

Tribal-State Court Forum Report from June 2016 National Convening

June 2–3, 2016
Los Angeles Courthouse and Millennium Biltmore
Los Angeles, CA



*Submitted to Bureau of Justice Assistance
By Tribal Law and Policy Institute
August 2016*

Developed by Heather Valdez Freedman, Program Director

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BJA
Bureau of Justice Assistance
U.S. Department of Justice

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Introduction

The Tribal Law and Policy Institute (TLPI) provides training and technical assistance (T/TA) to tribal and state court collaborations under a grant awarded by the Bureau of Justice Assistance (BJA). As part of that effort, TLPI held a National Convening of Tribal and State Court Forums on June 2–3, 2016 in Los Angeles, California. The impetus for this meeting was a tribal-state collaboration working-group meeting convened by TLPI held in December 2012, wherein the tribal-state courts forums expressed a strong interest in an in-person meeting to engage in peer-to-peer training and networking.

This report provides an overview of the meeting, specifically comments on the focus of TA and the needs of forums. A fuller picture of the needs of forums can be found in the recommendations that emerged from the 2012 working group (see appendix).

To put the current efforts of tribal-state court forums in a context, we present a summarized history.

Summary of Tribal-State Court Forums: 1988–2008

In 1988 the Conference of Chief Justices established the Committee on Jurisdiction in Indian country, which conducted a study of jurisdictional conflicts between state and tribal courts. The committee endorsed a project developed by the National Center for State Courts, called the Prevention and Resolution of Jurisdictional Disputes Project, that focused on disputes among tribal and state court systems. Federal judges were also part of the original coordinating council. Tribal-state court forums were developed from this effort. These forums brought together leaders from state and tribal and sometimes federal court systems in regular meetings to discuss common challenges and work toward improved relationships. The forums started in Washington, Oklahoma, and Arizona and then expanded to Michigan, North Dakota, and South Dakota with encouragement and support from the National Center for State Courts and the Conference of Chief Justices. The forum concept eventually spread to seventeen states.

Additionally, in July 1991, the Conference of Chief Justices hosted a national conference in Seattle, Washington. Attended by tribal, state, and federal district and circuit court judges, attorneys general, and court administrators from around the country, the conference continued the Conference of Chief Justice’s mission of educating target audiences about the nature of jurisdictional conflicts, and promoting discussion and mediation designed to find

common ground for resolution of these conflicts. Representatives from twenty-two states developed action plans directed toward reducing conflicts in their home states at this conference.

Since 1992, the Conference of Chief Justices has expanded its mission to begin addressing criminal jurisdictional conflicts. There was recognition also of the need to engage federal courts and justice systems in this effort to increase the clarity of jurisdictional lines and reduce jurisdictional disputes. This work culminated in a national leadership conference held in Santa Fe, New Mexico, in September 1993, in which tribal, state, and federal leaders from throughout the United States met to develop a national agenda for improvement of working relations between tribal, state, and federal judicial systems. The conference, *Building on Common Ground*, produced the detailed report *Building on Common Ground: A National Agenda to Reduce Jurisdictional Disputes between Tribal, State, and Federal Courts*, providing recommendations on jurisdictional disputes.

The conference participants at *Building on Common Ground* believed that education must be a key component of solutions to jurisdictional conflicts. As the role, authority, and necessity of tribal courts are better understood, mutual understanding and recognition would result. Emphasized at the time was the difficulty in development and dissemination of information about tribes, tribal governments, and tribal laws. Additionally, it was recognized that full development of tribal court jurisdiction and competence in matters affecting tribal governance and Indian country is a positive step for all parties, including affected non-Indians and adjacent states. To that end, the leadership conference participants recommended increased resources and increased delegation and confirmation of jurisdiction by Congress to tribal courts.

In 2005, the earlier initiative, *Building on Common Ground*, moved into a new phase, with the name *Walking on Common Ground*. A series of three national gatherings were held in 2005 supported by the BJA, Office of Justice Programs. These programs, called *Pathways to Justice*, were developed to provide insight on critical needs of the tribal justice systems and to develop strategies to improve communication and understanding among tribal, federal, and state courts; law enforcement personnel; and service agencies. *Pathways to Justice: Developing and Sustaining Tribal Justice Systems in Contemporary America* was published as a result of the first two gatherings that primarily reflected the views of tribal leaders. The third gathering, which was based on a recommendation from the first two gatherings, brought together tribal, federal, and state judges to share equally in the discussion of challenges and the development of mutually agreeable solutions. The report *Walking on Common Ground: Pathways to Equal Justice* resulted from this gathering. A follow-up *Walking on Common Ground* gathering was held in 2008, providing a continuing opportunity for tribal, state, and federal justice communities to join together and sustain and review ongoing efforts to collaborate. There have

been no national Walking on Common Ground gatherings since 2008, but there have been some regional judicial symposiums.

A 2011 publication that documents the efforts made by tribal and state courts to collaborate, *State and Tribal Courts: Strategies for Bridging the Divide*, was produced by the Center for Court Innovation.

Current Tribal State Court Forum Efforts: 2009–Present

Since their beginnings in 1988, much has been learned by tribal-state court forums through trial and error. Today, forums are active in at least ten states, including Arizona, California, Idaho, Michigan, Minnesota, New Mexico, New York, North Dakota, Utah, and Wisconsin. We are very happy to report that forums in Oregon, Washington, and Kansas are in the early stages of development (or in Washington's case, reestablishment). In addition, Montana representatives have shown some initial interest in forum development.

The BJA¹ has shown support for these innovative tribal-state collaborations, through funding for T/TA provision and resource development. It is through this BJA funding source that TLPI has been able to assist developing forums since 2009, as well as provide support for established forums. Of note, under BJA funding TLPI launched a re-envisioned Walking on Common Ground website (www.WalkingOnCommonGround.org) that gathers information relative to tribal and state collaborations with the goal of promoting and facilitating collaboration. In addition to resources, tools, and upcoming events in the area of tribal-state collaboration, the centerpiece of the website is an interactive map with collaboration agreements in several different categories (law enforcement, courts, child welfare, etc.), searchable by state or tribe.

Another method at disseminating information to further successful collaborations is through publications. To that end, TLPI has also developed two Promising Strategy publications of interest to tribal-state collaborations:

- **Promising Strategies: Tribal-State Court Relations:** Furthering an agenda of greater mutual understanding and cooperation, many tribal-state court forums have developed innovative practices to address problem areas. This publication spotlights some of the most successful strategies that judicial systems have employed to collaborate on issues such as child welfare, cross-jurisdictional enforcement of domestic violence orders of protection, and civil commitments.

