



JUDICIAL COUNCIL
OF CALIFORNIA

TRIBAL COURT-STATE COURT FORUM

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TRIBAL COURT-STATE COURT FORUM

MINUTES OF OPEN MEETING

February 28, 2019 (In Person)
9:30 a.m. – 4:30 p.m.

Advisory Body Members Present: Hon. Abby Abinanti, Cochair, Hon. Suzanne Kingsbury, Cochair, Hon. Erin Alexander, Hon. April Attebury, Hon. Hillary Chittick (by phone), Hon. Leonard Edwards, Hon. Patricia Guerrero, Ms. Heather Hostler, Hon. Mark Juhas, Hon. Kristina Kalka (by phone), Hon. Lawrence King, Hon. Patricia Lenzi, Hon. Devon Lomayesva (by phone), Hon. Lester Marston, Hon. Gilbert Ochoa (by phone), Hon. Mark Vezzola, Hon. David Riemenschneider, Hon. Michael Sachs (by phone), Hon. Cindy Smith, Ms. Christina Snider, Hon. John Sugiyama, Hon. Sunshine Sykes, Hon. Robert Trentacosta, Hon. Juan Ulloa, Hon. Claudette White, Hon. Christine Williams, Hon. Joseph Wiseman (by phone)

Advisory Body Members Absent: Hon. Richard Blake, Hon. Gail Dekreon, Hon. William Kockenmeister,

Others Present: Hon. Stacy Boulware Eurie, Ms. Vida Castaneda, Ms. Charlene Depner, Ms. Audrey Fancy, Ms. Sheri Freemont, Ms. Ann Gilmour, Ms. Suzanne Garcia (by phone), Ms. Annita Lucchesi, Mr. Sheldon Spotted Elk, Ms. Joy Ricardo, Ms. Kate Walker Brown, Ms. Kelly Winston, Ms. Sandy White Hawk, and Ms. Carol Wishcamper

OPEN MEETING

Call to Order and Roll Call

The co-chairs called the meeting to order at 9:45 a.m.

Approval of Minutes

The Forum approved the October 11, 2018 meeting minutes.

DISCUSSION AND ACTION ITEMS (ITEMS 1 – 5)

Info 1

CoChairs Report

Review and approve draft minutes of December 13, 2019 meeting

The minutes were approved without comment or revisions.

Welcome new members

Welcome and introduction of new members attending their first in person meeting.

Info 2

Highlights of Forum Projects

Hon. Abby Abinanti discussed the developments in the joint jurisdiction courts in Humboldt and Del Norte counties. The project has expanded from just Humboldt County and the Yurok tribe to

Del Norte County and to other tribes. Developing materials and templates that can be used for others who are interested in starting similar joint jurisdiction courts.

Hon. Abby Abinanti discussed the work with [Root and Rebound](#) – Reentry Advocates – on their collaboration and development of the Best Practices Guide for collaborations with Tribal Communities.

Hon. Christine Williams discussed the work of the new [Tribal Justice Project](#) at the U.C. Davis School of Law Aoki Center for Critical Race and Nation Studies and possible ways that the Forum/JCC and the center can collaborate and share resources.

Hon. Cindy Smith discussed the Morongo Court’s experience trying to establish a youth healing to wellness court. Challenges to that and ways that the Forum activities might help.

Ms. Christina Snider gave an update on the Tribal Nations Grant Fund and restructuring of the work of the Office of the Governor’s Tribal Advisor.

Info 3

Missing and Murdered Indigenous Women & Girls – Report from the Urban Indian Health Institute

Ms. Annita Lucchesi (Southern Cheyenne), Ph.D.- Candidate & Program Researcher, Urban Indian Health Institute, Executive Director, [Sovereign Bodies Institute](#)

A presentation from Ms. Annita Lucchesi of the Sovereign Bodies Institute on her work on the data gathering and information about the [Missing and Murdered Indigenous Women & Girls](#) report. Ms. Lucchesi gave an in-depth review of her work tracing, investigating, documenting and mapping cases of missing and murdered indigenous women and girls. Ms. Lucchesi described the issues related to the collection of information by local, state and federal law enforcement. How indigenous identities are often missing or misidentified. Ms Lucchesi discussed her relationship with local, state and federal law enforcement agencies, how she maintains the confidentiality and integrity of her data base, her policies regarding sharing of information. Ms. Lucchesi also discussed responses to the report and further action steps she believed would be useful.

Info 4

Addressing Tribal Communities in Responses to Sex Trafficking

Hon. Stacy Boulware Eurie, Judge Superior Court of California, County of Sacramento, Kate Walker Brown, Attorney, Director, Child Trafficking, National Center for Youth Law and Suzanne M. Garcia, Tribal Child Welfare Specialist, Child Welfare Capacity Building Center for Tribes

The presenters gave an overview of the problem of commercially sexually exploited children (CSEC) and other forms of human trafficking, including the scope of the problem and risk factors for children to become CSEC and judicial demeanor and responses in dealing with victims. Presenters also discussed state and federal laws and other responses intended to address CSEC. Presenters then discussed how these risk factors and dynamics relate to tribal communities and tribal children and how tribal communities should be integrated in county and law enforcement efforts to address trafficking.

Info 5

Maine Truth and Reconciliation Commission

*Sandy White Hawk, Founder and Director, First Nations Repatriation Institute; Commissioner, Maine Wabanaki-State Child Welfare, Truth and Reconciliation Commission
Carol Wishcamper, Commissioner, Maine Wabanaki-State Child Welfare, Truth and Reconciliation Commission*

Following a lunchtime screening of the documentary [Dawnland](#) about the work of the [Maine Truth and Reconciliation Commission](#) presenters discussed the formation and work of the commission and the outcomes from the work of the commission. The presenters gave their views of how the work of the commission could be adapted for a state such as California, what kind of training and preparation would be necessary to undertake such a project, and what the budget was for their work.

Info 6

Dedicated ICWA Courts

Mr. Sheldon Spotted Elk Indian Unit, Casey Family Programs

The presenter defined what is considered an ICWA court and what key features the six existing ICWA courts share. The presenter discussed how these ICWA courts came about, where they are located, and what was the motivation behind their establishment. He discussed the Casey Family Programs work in supporting these courts and evaluating the benefits and outcomes of dedicated ICWA courts.

Info 7

Forum Priorities 2019-2020 and Annual Agenda Work Plan

Staff gave an update on the status of the 2019 annual agenda. The draft agenda will be considered by the Executive and Planning Committee at their upcoming meeting on March 13, 2019. Now is the time for the forum members to give input on work they would like to see the Forum prioritize for the 2020 Annual Agenda. Forum members suggested continuing work on expanding the recognition and enforcement of tribal court judgments beyond the scope of the existing Tribal Court Civil Money Judgments Act. Forum members also discussed the feasibility of a legislative proposal to extend to tribal court judges the immunities from suit enjoyed by state court judges.

Next Forum call is April 11, 2019.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 4:30 p.m.

Approved by the advisory body on April 11, 2019.