



# JUDICIAL COUNCIL OF CALIFORNIA

TRIBAL COURT-STATE COURT FORUM

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## TRIBAL COURT-STATE COURT FORUM

### NOTICE AND AGENDA OF OPEN MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

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**Date:** October 14, 2021  
**Time:** 12:15 - 1:15 p.m.  
**Public Call-in Number:** 877-820-7831; passcode 4133250 (Listen Only)

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Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [forum@jud.ca.gov](mailto:forum@jud.ca.gov).

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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#### I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

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##### **Call to Order and Roll Call**

##### **Approval of Minutes**

Approve minutes of the August 12, 2021, Tribal Court-State Court Forum meeting.

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#### II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1))

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This meeting will be conducted by electronic means with a listen only conference line available for the public. As such, the public may submit comments for this meeting only in writing. In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [forum@jud.ca.gov](mailto:forum@jud.ca.gov). Only comments received by 12:15 p.m. on October 13, 2021 will be provided to advisory body members prior to the start of the meeting.

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**III. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**Info 1**

**Cochairs Report**

Approve August 12, 2021 meeting minutes.

Welcome new Forum committee members.

**Info 2**

**Presentation on the Trinidad Rancheria Tribal Court**

*Presenter: Hon. Nicholas J. Mazanec, Chief Judge of the Trinidad Rancheria Tribal Court*

**Info 3**

**Presentation on the Shingle Springs Rancheria Tribal Court**

*Presenter: Hon. Victorio Shaw, Chief Judge of the Shingle Springs Rancheria Tribal Court*

**Info 4**

**CSEC Court Harm Reduction Guide and Bench Tools**

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

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**IV. ADJOURNMENT**

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**Adjourn**



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TRIBAL COURT-STATE COURT FORUM

MINUTES OF OPEN MEETING

August 12, 2021  
12:15-1:15 p.m.

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**Advisory Body Members Present:** *Hon. Abby Abinanti, Co-chair, Hon. Suzanne Kingsbury, Cochair, Hon. Erin Alexander, Hon. Leona Colegrove, Hon. Patricia Guerrero, Ms. Heather Hostler, Hon. Lawrence King, Hon. Patricia Lenzi, Hon. Devon Lomayesva, Ms. Merri Lopez-Keifer, Hon. Delia Sharpe, Hon. Michael Sachs, Hon. Cindy Smith, Hon. Sunshine Sykes, Hon. Robert Trentacosta, Hon. Juan Ulloa, Hon. Christine Williams, Hon. Joseph Wiseman.*

**Advisory Body Members Absent:** *Hon. April Attebury, Hon. Richard Blake, Hon. Hilary Chittick, Hon. Gail Dekreon, Hon. Leonard Edwards (Ret.), Hon. Gregory Elvine-Kreis, Hon. Mark Juhas, Hon. Kristina Kalka, Commissioner Jayne Lee, Hon. Gilbert Ochoa, Ms. Christina Snider, Hon. Mark Vezzola.*

**Others Present:** *Ms. Vida Castaneda, Ms. Ann Gilmour, Ms. Anne Hadreas, Ms. Andi Liebenbaum, Hon. Nicholas Mazanec, Ms. Amanda Morris, Hon. Victorio Shaw, Hon. Dean Stout.*

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OPEN MEETING

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**Call to Order and Roll Call**

The co-chairs called the meeting to order at 12:22 p.m.

**Approval of Minutes**

The Forum approved the June 10, 2021 meeting minutes. Motion to approve by Judge Williams, seconded by Judge King. Motion passes.

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DISCUSSION AND ACTION ITEMS (ITEMS 1-2)

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**Info 1**

**Cochairs Report**

- Approval of Minutes for June 10, 2021 Meeting

The committee approved the June 10, 2021 meeting minutes.

- Introduction of new Judicial Council staff

Ann Gilmour introduced Anne Hadreas, the new Supervising attorney to the Tribal Programs Unit, to the committee.

- Welcome and introduction of incoming Forum members

Judge Kingsbury introduced the three new members of the Tribal Court – State Court Forum: Judge Victorio Shaw, Judge Dean Stout, and Judge Nicholas Mazanac.

**Info 2**  
**Planning 2022 Annual Agenda**

*Presenters: All*

Forum members began the early planning stage of the 2022 annual agenda by identifying important items that they wish to be included. Members also discussed the various factors affecting each item and the tribal community at large.

Ideas included: enhancing collaboration regarding tribal members involved in the adult criminal system; looking at ways to facilitate tribal access to data and information systems including the California Law Enforcement Telecommunications System; finding ways to track the tribal affiliation of system involved individuals; ensuring tribes are notified when their tribal children runaway from foster care; sharing mental health evaluations across jurisdictions; and collaborating on implementation of AB 3099.