¹ BJA grant numbers 2009-IC-BX-K004 and 2012-IC-BX-K001. FY 2012 Program: Tribal Justice System Capacity Building Training and Technical Assistance Program: Category 1, Enhancing Tribal and State Collaborations.

- **Promising Strategies: Public Law 280:** In PL 280 jurisdictions, the concurrent jurisdiction of state and tribal courts over criminal prosecutions and civil actions arising in Indian country creates many interactions and complications. Tensions and misunderstandings have been common features of tribal and state policing relations in the past, sometimes erupting in jurisdictional conflicts. This publication highlights unique ways in which tribal and state jurisdictions have entered into collaborations to overcome barriers to effective justice provision.

The 2012 tribal-state collaboration working group brought to light the need of forums to know more about each other to cross-pollinate ideas and learn more about the structure, context, and functioning of other similar collaborations. To address this need, TLPI developed the **Tribal-State Court Forums Annotated Directory**, which lists specific detail on each of the ten active forums. TLPI has also developed a chart with information on each of ten forums (see appendix). This chart was part of a **Tribal-State Court Forums Brief** that TLPI authored for the National Criminal Justice Association.

The directory, brief, and the two Promising Strategy publications are all available at www.WalkingOnCommonGround.org.

The 2012 working-group meeting elucidated many of the challenges, as well as the successes, of forums. A report was generated as a result of that meeting and a full list of recommendations from the report can be found in the appendix. One of the key outcomes of the meeting was that the judges learned valuable information from the experiences of one another and found great value in the in-person meeting format. To further this peer-to-peer networking, TLPI convened a National Meeting of Tribal State Court Forums on June 2–3, 2016.

2016 National Meeting Overview

Using contacts developed over the course of the past six years, TLPI began the outreach effort by inviting one tribal and one state court judge (chosen by forum leadership) from each of the existing ten forums, as well as the three additional forums currently being developed. Bureau of Justice Assistance funding covered travel costs for two representatives per forum to participate in the National Convening. Invited states were Arizona, California, Idaho, Kansas, Michigan, Minnesota, New Mexico, New York, North Dakota, Oregon, Utah, Washington, and Wisconsin.

TLPI engaged our T/TA partners on this effort and reached out to Casey Family Programs because of its active involvement in sponsoring intergovernmental roundtables on the Indian Child Welfare Act (ICWA). Casey joined the effort as a cosponsor and funded a lunch along with a presenter, as well as funding a delegation from Montana to join. In addition, because of TLPI's

close collaborative relationship with the California Tribal-State Court Forum, the forum offered to cohost the meeting. The California forum arranged for a meeting space at the Los Angeles Courthouse at no cost.

The meeting was facilitated by Retired Judge William Thorne. Judge Thorne has the unique perspective of having been both a tribal and a state court judge, as well as having involvement in the development of Utah’s Tribal-State Court Forum. Judge Thorne provided engaging and professional facilitation adding important insight throughout the meeting.

The purpose of the meeting was to allow space for judges to:

- Share common challenges;
- Hear presentations from forums on innovative and successful strategies;
- Gain information on current issues of interest, such as:
 - Tribal Law and Order Act (TLOA) “Enhanced Sentencing”
 - Violence Against Women Act (VAWA) Reauthorization of 2013 “Special Domestic Violence Criminal Jurisdiction”
 - ICWA new guidelines and the proposed regulations;
- Brainstorm ways in which the federal government can assist tribal-state court forums;
- Brainstorm funding strategies for forums;
- Brainstorm ways in which forums can assist each other; and
- Engage in peer-to-peer networking.

One of the key features of the meeting were short presentations by each forum present describing their forum and discussing challenges, successes, and hopes for the future of their forum. These presentations provided insight into a very broad spectrum of experience among invited forums. The most senior forum—Arizona, at twenty-plus years—as well as the new jurisdictions were grappling with issues and learning from each other.

Participant Recommendations: T/TA and Resource Provision

Several recommendations emerged from the group about how TLPI could better serve forum needs.

Forum Accomplishments At-a-Glance: Participants found the *Tribal-State Court Forums Directory* very helpful and informative, but there was also a need for another publication that can be seen as an outgrowth of the directory. Several participants commented on the need for an overall chart that lists accomplishments, such as enforcement of tribal court judgments or shared training, with checks indicating which forums have succeeded in legislation/policy or other institutional change on this topic. This would be similar to a “Forum Accomplishments At-

a-Glance.” This would allow forums struggling with a particular issue to reach out to a different forum to learn from its experience.

Quarterly or Semiregular Bulletins on Forums: Forums wanted to be more aware of what their peers in other states are doing on a more consistent basis, as opposed to waiting for occasional in-person meetings. Some participants suggested that after local forum meetings, forums send TLPI an abbreviated list (bullet points) of any key accomplishments as well as challenges they were experiencing.

Funding Overview: Much time was spent at the meeting on the topic of funding. There is currently no clear funding source for Tribal-State Court Forums. Inquiries to BJA have directed forums to seek the Edward Byrne discretionary funds allocated to states and distributed by Special Administering Agents (SAAs). However, the one forum that attempted this—New York—was turned down. The participants at the meeting requested a more formal document providing an overview of possible funding sources for forums, including qualifications or requirements to apply for the funding. Virtually none have dedicated grant-writing resources, so an initial screening of requirements and identification of targeted subjects would allow them to focus very limited resources.

Additional Peer-to-Peer Networking: The forums at the meeting were energized and inspired by the work of their peers. Discussion arose about the need for additional in-person meetings, and perhaps at a more central location, as well as support for regional meetings in between national meetings to assist neighbors and possibly encourage the creation of forums in neighboring states. Participants were eager enough to start making location recommendations.

Participant Advice: Forum Operations

In addition to the assistance that could be provided through TA, some group discussions emerged wherein forums were providing advice to each other. Two key points in this arena:

Discipline Inclusivity: Because of the interdependent nature of justice systems and the cooperation needed at all levels among all agencies, participants suggested that other disciplines, law enforcement specifically, be included in future meetings.

Convincing Reluctant Colleagues to Get Involved: Along the lines of discipline inclusivity, a question was posed to other forums on advice for getting reluctant colleagues to get involved with the forum. The discussion focused not just on including reluctant judges and law enforcement, but also on including district attorneys, substance abuse professionals, probation professionals, and so forth. Several suggestions were made:

- Get on the meeting agenda of different groups in order to do a presentation.

