

TRIBAL COURT AND STATE COURT JUDGES' MEETING
December 21, 2009
San Francisco

These notes memorialize proposed next steps and action items from the meeting.

Proposed Next Steps Described

Establish a permanent Tribal Court/State Court Collaboration

(1) Proposed Invitations: Send a letter to each Tribal Chair describing the Tribal Court/State Court Collaboration, with its focus on Tribal/State Judiciary Cooperation, and inviting tribal court judge participation.

(2) Proposed Scope of Work (with possible working groups):

- Enforcement and Recognition of Orders/Judgments relating to:
 - Family law
 - Civil procedure (subpoenas, pretrial orders, etc.)
 - Juvenile
 - Domestic Violence
 - Working with county probation and parole for services
 - Other
- Addressing concurrent jurisdictional issues (i.e., determining, sharing, and coordinating jurisdiction, transferring cases, and access to records between jurisdictions)
- Education
 - Review state educational materials, including Native American Resource Guide (distributed at meeting)
 - Develop education curriculum for state court judges on: (1) civil and criminal jurisdiction in a Public Law 280 state (include related case law, history, and cultural information) and (2) the rights of tribal advocates
 - Share curriculum with law schools, police academies, CJA, and others
 - Local protocols between state and tribal courts to be showcased at Beyond the Bench (i.e., identified protocols between Hoopa Valley Tribal Court and Humboldt Superior Court and between Bishop Indian Tribal Court and Inyo Superior Court)
 - Pilot curriculum at Beyond the Bench and other venues, such as Judicial College
- Resource Sharing
 - Education
 - Access to Serranus (AOC educational Web site for state court judges) to all tribal court judges
 - Review and recommend changes to materials on Serranus
 - Forms
 - Review Judicial Council forms and adapt those for use in tribal courts (Distributed Yurok Tribal Court form adapted from council form distributed at meeting).

- The types of council forms identified by Judge Blake and Judge Attebury that would be useful to have in Word format include: adoption, domestic violence, name change, proof of service, and probate guardianship forms
 - Grant Opportunities
 - Share listing of grant opportunities for tribal court capacity building
 - Judge Nemec shared the grant opportunities for tribal courts assistance program grants at www.ojp.usdoj.gov/bja/grant/tribal.html
 - Data
 - Court Case Management System to have tribally specific information—
Name of Tribe
 - Tribal Court Access to CLETS
Judge Blake reports it is working: Judge Wilson, DA, PD, Sherriff agreement so now faxed order to Sherriff with DV 600 and Sherriff is doing personal service. Judge Blake will share agreements with participants of this meeting and with Coalition.
- (3) Proposed Composition of Coalition (gathered equally from both tribal and state courts, with tribal and state court co-chairs, all members willing to explore, not just the ways things have always been, but new ways of improving the working relationship between courts, even within their own systems)
- Tribal Court Judges
 - Olin Jones, Director, Office of Native American Affairs, California Attorney General's Office
 - State Court Judges in the counties where there are tribal courts, reservations, and large tribal communities
 - Chairs of committees
 - Access and Fairness
 - Civil and Small Claims
 - Family and Juvenile
 - Presiding Judges/Court Executives
- (4) Proposed Staffing: Administrative Director of the AOC to assign staff from AOC divisions and Judicial Council advisory committees
- (5) Proposed Timeline and Reporting: Coalition to establish finite timeline with yearly report to all participating jurisdictions
- (6) Proposed Communication Plan: Coalition members and staff to collaborate to establish communication network to exchange information with stakeholders, including tribal and state judges, county agencies (e.g. county counsel, law enforcement et al.) about on-going collaboration and to receive input on work product

Proposed Action Items

- (1) Tribal Projects Unit staff to draft proposed letter to Tribal Chairs for review and input by Tribal Court Judges
- (2) Tribal Projects Unit staff to contact Olin Jones and explore his participation on the Coalition
- (3) Tribal Projects Unit staff, in collaboration with interested tribal court judges, to develop curriculum for state court judges civil and criminal jurisdiction in a Public

Law 280 state (include related case law, history and cultural information) to be showcased at Beyond the Bench in June 2010

- (4) Tribal Projects Unit staff to follow up with Judge Blake and Judge Wilson to explore whether they would like to showcase local protocol and practice at Beyond the Bench in June 2010
- (5) Tribal Projects Unit staff to follow up with Judge Kockenmeister and Judge Stout to explore whether they would like to showcase local protocol and practice at Beyond the Bench in June 2010
- (6) Education Division staff to provide Serranus Website passwords to tribal court judges
- (7) Tribal Projects Unit staff to contact Information Services staff to work with Judge Blake, Judge Attebury, and other interested tribal court judges on adapting council forms
- (8) Tribal Projects Unit staff to collect and post grant opportunities for tribal court judges
- (9) Judge Blake to share tribal court access to CLETS agreements with meeting