBVP) Field-Initiated Research and Evaluation (FIRE) Program to support methodologically rigorous research and evaluations that inform policy and practice consistent with the Department of Justice's mission. OJJDP will fund field-initiated studies to inform efforts to prevent and reduce youth violence (including gun violence) and violence exposure at the community level under Part B of Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP Act), (42 USC 5631 et seq.) and Part R of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 USC 3796ee et seq.).

<http://www.ojjdp.gov/grants/solicitations/FY2013/CBVPFIRE.pdf>

## **OJJDP FY 2013 Internet Crimes Against Children Task Force National Training Program**

**Deadline: May 28, 2013**

OJJDP seeks to identify training providers to serve the Internet Crimes Against Children (ICAC) task force program. The state and regional ICAC task forces work collaboratively as a national network of law enforcement and prosecutorial agencies that prevent, interdict, and investigate technology-facilitated child sexual exploitation and Internet crimes against children. This program furthers the Department's mission to provide training and support in this area of constantly evolving technology.

<http://www.ojjdp.gov/grants/solicitations/FY2013/ICACTTA.pdf>

## **OJJDP FY 2013 Field-Initiated Research and Evaluation Program**

**Deadline: May 29, 2012**

This program will support methodologically rigorous research and evaluations that inform policy and practice consistent with the Department of Justice's mission. OJJDP will fund field-initiated studies that advance the understanding of how the application of a child and adolescent development framework to juvenile justice system approaches, policies, and programs impacts juvenile delinquency, justice system involvement, and recidivism. This solicitation is authorized under Part B of Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP Act) (42 USC 5631 et seq.) and Part R of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 USC 3796ee et seq.).

<http://www.ojjdp.gov/grants/solicitations/FY2013/FIRE.pdf>

## **OJJDP FY 2013 National Girls Institute**

**Deadline: May 30, 2013**

Through this program, OJJDP seeks to support its National Girls Institute (NGI) to advance the understanding and application of promising and evidence-based prevention, intervention, treatment, and aftercare programs and services for at-risk and juvenile justice-involved girls. NGI accomplishes its mission through a broad range of activities, including training and technical assistance (TTA); information dissemination; collaboration with researchers and program developers; partnership with federal, state, and local agencies; policy development; and other leadership functions. This solicitation is authorized by Sections 221–223 of the Juvenile Justice and Delinquency Prevention Act (JJDP Act), 42 U.S.C. §§ 5631-5633.

<http://www.ojjdp.gov/grants/solicitations/FY2013/NGI.pdf>

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## **OJJDP FY 2013 National Training and Technical Assistance Center for Youth in Custody**

**Deadline: May 30, 2013**

Under this program, the successful applicant will operate the OJJDP National Training and Technical Assistance Center for Youth in Custody (the Center) to provide resources, training, and technical assistance for state, local, and tribal departments of juvenile justice and corrections, service providers, and private organizations that operate juvenile facilities. The Center will serve the range of facilities in which juveniles are placed, including detention, corrections and adult facilities, and the unique population of juveniles in these institutions. The Center will emphasize the rehabilitative goals of the juvenile justice system and provide comprehensive training, technical assistance, and resources directly to justice facilities that detain or confine juveniles. The Center will also update and contribute to the knowledge base of best practices in detaining or confining juveniles.

Legislative authority for this program can be found under Sections 221–223 of the Juvenile Justice and Delinquency Prevention Act (JJDP Act), 42 U.S.C. §§ 5631–5633.

<http://www.ojjdp.gov/grants/solicitations/FY2013/TTACenterforYouthinCustody.pdf>

## **Diligent Recruitment of Families for Children in the Foster Care System**

**Deadline: May 31, 2013**

This Funding Opportunity Announcement solicits applications to fund cooperative agreements, for the purpose of developing programs to recruit resource families for children in foster care.

Applications submitted in response to this announcement should propose projects that will:

1. Implement comprehensive, multi-faceted diligent recruitment programs for resource families, including kinship, foster, concurrent, and adoptive families for children and youth served by public child welfare agencies; effectively identify, engage and support resource families as a means of improving permanency outcomes and building lasting connections for children in foster care;
2. Integrate the diligent recruitment programs into the Child and Family Service Plan and with other agency programs, including foster care case planning and permanency planning processes, to facilitate active concurrent planning activities;
3. Demonstrate the capacity to use this project as a transformative platform for improved system response to permanency and building connections, incorporating changes at the policy and practice level and embracing the philosophy of permanency beginning at entry into the child welfare system;
4. Evaluate the implementation of the comprehensive diligent recruitment programs to document processes and potential linkages between diligent recruitment strategies and improved outcomes; and
5. Develop identifiable sites that other States/locales seeking to implement improved diligent recruitment methods can look at for guidance, insight and possible replication.

[http://www.acf.hhs.gov/hhsgrantsforecast/index.cfm?switch=grant.view&gff\\_grants\\_forecastInfoID=64695](http://www.acf.hhs.gov/hhsgrantsforecast/index.cfm?switch=grant.view&gff_grants_forecastInfoID=64695)