- Look at common goals and what is in it for them. How can it make them look good and tie into their organizational goals?
- Take a partnership approach within your own court system. Example: Committee on Probation should have tribal-state court issues on its agenda.
- State the forum achievements in order to recruit and educate at the same time.
- Keep reluctant people in the information loop; don't give up.
- The National American Indian Court Judges Association (NAICJA) and National Council of Juvenile and Family Court Judges (NCJFCJ) could write a letter to the Conference of Chief Justices to make a recommendation that individual chief justices have forum members on committees and work groups in order to encourage tribal-state partnerships at various levels and on a wide range of topics. Request that the Council of Chief Justices create a resolution in support of tribal-state court forums. (A related recommendation was to add tribal judges to the conference of chief justices, even if they aren't voting members, just to be present and enhance the discussions.)

Next Steps

Based on participant discussions and the findings from the written evaluations, the following tasks should be a priority for TTA and resource provision for tribal-state court forums.

1. Investigate funding that might be available to support the work of the forums further.
2. Produce an annotated list of potential government and nongovernmental funding sources and disseminate to forums.
3. Develop an "Accomplishments At-a-Glance" chart as well as a central repository for relevant documents including legislation, court rules, letters of agreement, and so forth.
4. Explore the feasibility of developing a quarterly online bulletin to be sent to forums and other interested parties. Success is dependent upon the participation of forums because the source of new information would be, in large part, from the various forums.
5. Conduct ongoing research in more detail into funding sources and report information in the quarterly bulletin or elsewhere to forums.
6. Advocate for an in-person meeting on a more consistent basis (once a year) that consists of a two-day meeting focusing on peer-to-peer training and networking, with substantive topics to be identified in partnership with the participating forums.
7. Reach out to the Council of Chief Justices and the Center for State Courts, the supporting organization, to begin education on tribal-state court forums. Pursue the possibility of a resolution in support of forums.

Meeting Evaluations Results and Additional Needs Identified

After the meeting an online survey was sent to all participants. Of the thirty-one participants that responded, seventeen were from a tribal court and fourteen from a state court. Respondents were asked to rate each individual part of the agenda. The breakdown is as follows:

- Forum Accomplishments = 84% rated above average and excellent;
- Break out #1 on Joint Jurisdiction Courts = 93% rated above average and excellent;
- Break out #2 on Indian Child Welfare Act = 63% rated above average and excellent. Participants noted that they would have preferred to attend both breakout sessions, instead of choosing just one;
- Lunch presentation on Indian Child Welfare Act = 80% rated above average and excellent; and
- Tribal Law and Order Act Enhanced Jurisdiction and Violence Against Women Act Special Domestic Violence Criminal Jurisdiction = 97% rated above average and excellent.

The following comments were of note:

- “I was engaged in every minute of each session. All of the presenters packed his or her presentations with substantive content.”
- “It was an excellent opportunity to hear all of the great ideas that other forums are working on. It was great to discuss the issues and share challenges as well. It was great to find out more information on the work of TLPI and the online resources that are available.”
- “Excellent job gathering the various forums and bringing us together to discuss issues in common.”
- “Great opportunity to network and learn from one another. Terrific job of TLPI and facilitator Judge Thorne in managing the group and support the exchange of ideas.”
- “It was inspiring to be with this group of people.”
- “Very substantive.”
- “Loved the discussions.”
- “Great topics [on day two]! I felt like the topics were based on the need as determined the day before, which demonstrated flexibility.”
- “We are all interested in funding sources and developing/maintaining interest for the individual forums, and the day two discussion really met that need.”
- “I want to say that I am always impressed with the caliber of work that TLPI does. TLPI did an excellent job of orchestrating this meeting.”
- “I think a yearly session would be beneficial.”

- “The annotated directory is terrific.”
- “The court forums directory is a keeper!”

The respondents were also asked their impressions of the meeting overall:

- Relevant to my work with the court forum = 94% agreed or strongly agreed;
- Provided information that will help me with the court forum = 97% agreed or strongly agreed;
- Increased my knowledge and skills on the topics presented = 90% agreed or strongly agreed; and
- I am likely to use what I learned from this meeting = 97% agreed or strongly agreed.

Lessons Learned for Future Meetings

Generally speaking, participants did not like having the breakout sessions and would have preferred to listen to both presentations, instead of choosing just one. In addition, one of the participants commented that more time on the “hard part” of tribal-state court forums would be helpful—like information on due process in tribal courts. There were also many comments urging that meeting be two full days, instead of just one and a half days. The opportunity to cover more material, which two days would afford, was highlighted in several responses.

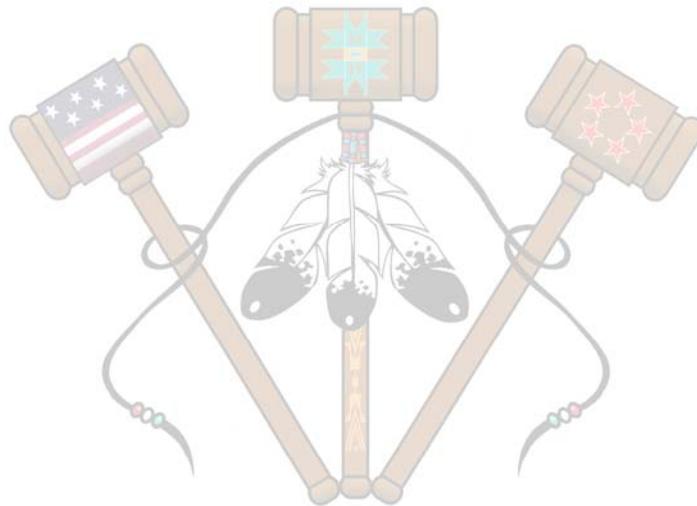
Conclusion

More than thirty judges and justice personnel participated in the National Convening of Tribal-State Court Forums that took place in Los Angeles on June 2–3, 2016. Tribal-state court forums were eager to meet in person and engage in valuable peer-to-peer training. Most of the forums were doing good work in almost complete isolation, not knowing that there were other forums working on similar issues, or in neighboring states. Participants communicated a great appreciation for both the opportunity to share their own work as well as the chance to hear about new ideas and approaches. Knowing they are not alone seemed to have a positive and dramatic impact upon their commitment to persevere and broaden the scope of their work.

Participants were able to share solutions to barriers that prevent collaboration; engage in discussions about funding sources; obtain more information about the functioning and accomplishments of other forums; and continue a group conversation across jurisdictions. The ten currently operational forums will likely soon be joined by at least three other tribal-state court forums under development—Oregon, Washington, and Kansas—all of whom attended the meeting. The experiences shared by each forum provided a narrative of cross-jurisdictional collaboration and the ability to overcome barriers to increasing public safety.

