



JUDICIAL COUNCIL
OF CALIFORNIA

TRIBAL COURT-STATE COURT FORUM

www.courts.ca.gov/forum.htm
forum@jud.ca.gov

TRIBAL COURT-STATE COURT FORUM

MINUTES OF OPEN MEETING

October 8, 2020
12:15-1:15 p.m.

Advisory Body Members Present: *Hon. Abby Abinanti, Co-chair, Hon. Suzanne Kingsbury, Cochair, Hon. Erin Alexander, Hon. April Attebury, Hon. Gail Dekreon, Hon. Leonard Edwards (Ret.), Hon. Patricia Guerrero, Ms. Heather Hostler, Hon. Kristina Kalka, Hon. Patricia Lenzi, Hon. Devon Lomayesva, Ms. Merri Lopez-Keifer, Hon. Michael Sachs, Hon. Delia Sharpe, Hon. Sunshine Sykes, Hon. Juan Ulloa, Hon. Mark Vezzola, Hon. Christine Williams, Hon. Joseph Wiseman.*

Advisory Body Members Absent: *Hon. Richard Blake, Hon. Hilary Chittick, Hon. Leona Colegrove, Hon. Gregory Elvine-Kreis, Hon. Mark Juhas, Hon. Lawrence King, Commissioner Jayne Lee, Hon. Gilbert Ochoa, Hon. Cindy Smith, Ms. Christina Snider, Hon. Robert Trentacosta, Hon. Claudette White.*

Others Present: *Ms. Vida Castaneda, Ms. Audrey Fancy, Ms. Ann Gilmour, Ms. Amanda Morris*

OPEN MEETING

Call to Order and Roll Call

The co-chairs called the meeting to order at 12:17 p.m.

Approval of Minutes

The Forum approved the August 13, 2020 meeting minutes.

Judge Michael Sachs motioned to approve, and Judge Sunshine Sykes seconded that motion.

DISCUSSION AND ACTION ITEMS (ITEMS 1-6)

Info 1

Co-Chairs Report

Forum members were informed of the following membership changes:

Judge Christine Williams, who has been a Forum member for multiple years as Chief Judge of the Shingle Springs Tribal Court, now joins as Chief Judge of the Wilton Rancheria Tribal Court.

Ms. Merri Lopez-Keifer, Director of the Office of Native American Affairs (ONAA), has filled an open vacancy on the Forum.

Ms. Ann Gilmour informed the Forum members that the annual agenda was requested to be revised due to the pandemic. Fortunately, there are not many rules and forms for the upcoming cycle as most were completed in the last cycle. The revised annual agenda will be going before the Judicial Council on Oct 21, 2020 for reapproval. The only additions being for COVID-19 support.

Info 2

California Department of Social Services Office of Tribal Affairs Update:

Presenter: Heather Hostler, Director, California Department of Social Services, Office of Tribal Affairs

Ms. Heather Hostler informed the committee members that an ICWA Desk Reference has been released (included in meeting materials). She emphasized that this is a reference, not a guide and therefore not enforceable. The reference is available electronically on the Office of Tribal Affairs website.

Also discussed was the progress on hiring ICWA field liaisons throughout the state, building relations between counties and tribes. The Office of Tribal Affairs hopes to have all regional positions filled by the end of the calendar year.

The 3rd annual Tribal Consultation Summit was held recently with intention on moving the needle on ICWA enforcement across the board.

The Forum members were invited to virtually attend the Tribal Advisory committee to be held on November 6, 2020

Judge Christine Williams commented on the prospected prolific utility of the ICWA Desk Reference and commended the Office of Tribal Affairs for their efforts on creating it.

Info 3

POWER Act Webinar

Presenters: Hon. Devon Lomayesva, Chief Judge, Intertribal Court of Southern California; Hon. Mark Vezzola, Chief Judge of the Chemehuevi Tribal Court

Judge Devon Lomayesva and Judge Mark Vezzola presented to the committee the results of their recent POWER Act webinar events. The events had a great turn out, with more than 100 people on the Zoom call, with a large outpouring of interest in pro-bono help for domestic violence victims. Work has begun in fleshing out a program to facilitate the support beginning with identifying useful trainings. The Judges requested that if anyone had experience with pro-bono programs in their courts to please share their experiences.

Info 4

Southwest Regional Cross-Jurisdiction Webinars

Presenters: Hon. Patricia Lenzi, Chief Judge of the Cedarville Rancheria and Washoe Tribal Courts; Hon. Larry King, Chief Judge of the Colorado River Indian Tribes Tribal Court

Judge Patricia Lenzi and Judge Larry King informed the committee members of the upcoming Southwest Regional Cross-Jurisdictional Webinars beginning on November 14, 2020 and continuing into early 2020 for a total of five panels. The panels will have a broad spectrum of experience and from different states.

Info 5

Podcasting & Upcoming Trainings

Presenter: Vida Castaneda, Senior Analyst, Center for Families, Children and the Courts, Judicial Council of California

Ms. Vida Castaneda updated the Forum on upcoming tribal VAWEF podcasts. One podcast will be focused on murdered and missing indigenous people in California's tribal communities. The other will focus on domestic violence in tribal communities. More podcasts will hopefully be developed after these initial two.

Upcoming webinars:

- The California Indian Law Association will be hosting their 20th Annual California Indian Law Conference and Awards Celebration in a virtual format from October 15-16, 2020.
- The Southern University Law Center will be hosting their 3rd annual Tribal Courts and Tribal Sovereignty Symposium on October 16, 2020 from 1:00-5:00pm.
- NAICJA will host the 51st Annual National Tribal Judicial and Court Personnel VIRTUAL Conference on October 20-22, 2020.
- Tribal Justice Collaborative's 9th Annual Southern California Judges' Event on October 23, 2020 from 1:00-4:00 pm.
- Our unit will be co-facilitating a webinar titled "Tribal Community Corrections and Fatherhood: A Modern Approach to Reducing Recidivism and Creating Healthy Communities" with the National Criminal Justice Training Center and Fox Valley Technical College on October 27, 2020 from 12:00-1:30 pm.
- Our unit will be hosting Part 2 of our webinar series titled: "Culturally Supporting Native LGBTQ2S People & Youth Impacted by Violence: An Invisible within an Invisible Population" on October 30, 2020 from 12:00-1:00 pm
- Our unit will be hosting a webinar titled: "Family Separation & ICWA" featuring guest speaker and attorney Hyun-mi Kim on November 10, 2020.

Info 6

Update on Legislative and Rules proposals

Presenter: Ann Gilmour, Attorney, Center for Families, Children and the Courts, Judicial Council of California

Ms. Ann Gilmour updated the committee members that the rules and forms submitted in the spring cycle is working smoothly through the system to go into effect on January 1, 2021. The ERISA legislation is going before the Judicial Council on their November 13, 2020 meeting.

The rule regarding remote appearances was specifically discussed in regard to probate guardianship cases. The probate rule adopts the ICWA rules by reference and therefore tribes will be able to appear remotely. If tribes are having problems enforcing this rule after January 1, 2021, the Judicial Council will look into education to make sure it is being enforced.

Next Forum call is December 10, 2020.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:06 p.m.

Approved by the advisory body on December 10, 2020.