Forum members were encouraged to email any additional agenda items to Ann Gilmour or Vida Castaneda at the Judicial Council.

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**A D J O U R N M E N T**

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There being no further business, the meeting was adjourned at 1:17 p.m.

Pending approval by the advisory body on \_\_\_\_\_.



# Trinidad Rancheria



## History



For thousands of years the Yurok, Wiyot and Tolowa people have lived in the coastal redwood forest region of Northern California. They were fishers, hunters and gatherers who subsisted primarily on salmon, clams, mussels and other ocean fish, as well as deer, elk and smaller game animals. Assorted berries and tan oak acorns were also food staples. Year-round ceremonies were, and continue to be, central to the Yurok, Wiyot and Tolowa culture bringing families and villages together to give thanks, heal and pray.

The Trinidad Rancheria was established in 1906 by enactment of the United States Congress which gave authority for the Federal Government to purchase small tracts of land for homeless California Indians.

In 1908, sixty acres of land along U.S. Highway 101 in Humboldt County were purchased for Indians living along the Northern California Coast. The existing Rancheria is within the aboriginal territory of the Yurok people and includes many sacred and culturally significant areas. The Tribe has ancestral ties to the Yurok, Wiyot and Tolowa peoples. All three tribes traditionally lived in the coastal region of Northern California and share a similar cultural heritage.



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# Trinidad Rancheria

☰ MENU

## Tribal Court

### Mission

“To promote justice for all in a fair and impartial manner by providing quality services with integrity and confidentiality; we further give our utmost respect to cultural values and traditions.”

### Court Contact Information

Telephone: 707.825.1642

Fax: 707.677.3921

Email: [Clerk of Court](#)

Mailing Address: P. O. Box 630, Trinidad, CA 95570

### DEPARTMENT LINKS

[Environmental Program](#)

[Finance & Accounting](#)

[Human Resources](#)

TRIBAL COURT

FAMILY  
WELLNESS  
COURT

YOUTH  
PROBATION

## How to Participate in a Virtual Tribal Court Hearing ▶

## Tribal Court Conduct on Phone & Video Hearings ▶

### – [At a Glance - Booklet Series \(Click here\)](#)

- [What is a Domestic Partnership?](#)

### – [Documents and Forms \(Click here\)](#)

#### **Administrative Orders**

- [AO-2020-01 Temporary Modifications to Tribal Court Operations During the Months of May and June 2020 in Response to the COVID-19 Pandemic](#)
- [AO-2020-02 Appearing in Tribal Court and Contempt in Response to the COVID-19 Pandemic](#)
- [AO-2020-03 Indefinite Extension of Tribal Court Administrative Orders in Response to the COVID-19 Pandemic](#)
- [AO-2020-04 Processing Citation Defaults Without A Hearing](#)
- [AO-2021-01 Limited Modifications to Tribal Court Operations in Response to the COVID-19 Pandemic](#)

#### **Administrative Appeals**

- [AP-103 Enrollment Appeal Petition](#)
- [AP-104 Election Appeal Petition](#)



## **Domestic Partnerships**

- FL-101 Declaration of Domestic Partnership
- FL-102 Master Settlement Agreement for Domestic Partnerships
- FL-103 Notice of Termination of Domestic Partnership
- FL-105 Response to Notice of Termination of Domestic Partnership

## **Guardianships**

- FL-400 Petition For Guardianship
- FL-401 Petition for Modification or Termination of Guardianship
- FL-401a Instructions to Petition for Modification or Termination of Guardianship
- FL-402 Guardianship Pamphlet
- FL-403 Attachment To Guardianship Petition Re Guardian Information
- FL-403a Instructions To Attachment To Guardianship Petition
- FL-404 Additional Child Guardianship Petition

## **Conservatorships**

- FL-502 Conservatorship Pamphlet With Summary
- FL-505 Petition For Conservatorship
- FL-505a How to Fill Out Petition For Conservatorship
- FL-510 Additional Conservators Attachment
- FL-524a Information Sheet re Conservatorship Accounting & Reports
- FL-525 Conservators Report & Accounting
- FL-525a Information Sheet re How to Fill Out Conservators Report & Accounting
- FL-526 Attachment To Conservators Report And Accounting
- FL-530 Petition to Relinquish Conservatorship
- FL-560 Request for Hearing
- FL-580a Information Sheet RE: Duties of a Conservator