Appendix

1. Agenda
2. Participant List
3. Meeting Evaluation Results
4. Recommendations from 2012 Meeting
5. Chart of Forums from National Criminal Justice Association (NCJA) Brief





TRIBAL LAW AND POLICY INSTITUTE

20 Years of Serving American Indian/Alaska Native Communities

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Maria Alidio

Tribal-State Court Forum National Convening AGENDA

June 2-3, 2016

Day One: Thursday, June 2

Ronald Reagan State Building

300 South Spring Street, 3rd Floor, North Tower

Los Angeles, CA 90017

9:00AM – 9:15AM

Welcome and Overview

Tribal Law and Policy Institute (TLPI)

Jerry Gardner, Executive Director

Heather Valdez Singleton, Program Director

William Thorne, Retired Judge, Consultant

Bureau of Justice Assistance, U.S. Department of Justice

Denise O'Donnell, Director

Casey Family Programs

Sheldon Spotted Elk, Indian Child Welfare Director

National American Indian Court Judges Association

Richard Blake, President, Former Forum Co-Chair

Nikki Borchardt Campbell, Executive Director

California Tribal-State Court Forum

Abby Abinanti, Yurok Chief Judge, Forum Co-Chair

Dennis Perluss, Presiding Judge, Court of Appeal,

Forum Co-Chair

9:15AM – 9:45AM

Brief Introductions of All Participating Forums

9:45AM – 10:45AM

Forum Accomplishments: Part 1

New York, North Dakota, Michigan, Idaho, California

Five minutes highlighting accomplishments and

five minutes highlighting challenges including:

1. Funding sources
2. Staffing
3. Cooperation/collaboration/spirit
4. Support from above
5. Leadership and continuity challenges
6. Dreams

BOARD OF DIRECTORS

PRESIDENT: Abby Abinanti (*Yurok*) • VICE PRESIDENT: David Raasch (*Stockbridge-Munsee*) • SECRETARY-TREASURER: Margrett Oberly Kelley (*Osage/Comanche*)

Ed Reina (*Pima/Maricopa*) • Patricia Sekaquaptewa (*Hopi*) • Michael Jackson (*Tlingit/Haida*) • Lucille Echohawk (*Pawnee Nation of Oklahoma*)

10:45AM – 11:00 AM **BREAK**

11:00AM --Noon **Small Break Out Facilitated Discussions**

Break Out #1: Joint Jurisdiction Courts

*Korey Wahwassuck, District Judge, Ninth Judicial District,
Itasca County District Court*

Break Out #2: Indian Child Welfare Act

*Kathryn Fort, ICWA Appellate Project, Indigenous Law and
Policy Center, Michigan State University College of Law*

Noon – 1:30PM

Lunch Presentation (Funded by Casey Family Programs)

Indian Child Welfare and the Courts

Kathryn Fort, Michigan State University College of Law

*** Lunch Provided Courtesy of Casey Family Programs. No Federal Funds Used ***

1:30PM-2:45PM

Forum Accomplishments, Part 2

Arizona, Utah, Wisconsin, New Mexico, Minnesota

Five minutes highlighting accomplishments and
five minutes highlighting challenges including:

1. Funding sources
2. Staffing
3. Cooperation/collaboration/spirit
4. Support from above
5. Leadership and continuity challenges
6. Dreams

2:45PM-3:00PM

BREAK

3:00PM– 4:30PM

Possible Role of Tribal State Court Forums

- **Tribal Law and Order Act Enhanced Sentencing**
- **Violence Against Women Act Enhanced Jurisdiction**
- **Additional Emerging Issues**

Jerry Gardner, TLPI Executive Director

Chia Halpern-Beetso, TLPI Tribal Court Specialist

William Thorne, Facilitator

4:30PM-5:00PM

Wrap Up

The Tribal Law and Policy Institute wishes to thank our sponsors for this meeting: U.S. Department of Justice, Bureau of Justice Assistance and our co-sponsors Casey Family Programs, the National American Indian Court Judges Association and the California Tribal-State Court Forum.



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Tribal-State Court Forum National Convening AGENDA June 2-3, 2016

Day Two: Friday, June 3

**Millennium Biltmore Hotel,
Heinsbergen Room
506 S. Grand Avenue
Los Angeles, CA 90071**

9:00AM – 10:00AM

Group Brainstorming: How do we address the challenges?
William Thorne, Facilitator

10:00AM-11:00 AM

Forum Accomplishments, Part 3
Kansas, Oregon, Washington, Montana

Five minutes highlighting accomplishments and
five minutes highlighting challenges including:

1. Funding sources
2. Staffing
3. Cooperation/collaboration/spirit
4. Support from above
5. Leadership and continuity challenges
6. Dreams

11:00AM – 11:15AM

BREAK

11:15AM – 11:45AM

Needs of Tribal-State Court Forums

Group Discussion

What Can TLPI Provide

What Can Feds Provide

What Can Forums do to Help Each Other

11:45AM – Noon

Wrap Up, Next Steps

The Tribal Law and Policy Institute wishes to thank our sponsors for this meeting: the U.S. Department of Justice, Bureau of Justice Assistance and our co-sponsors Casey Family Programs, the National American Indian Court Judges Association and the California Tribal-State Court Forum.

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**National Convening of Tribal-State Court Forums
June 2-3, 2016
Los Angeles, CA**

~ Participant List ~

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Chia Halpern Beetso (Spirit Lake Dakota), JD, is the Tribal Court Specialist at the Tribal Law and Policy Institute (TLPI) and has experience working with tribal courts, federal Indian policy, and tribal law. She received her juris doctor from the Sandra Day O'Connor College of Law at Arizona State University. Prior to coming to TLPI, she was a Deputy Prosecutor for the Salt River Pima-Maricopa Indian Community and has prosecuted a variety of criminal matters, including domestic violence, in tribal court. In addition, Chia has provided training and technical assistance (T/TA) to tribal healing to wellness courts and has coordinated T/TA efforts on this front nationwide. Also, she has researched, drafted, and presented resources on Tribal Law and Order Act implementation.

