



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

February 11, 2020
12:15-1:15 p.m.

Advisory Body Members Present: *Hon. Abby Abinanti, Co-chair*, Hon. Erin Alexander, Hon. Gail Dekreon, Hon. Leonard Edwards (Ret.), Hon. Mark Juhas, Hon. Kristina Kalka, Hon. Lawrence King, Hon. Patricia Lenzi, Hon. Devon Lomayesva, Ms. Merri Lopez-Keifer, Hon. Delia Sharpe, Hon. Cindy Smith, Hon. Sunshine Sykes, Hon. Mark Vezzola, Hon. Christine Williams.

Advisory Body Members Absent: *Hon. Suzanne Kingsbury, Cochair*, Hon. Richard Blake, Hon. April Attebury, Hon. Hilary Chittick, Hon. Leona Colegrove, Hon. Gregory Elvine-Kreis, Hon. Patricia Guerrero, Ms. Heather Hostler, Commissioner Jayne Lee, Hon. Gilbert Ochoa, Hon. Michael Sachs, Ms. Christina Snider, Hon. Robert Trentacosta, Hon. Juan Ulloa, Hon. Claudette White, Hon. Joseph Wiseman.

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

OPEN MEETING

Call to Order and Roll Call

The co-chairs called the meeting to order at 12:16 p.m.

Approval of Minutes

The Forum approved the December 10, 2020 meeting minutes.

Correction – Abinanti called the meeting to order, not both.

Move – Blake -Second - king

DISCUSSION AND ACTION ITEMS (ITEMS 1-4, ACTION ITEM 1)

Info 1

Co-Chairs Report

The Forum approved the December 10, 2020 meeting minutes

Info 2

Proposed Legislation – Students in Foster Care: Tribal Youth

Presenters: Kimberley Cluff, Legal Director, California Tribal Families Coalition

Ms. Cluff explained that children who are under the jurisdiction of tribal court should have access to all the same resources as other foster children. This legislation would fill a gap that currently prevents children who are under the foster care jurisdiction of a tribal court from having access to those resources. There is no bill number yet. At the moment the author is waiting for legislative council to get proposed language to us. We look forward to bringing the bill back to the Forum for input after getting language from the legislative council. The purpose is to clarify the status of a child under tribal court jurisdiction and ensure that status is communicated to all interested bodies in a timely and respectful way. Given definitional changes to a foster child we want to be sure children are properly identified so that they can have access to the educational assistance of a foster child.

Judge Kingsbury remarked that there are many jurisdictions that have dual jurisdictions of foster children

Info 3

Overview of Center for Judicial Education and Research (CJER)

Presenter: Hon. Robert J. Trentacosta, Judge of the Superior Court of California, County of San Diego

Explained that the CJER Curriculum Committee is an Advisory Committee to the Judicial Council. It is made up of sixteen members. Its mandate is to ensure that the Center for Judicial Education and Research provides quality education to the over 2500 judicial officers and 20,000 court staff throughout the state. Historically we have mostly been doing that through in person trainings. Now, since COVID we have shifted to virtual trainings as well as online videos, bench guides and other educational resources.

In terms of Forum priorities, CJER has created education and implement programs related to the Indian Child Welfare Act, domestic violence in tribal communities and other areas. Allows tribal judges to attend judicial college – including new judge orientation and new assignment orientation and access other resources.

If there are areas you don't feel are adequately being served, contact the committee, and send in your suggestions.

Judge Colgrove asked how do we know what you're offering?

Judge Trentacosta explained the CJER website and there are emails that go out periodically and how to sign up for those resources.

Staff discussed process for accessing the judicial resources network.

Info 4

Legislative Update

Presenter: Andi Liebenbaum, Attorney, Office of Governmental Affairs

Staff of the Office of Governmental Affairs was not available for the meeting. Forum staff provided a brief update that a sponsor for the ERISA legislation has been identified. Assembly Member Waldren has agreed to sponsor the bill. Language is being finalized and we hope to have a bill number soon.

Additionally the Judicial Council is sponsoring legislation that would change the paid Judicial Branch holiday from October (Columbus Day) to late September to coincide with California Native American Day.

Action Item 1

Rules Proposal - Indian Child Welfare Act (ICWA): Implementation of AB 3176 in Probate Guardianships and Conservatorships

Presenter: Corby Sturges, Attorney, Center for Families, Children and the Courts, Judicial Council of California

Corby Sturges went over the proposal to revised rules of court and amend certain forms related to the Indian Child Welfare Act in probate guardianship cases for the committee members.

The Forum voted to approve the proposal for circulation.

Next Forum call is April 8, 2021.

Webinar on establishing an ICWA Court is on March 5th.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:13 p.m.

Approved by the advisory body on April 8, 2021.