## **General Use (may be used for various types of cases)**

- GEN-11 Response to Motion
- GEN-100 Change of Address
- GEN-102 Cover Sheet
- GEN-104 Email Consent
- GEN-105 Request for Records
- GEN-108 Proof of Service
- GEN-108a Instructions for Proof of Service form
- GEN-110 General Motion
- GEN-120 Response To Petition
- GEN-140 Withdrawal Petition
- GEN-200 Declaration Form
- GEN-200a Instructions To Declaration Form
- GEN-800 Basic Terms for Self Help Litigants.pdf

## **Civil Restraining Orders**

- [RO-100 Civil Harassment Petition](#)
- [RO-100a Instructions to Civil Harassment Petition](#)
- [RO-120a Instructions to Response to Civil Harassment Petition](#)
- [RO-120 Response to Civil Harassment Petition](#)
- [RO-175 Contact Info Confidential](#)

### **Tribal Court**

Office: (530) 698-1446

Email: [cgallegos@ssband.org](mailto:cgallegos@ssband.org)

### **Victorio L. Shaw**

#### **Chief Judge**

Office: (530) 698-1446

### **Sonia Montero**

#### **Tribal Court Director**

Office (530) 698-1449

[smontero@ssband.org](mailto:smontero@ssband.org)

### **Chatira Gallegos**

#### **Clerk of the Court**

Office: (530) 698-1446

Cell: (530) 391-8522

Email: [cgallegos@ssband.org](mailto:cgallegos@ssband.org)

The Shingle Springs Tribal Court provides a culturally- sensitive, independent judicial forum.

Indian tribes retain inherent sovereign powers over their members and territory. In 2009, the Shingle Springs Band of Miwok Indians established a Tribal Court to uphold the Tribe's codes and ordinances and enforce state court orders. California is a Public Law 280 state, where tribes retain civil and some criminal jurisdiction. While the Tribal Court cannot give legal advice, we can assist with a wide variety of issues.

### **The Shingle Springs Tribal Court hears civil matters that can include:**

- Casino Patron Disputes
- Casino Tort Cases
- Civil Harassment
- Appeals to the governance code

- Guardianships
- Legal competency
- Repossessions
- Wage garnishments

### **Attorneys and Lay Advocates**

Chief Judge Victorio L. Shaw presides over the Shingle Springs Tribal Court. All attorneys and lay advocates must be admitted to the Shingle Springs Tribal Court Bar before appearing in any tribal court or administrative forum.

[National CASA - Court Appointed Special Advocates for Children - CASA for Children](#)

- CASA / GAL Community: [State & Local Programs](#)
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# Innovative Collaborative Court in California



By Judge Suzanne Kingsbury (L) and Judge Christine Williams (R)

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Some people might think that the local state court in El Dorado County and the Shingle Springs Band of Miwok Indians are unlikely partners to have launched a first of its kind joint jurisdictional court, which is designed to address the needs of children and families by bringing together tribal and county services in one unified proceeding. Given the longstanding history

of conflict between county government and tribal government in California, a tribal court judge and state court judge hearing cases together on the Shingle Springs reservation, and when appropriate, at the county courthouse (located a few miles away), is a welcome advance. We hope that this collaborative model will inspire more local-tribal partnerships across the state and the nation.

What unifies the two courts, and at the heart of this joint-jurisdictional model, are families. We are seeing multiple generations of our children who are funneled out of public schools and into the juvenile and criminal justice systems, however, we have a vision that will forge a new path for our families. The Shingle Springs Band of Miwok Indians community has been severely affected by cultural, historical and intergenerational trauma which has taken place during centuries of exposure to racism, warfare, violence, and catastrophic disease. Intergenerational trauma occurs when the trauma of an event is not resolved and is subsequently internalized, being passed from one generation to the next due to ineffective interventions. This court, named the Family Wellness Court aims to break the school to prison cycle of dysfunctional behavior by setting achievable goals for children and families, supporting them to make positive life choices and giving them a true connection to their tribal history and culture, all the while celebrating with them as they improve their self-confidence and become leaders in their community, inspiring others to join them in breaking the cycle.