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Kathryn (Kate) E. Fort is the Staff Attorney for the Indigenous Law and Policy Center at Michigan State University College of Law. She joined the Center in 2005 as the Indigenous Law Fellow. In 2015, she started the Indian Child Welfare Act Appellate Project, which assists tribes in ICWA cases across the country. In her role with the Center she teaches the Indian Law Clinic class and traditional classes in federal Indian law, researches and writes on behalf of Center clients, and manages administrative aspects of the Center. Ms. Fort has written articles on laches and land claims, and has researched and written extensively on the Indian Child Welfare Act. Her publications include articles in the *George Mason Law Review*, *Saint Louis University Law Journal*,

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and *American Indian Law Review*. She co-edited *Facing the Future: The Indian Child Welfare Act at 30* with Wenona T. Singel and Matthew L.M. Fletcher (Michigan State University Press 2009). She is currently writing the casebook *American Indian Children and the Law*, and co-edits the popular and influential Indian law blog, TurtleTalk. Ms. Fort graduated magna cum laude in from Michigan State University College of Law with the Certificate in Indigenous Law, and is licensed to practice law in Michigan. She received her B.A. in History with honors from Hollins University in Roanoke, Virginia.

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Jerry Gardner (Cherokee), JD, is an attorney with more than thirty years of experience working with Indian tribes, tribal court systems, and victims of crime in Indian country. He is the Executive Director of the Tribal Law and Policy Institute—an Indian-owned and -operated nonprofit corporation organized to design and deliver education, research, training, and technical assistance programs that promote the improvement of justice in Indian country and the health, well-being, and culture of Native peoples. He was an Adjunct Professor at the University of California, Berkeley, School of Law from 1995 to 2000 and Administrator for the National American Indian Court Judges Association from May 1998 to December 2000. He served as the Senior Staff Attorney with the National Indian Justice Center (NIJC) from NIJC's establishment in 1983 until December 1996. He has also worked for the U.S. Senate Committee on Indian Affairs, the national office of the Legal Services Corporation, and the American Indian Lawyer Training Program.

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Heather Valdez Singleton serves as TLPI's Program Director, providing oversight for programmatic operations, as well as overseeing TLPI's tribal-state collaboration work. Heather has been with TLPI since 2006 and has over 15 years of experience working on policy issues in Indian country, with a focus on tribal criminal justice systems. She received her master's degree

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in public policy from the Kennedy School of Government at Harvard, where her focus was criminal justice policy in Indian country. She also holds a master's degree in American Indian studies from UCLA. Her experience includes serving as project director for several research-related projects in Indian country, including the UCLA Native Nations Law and Policy Center's nationwide assessment of Public Law 280, and tribal liaison for tribal court grantees in California. She is an instructor for the UCLA Tribal Learning Community and Educational Exchange and the series co-editor of the Tribal Legal Studies textbook series.

William Thorne

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William A. Thorne, Jr. is a Pomo/Coast Miwok Indian from northern California and is enrolled at the Confederated Tribes of the Graton Rancheria. He received his bachelor of arts from the University of Santa Clara in 1974. He received his juris doctorate from Stanford Law School in 1977. Judge Thorne has served as a tribal judge in Utah, Idaho, Colorado, New Mexico, Arizona, Nevada, Montana, Wisconsin, Washington, Michigan, and California for numerous tribes on a part-time basis for more than thirty years. In 1986 Thorne was appointed by the governor as a trial judge for the state of Utah. After fourteen years as a state trial judge he was appointed in 2000 as a judge of the Utah Court of Appeals. He is now retired. Judge Thorne has served on a number of national and local boards/committees including serving as faculty and using his judicial leadership for child welfare system improvement as he participates in many projects and committees. He continues to speak and teach around the country, chiefly on issues related to children including child welfare reform efforts, disproportionality affecting minority children, and the Indian Child Welfare Act.

Korey Wahwassuck

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Korey Wahwassuck was appointed by Governor Mark Dayton in 2013 as a District Judge for the Itasca County District Court in Grand Rapids, Minnesota. Prior to that, she served for seven years as Associate Judge and Chief Judge of the Leech Lake Band of Ojibwe Tribal Court in Cass Lake, Minnesota, and for three years as a Tribal Attorney for the Leech Lake Band. Before coming to work for Leech Lake, Judge Wahwassuck practiced law for 15 years in Missouri and Kansas, specializing in Indian law, child welfare, and juvenile delinquency. She served as a Core, Domestic, and Parent/Adolescent Certified Mediator of the Kansas Supreme Court, taught courses on Native American spirituality and sovereignty, treaty rights and tribal sovereignty, tribal court-state issues, and juvenile delinquency guidelines at Penn Valley Community College in Kansas City, MO, and Leech Lake Tribal College. Judge Wahwassuck is a past chair of the

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National Council of Juvenile and Family Court Judges (NCJFCJ) Tribal Court Committee and a member of the NCJFCJ Tribal Leadership Forum. She is on the board of the National Association of Drug Court Professionals; chairs its Tribal Courts Committee, and served on the Drug Court Initiative Advisory Committee and Racial Fairness Committee of the Minnesota Supreme Court. Judge Wahwassuck helped establish the first Joint Tribal-State Wellness (DWI/Drug) Courts in the nation. Her publications include "The New Face of Justice: Joint Tribal-State Jurisdiction" for the Washburn Law Journal and "Building a Legacy of Hope: Perspectives on Joint Tribal-State Jurisdiction" for the William Mitchell Law Review. Judge Wahwassuck is an alumna of the National Judicial College and joined its faculty in 2008.

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Q1 Name (Optional)

Answered: 24 Skipped: 7

#	Responses	Date
1		7/6/2016 5:29 PM
2		6/22/2016 12:25 PM
3		6/21/2016 1:04 PM
4		6/21/2016 10:14 AM
5		6/20/2016 2:57 PM
6		6/20/2016 2:04 PM
7		6/20/2016 1:32 PM
8		6/20/2016 1:07 PM
9		6/17/2016 7:04 AM
10		6/14/2016 11:07 AM
11		6/13/2016 6:26 PM
12		6/13/2016 5:31 PM
13		6/11/2016 9:22 AM
14		6/9/2016 8:26 AM
15		6/8/2016 9:39 AM
16		6/7/2016 1:40 PM
17		6/7/2016 12:26 PM
18		6/7/2016 8:55 AM
19		6/7/2016 6:56 AM
20		6/7/2016 5:23 AM
21		6/6/2016 9:04 PM
22		6/6/2016 7:44 PM
23		6/6/2016 5:09 PM
24		6/6/2016 3:57 PM

