



# 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:** August 10, 2023  
**Time:** 12:15 - 1:15 p.m.  
**Public Call-in Number:** <https://jcc.granicus.com/player/event/2638>

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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 June 8, 2023, 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 written comments received by 12:15 p.m. on August 9, 2023 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**

**Info 2**

**Riverside County Tribal Alliance**

Judge McLaughlin will update the members on the activities and work of the Riverside County Tribal Alliance.

Presenter: Hon. Dorothy R. McLaughlin, Judge of the Superior Court of California, County of Riverside.

**Info 3**

**California State-Federal Judicial Council**

Forum members who serve on this body will update the Forum on recent and upcoming meetings related to tribal issues.

Presenters: Hon. Devon Lomayesva, Chief Judge of the Intertribal Court of Southern California and Judge Joseph Wiseman, Chief Judge of the San Manuel Band of Mission Indians Tribal Court.

**Info 4**

**October 26th Forum in person meeting topic planning.**

Discussion of topics and potential speakers and presenters for the Forum in person meeting.

Presenters: All

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**IV. ADJOURNMENT**

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**Adjourn**



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## TRIBAL COURT–STATE COURT FORUM

### MINUTES OF OPEN MEETING WITH CLOSED SESSION

June 8, 2023

12:15 - 1:15 p.m.

Via Zoom

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**Advisory Body Members Present:** *Hon. Abby Abinanti, Co-chair, Hon. Joyce Hinrichs, Cochair, Hon. Richard Blake, Hon. Leonard Edwards (Ret.), Hon. Ana España, Mr. Christopher Haug, Hon. Joni Hiramoto, Hon. Winston Keh, Hon. Lawrence King, Hon. Kristina Lindquist, Hon. Devon Lomayesva, Ms. Merri Lopez-Keifer, Hon. Nicholas Mazanec, Hon. April Olson, Hon. Mark Ralphs, Hon. Victorio Shaw, Hon. Allen Sumner, Hon. Alison Tucher, Hon. Christine Williams, Hon. Joseph Wiseman.*

**Advisory Body Members Absent:** *Hon. April Attebury, Hon. Tara Flanagan, Hon. Patricia Lenzi, Hon. Dorothy McLaughlin, Ms. Andrea Pella, Hon. Stephen Place, Ms. Christina Snider, Hon. Dean Stout, Ms. Stephanie Weldon.*

**Others Present:** *Ms. Vida Castaneda, Ms. Audrey Fancy, Ms. Ann Gilmour, Ms. Tracy Kenny, Mr. Ray Mata, Ms. Amanda Morris, Ms. Christy Simons.*

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair called the meeting to order at 12:16 p.m. and took roll call.

##### Approval of Minutes

The advisory body reviewed and approved the minutes of the April 13, 2023, Tribal Court–State Court Forum meeting. Motion to approve by Judge Lawrence King and seconded by Judge Ana España. The motion carried.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 1–3)

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##### Item 1

###### Cochairs Report

No report

##### Item 2

###### Discretionary Tribal Participation Rules and Forms Proposal

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

Ann Gilmour provided the committee with an update on the Discretionary Tribal Participation Rules and Form Proposal. The comment period has ended. Commenters generally agreed with the proposal but suggested changing the placement within the rules to reflect that it will only apply to juvenile cases and

not to family law, and probate guardianship cases. Proposed changes to the rule and form do not substantially change the language and are highlighted in yellow in the materials. The committee decided to endorse the proposal with agreed edits to the rule and form on the condition of the result of the impending Brackeen case decision.

**Item 3**

**Tribal Diversion Memorandum of Understanding between the Yurok Tribe, the Humboldt County Superior Court, and the Humboldt County District Attorney's Office**

*Presenters: Hon. Abby Abinanti, Chief Judge of the Yurok Tribal Court, Hon. Joyce Hinrichs, Judge of the Superior Court of California, County of Humboldt*

The co-chairs briefed the committee on the Tribal Diversion Memorandum of Understanding between the Yurok Tribe, the Humboldt County Superior Court, and the Humboldt County District Attorney's Office. With the memorandum in place, ideally this model can be replicated throughout the state with a level of statutory authority. This program is evolving and growing to provide support to more Yurok families and not just Yurok members.

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

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There being no further open meeting business, the meeting was adjourned at 12:07.

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**C L O S E D S E S S I O N**

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**Item 1**

**Legislative Update**

***Closed session under rule 10.75(d)(10) proposed legislation, rules, or forms***

*Presenter: Tracy Kenny, Supervising Attorney, Office of Governmental Affairs, CFCC*

Adjourned closed session at 1:15 p.m.

Pending approval by the advisory body on August 10, 2023.