The Family Wellness Court hears a wide range of cases, including; juvenile (law violations or status offenses), child welfare (dependency), domestic violence (as part of a dependency, child custody, protective order petition), family, and criminal. Typically, the state court and the tribal court would hear these cases separately from one another, often making conflicting orders, working at cross purposes or failing to address the entirety of the families' issues in a holistic fashion. The Family Wellness Court aims to break down these impediments. As soon as a child or youth comes to the attention of tribal or county authorities (because the family is unstable and/or the child is at risk for substance abuse or behavior issues), the court can wrap the child and family with a multitude of tribal and county services especially designed to meet the needs of each family member. This approach maximizes the use of resources necessary to address the cultural, historical, and intergenerational traumas. The Family Wellness Court has been enthusiastically embraced by members of the tribal community, as well as members of the county as a whole. In its inaugural session on April 8, 2015, tribal members were provided with the option to participate in the Family Wellness Court in lieu of traditional state or tribal court sessions. All of the families referred to the Family Wellness Court have elected to participate in the process, even though that decision might require more effort. Tribal members realize that the court provides a safe and supportive environment that empowers children, youth (up to 24) and their families to work together with the treatment team and the court to effect positive change. Since the court is new, we cannot be sure of exact outcomes for families, but the tribal and nontribal community have high hopes that the court will reduce the number of children and youth entering juvenile detention centers; reduce recidivism; reduce the number of children and youth on probation; increase the number of children and youth who are actively engaged in cultural activities such as traditional ceremonial dance, song, drum, regalia making and language program; increase the number of children and youth who stay in mainstream schools (as opposed to the charter school); increase the number of youth who graduate from high school; and increase the number of youth who graduate from college.

## **Background**

In California, the two judges, Hon. Christine Williams, Chief Judge of the Shingle Springs Tribal Court, and Hon. Suzanne N. Kingsbury, Presiding Judge of the Superior Court El Dorado County, who created the court, are hoping to replicate it through the Tribal Court-State Court Forum.<sup>1</sup> The forum, at its first meeting, made it a priority to learn about and replicate the first joint jurisdiction tribal-state court in the nation, the Leech Lake-Cass County Wellness Court. Thanks to a national grant for technical assistance from the Bureau of Justice Assistance of the federal Department of Justice, the mentorship of Judge

Korey Wahwassuck and Judge John Smith, who started the first joint jurisdictional court, and with the assistance of the California Judicial Council, Judges Williams and Kingsbury are available to assist any tribal and state jurisdiction to follow suit.

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### About the Authors

**Judge Suzanne Kingsbury** was elected the Presiding Judge of the El Dorado County Superior Court in 1999, an assignment that will continue until at least December of 2016. She sits in Department Three of the court, which is located in South Lake Tahoe, where she presides over civil, criminal, juvenile, family, appellate and probate matters. She is the first woman to serve in the position of Superior Court judge in the county's history, as well as being its first female presiding judge. For more information about the forum, see article by Judge Richard Blake and Judge Dennis Perluss in this issue.

Judge Kingsbury has been instrumental in the creation and expansion of innovative programs in El Dorado County. Through her efforts, a variety of services have been made available to self-represented litigants to provide them with the information that they need to successfully navigate the court system. Through collaboration with other justice system partners, Judge Kingsbury also brought El Dorado County its first juvenile and adult drug courts, mental health court and dependency mediation and drug courts and is collaborating with the Chief Judge of the Shingle Springs Band of Miwok Indians to create California's first joint jurisdictional court.

Since assuming the bench, Judge Kingsbury has served as a member of CJER's Continuing Judicial Studies, Rural Courts and Presiding Judge and Court Executive Education Committees and the Continuing Judicial Studies, Cow Counties and California Judicial Administration Conference Planning Committees.

Judge Kingsbury graduated in 1981 from California State University in Sacramento after receiving a Bachelor of Arts degree in Criminal Justice. She received her Juris Doctorate degree from McGeorge School of Law in Sacramento in 1982. Judge Kingsbury served as a deputy district attorney for over five years. During her tenure with the office, she helped found the South Lake/El Dorado County Narcotics Task Force (SLEDNET) and began a vertical prosecution program for sexual assault and child abuse cases.

Judge Kingsbury has been married for over thirty years to her husband Jim Ammons, a retired law enforcement officer.

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**Judge Christine Williams**, a member of the Yurok Tribe, certified in Indian Law, has spent her legal career focused on representing Tribes in a broad spectrum of tribal legal matters primarily Indian child welfare, tribal court development and cultural resource protection. She currently serves as the Chief Judge for the Shingle Springs Band of Miwok Indians in El Dorado County. Judge Williams was instrumental in establishing the Family Wellness Court with the El Dorado County Superior Court. The Family Wellness Court is a joint-jurisdiction court which enables judges from both jurisdictions to work in concert to hear cases in one courtroom. This model is one of only two tribal court/state court joint-jurisdictional efforts across the country. Judge Williams has a long history of providing training and education on various areas of Indian law and history and continues to provide education to tribal youth, CASA of El Dorado County and as a guest lecturer.





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