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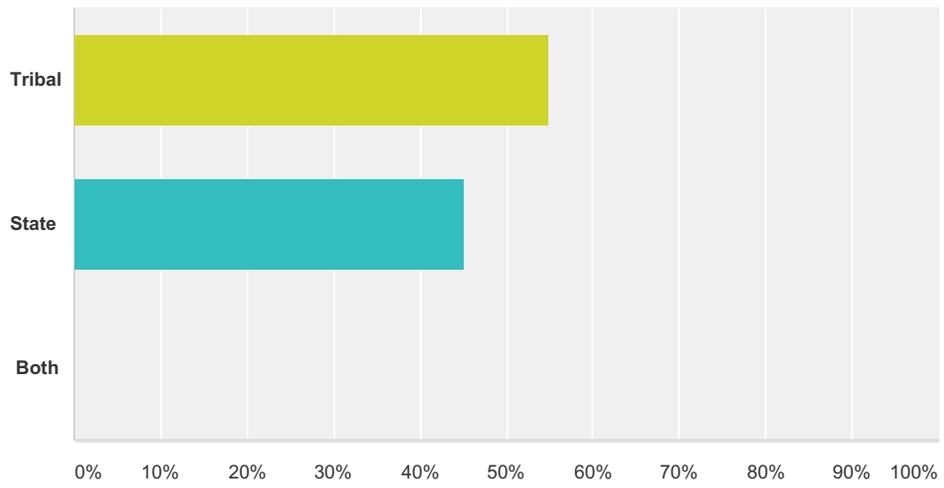
**Q2 Please list the name of your court
(Optional)**

Answered: 25 Skipped: 6

#	Responses	Date
1	Colorado River Indian Tribes	7/6/2016 5:29 PM
2	Oregon Judicial Department	6/22/2016 12:25 PM
3	Tribal Court	6/21/2016 1:04 PM
4	Suquamish Tribal Court	6/21/2016 10:14 AM
5	Oregon Supreme Court	6/20/2016 2:57 PM
6	New Mexico Court of Appeals	6/20/2016 2:04 PM
7	Leech Lake Tribal Court	6/20/2016 1:32 PM
8	Shoshone-Bannock Tribal Court	6/20/2016 1:07 PM
9	Red Lake Nation Tribal Court	6/17/2016 7:04 AM
10	Second District, Idaho	6/14/2016 11:07 AM
11	AZ Supreme court	6/13/2016 6:26 PM
12	Chemehuevi	6/13/2016 5:31 PM
13	Yurok Tribal Court	6/11/2016 9:22 AM
14	Montana Supreme Court	6/9/2016 8:26 AM
15	Prairie Band Potawatomi Nation	6/8/2016 9:39 AM
16	Shoshone-Bannock Tribal Court	6/7/2016 1:40 PM
17	District Court ND	6/7/2016 12:26 PM
18	Administrative Office of the Courts - New Mexico	6/7/2016 8:55 AM
19	Michigan-Cass County Probate and Circuit Court	6/7/2016 6:56 AM
20	Pokagon Band Tribal Court	6/7/2016 5:23 AM
21	Hoopa tribal court	6/6/2016 9:04 PM
22	California Court of Appeal	6/6/2016 7:44 PM
23	Colorado River Indian Tribes	6/6/2016 5:09 PM
24	CA Judicial Council	6/6/2016 3:57 PM
25	State District Coury	6/6/2016 3:43 PM

Q3 Are you from a tribal court or a state court?

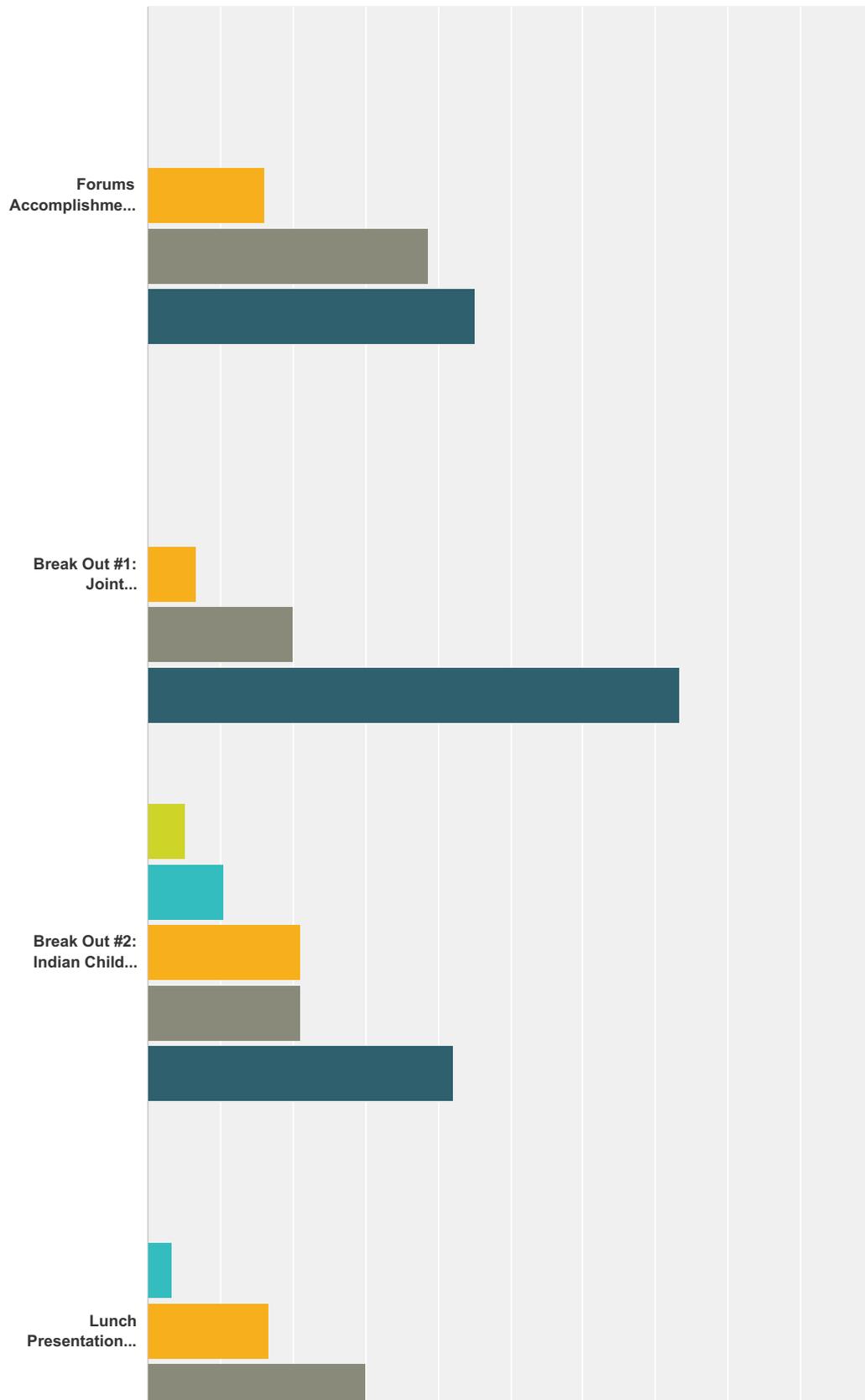
Answered: 31 Skipped: 0



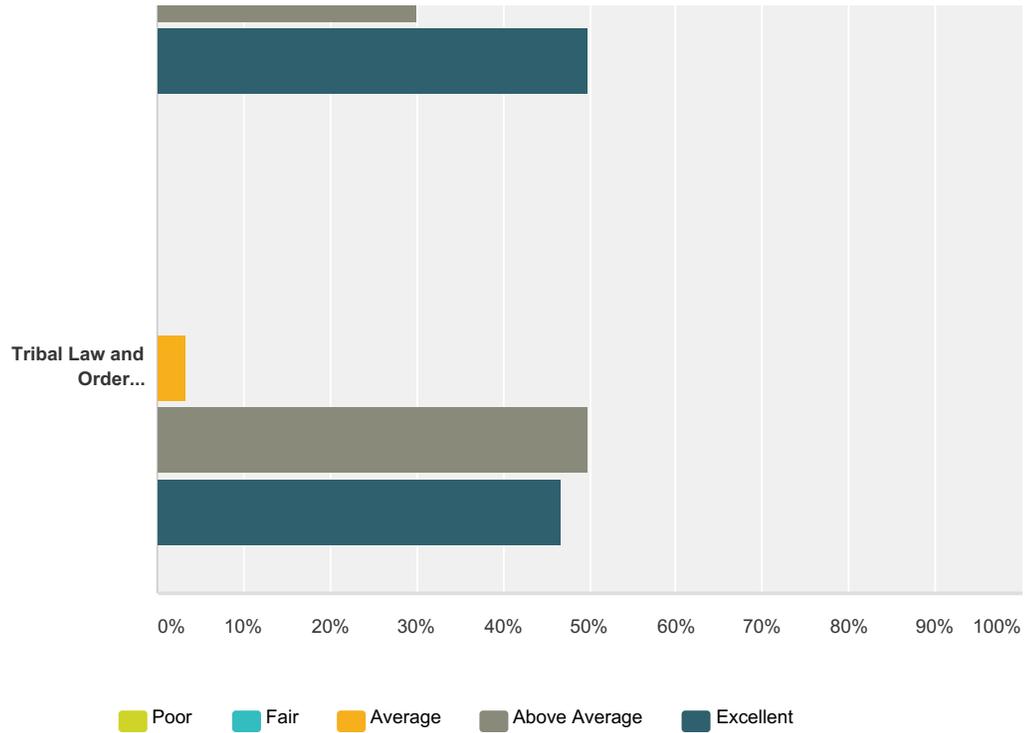
Answer Choices	Responses	
Tribal	54.84%	17
State	45.16%	14
Both	0.00%	0
Total		31

Q4 Please assess each of the sessions from Day 1 and 2

Answered: 31 Skipped: 0



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	Poor	Fair	Average	Above Average	Excellent	Total
Forums Accomplishments (when each forum gave a brief presentation)	0.00% 0	0.00% 0	16.13% 5	38.71% 12	45.16% 14	31
Break Out #1: Joint Jurisdiction Courts by Korey Wahwassuck	0.00% 0	0.00% 0	6.67% 1	20.00% 3	73.33% 11	15
Break Out #2: Indian Child Welfare Act - Kathryn Fort	5.26% 1	10.53% 2	21.05% 4	21.05% 4	42.11% 8	19
Lunch Presentation: Indian Child Welfare Act - Kathryn Fort	0.00% 0	3.33% 1	16.67% 5	30.00% 9	50.00% 15	30
Tribal Law and Order Act/Violence Against Women Act - Jerry Gardner and Chia Halpern Beetso	0.00% 0	0.00% 0	3.33% 1	50.00% 15	46.67% 14	30

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Q5 Please provide any additional comments for Day 1.

Answered: 21 Skipped: 10

#	Responses	Date
1	Would like to have attended both breakout sessions	7/6/2016 5:29 PM
2	My other Oregon partners who attended the Joint Jurisdiction Courts presentation raved about it and are trying to make it work in Oregon.	6/22/2016 12:25 PM
3	I wish that I was able to attend both break out sessions. The joint jurisdiction was a great session and I have let	6/21/2016 1:04 PM
4	It was extremely helpful to hear what other forums were doing. It also was also great to meet people from other jurisdictions that are involved in similar work. It was helpful to hear how state and tribal courts work together in the joint jurisdiction session.	6/21/2016 10:14 AM
5	Some of the Forums accomplishments were excellent and some not so. I believe that this is probably due to issues beyond the judges' control. It was exciting to see what can be accomplished if you have the "right stuff"	6/20/2016 6:39 PM
6	I was engaged in every minute of each session. All of the presenters packed his or her presentation with substantive content	6/20/2016 2:57 PM
7	Enjoyed the discussions and getting to know the other Judges	6/20/2016 1:07 PM
8	It was an excellent opportunity to hear all of the great ideas that other forums are working on. It was great to discuss the issues and share challenges as well. It was great to find out more information on the work of TLPI and the online resources that are available. I feel that we had good discussions and look forward to receiving more info.	6/17/2016 7:04 AM
9	Important introduction for me about what forums can do, potential areas of focus, simple, low-cost ways of increasing visibility and highlighting areas of common interest, and necessary emphasis of particular laws that affect both states and tribes.	6/14/2016 11:07 AM
10	Agree with comment that it would have been better not to need breakouts. Common knowledge better sets up second day discussion.	6/13/2016 6:26 PM
11	Very informative. A lot of good information. Should have not have separated the break-out sessions so that all participants could hear both segments.	6/13/2016 5:31 PM
12	We are one of the first so we have covered much of the ground others are coming to.....	6/11/2016 9:22 AM
13	I enjoyed hearing about what all of the states' councils do.	6/9/2016 8:26 AM
14	I didn't attend Judge Wahwassuck's presentation but have heard her present in the past and she did an excellent job.	6/8/2016 9:39 AM
15	I would go two or 2.5 days with more educational seminars and materials.	6/7/2016 12:26 PM
16	would have liked to sit in on Korey Wahwassuck's presentation too	6/7/2016 9:31 AM
17	Hearing others were great. It would be nice to have some time within our own state to see what we would like to pursue.	6/7/2016 8:55 AM
18	Very interesting. Judge Thorne is so nice and such a gentleman.	6/7/2016 6:56 AM
19	Very well organized and stayed on track. The transitions were perfect and maintained my interest.	6/7/2016 5:23 AM
20	Excellent job gathering the various forums and bringing us together to discuss issues in common	6/6/2016 9:04 PM
21	Great opportunity to network and learn from one another. Terrific job of TLPI and facilitator Judge Thorne in managing the group and supporting exchange of ideas.	6/6/2016 3:57 PM

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Q6 Day 2 consisted of more open discussion and wrapping up. Please provide any comments on Day 2.

Answered: 20 Skipped: 11

#	Responses	Date
1	Liked the chance to hear from others and to network.	6/22/2016 12:25 PM
2	At this time I don't remember specifics. I do remember how helpful it was to be with this group of people brainstorming solutions. It was inspiring to be with this group of people	6/21/2016 10:14 AM
3	I felt encouraged in some ways that a strong supported forum is not beyond our hopes and dreams. I hope my counter part in the State Court will maintain his enthusiasm. I believe he would have my sway with the powers that be.	6/20/2016 6:39 PM
4	Again, very substantive.	6/20/2016 2:57 PM
5	Loved the discussions.	6/20/2016 1:07 PM
6	I really enjoyed the connections that were made with the other judges and being able to meet others in person. I believe the forums will be a great support among the tribal courts when working with our various state courts, provide educational and relationship building within our jurisdictions. It will also provide as a forum for addressing complex legal issues that arise among tribal courts and the legal system that addresses jurisdiction, sovereignty, and positive solutions or the sharing of best practices. The information on possible resources for future forum support was also valuable. I look forward to continued discussion as the time together was short and a lot of information to absorb. Our next step locally is to absorb what was provided, continue to reach out to others involved and to report on the conference at our next tribal-state forum meeting in July. Mii gwech! (Thank you!)	6/17/2016 7:04 AM
7	Good exchange of ideas.	6/14/2016 11:07 AM
8	Best part of the conference. Better if participants had opportunity in advance to suggest topics for discussion and more time was provided for sharing of ideas. Also a tour of the info available on TLPI web site and discussion of what additional info and tools are needed would have been helpful.	6/13/2016 6:26 PM
9	It may have run a little long by the second day. Still it was fair to allow all the forums to present. Maybe shorten some of the presentation time.	6/13/2016 5:31 PM
10	see above	6/11/2016 9:22 AM
11	Same as above, plus learning more about how some of the councils are structured.	6/9/2016 8:26 AM
12	All the sessions were very informative. It provided me information that will allow me to better understand tribal issues.	6/8/2016 11:38 AM
13	I liked the presentations.	6/7/2016 1:40 PM
14	A listing of possible funding sources and contact people.	6/7/2016 12:26 PM
15	need more time to actually network one on one and meet with other forum members.	6/7/2016 9:31 AM
16	Open discussions were excellent.	6/7/2016 6:56 AM
17	Great topics! I felt like the topics were based on the need as determined the day before, which demonstrated flexibility. We were all interested in funding sources and developing/maintaining interest for the individual forum, and the day 2 discussion greatly met that need.	6/7/2016 5:23 AM
18	This realistically could have been an entire day within itself. the conversations were limited due to the time restraints. However, future dialog can pick where we left off	6/6/2016 9:04 PM
19	I felt the forum accomplishment presentations on day 2 were somewhat lost, as we had moved on to discussing more general problems and approaches. It would have been hard to include another four more groups on day 1; and the day one discussion at the end kept my interest; but it did seem oddly like we were going backward.	6/6/2016 7:44 PM
20	Terrific job of TLPI and facilitator Judge Thorne in managing the group and supporting exchange of ideas.	6/6/2016 3:57 PM

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Q7 Was there one presentation or exercise during the meeting that stood out as very useful?

Answered: 28 Skipped: 3

#	Responses	Date
1	The presentations from individual states about what they are working on was very useful.	6/22/2016 12:27 PM
2	Joint Jurisdiction	6/21/2016 1:04 PM
3	2nd day; Also, Jerry Gardner.	6/21/2016 11:18 AM
4	Again, the sharing from the different forums was very useful. I want to say that I am always impressed with the caliber of work that TLPI does. TLPI did an excellent job of orchestrating this meeting. I appreciate the chance to meet with people working on similar issues and to be with people who are working diligently and creatively to address issues relating to tribal court.	6/21/2016 10:18 AM
5	Michigan's presentation of their forum. Very exiting.	6/20/2016 6:42 PM
6	I found that listening to what other jurisdictions have attempted, accomplished, future plans, was especially helpful and they provided information we were either looking for or didn't realize we needed. The presentations provided NM with connections to other forums and their resources which is invaluable.	6/20/2016 2:24 PM
7	It was all very helpful, thank you for the opportunity	6/20/2016 1:32 PM
8	The Joint Jurisdiction Court	6/20/2016 1:08 PM
9	I really was interested in the presentation by Korey Wahwassuck on the Joint Jurisdiction Courts. It will be interesting to find out more about the details and challenges of those agreements. I also felt it would have been better to have the opportunity to attend the other breakout session on the ICWA as well. I also really enjoyed the group discussions on the role of forums and emerging issues.	6/17/2016 7:33 AM
10	Professor Fort's lunch talk on ICWA was a good look behind the curtain at what is happening around the country in these cases and the forces behind them. I heard her quite clearly: "Address an ICWA update at every forum!" I also appreciated the break out session on joint jurisdiction in the style of a specialty court, something I had not considered, but is innovative, effective, and practical.	6/14/2016 11:16 AM
11	Yes, the Day 2 discussion of ideas, though the sharing of information from each Court forum was a close second.	6/13/2016 6:30 PM
12	The ICWA information was very helpful, though at times there is a saturation on ICWA issues. Kate Fort is a tremendous resource, and it should be noted. The VAWA and TLOA overview by Jerry and the requirements for enhanced sentencing and enhanced jurisdiction were excellent and informative. I would like to have seen some discussion of the pending Bryant case before the U.S. Supreme Court on appointment of legal counsel for defendants in tribal court (which ruling was released today).	6/13/2016 5:34 PM
13	I think it is very difficult to accomplish much beyond sharing....	6/11/2016 9:24 AM
14	I forgot to mention that the court forums directory is a keeper! I really liked how each state's presentations were broken up into the categories that you listed, as a way to keep presentations focused. And on the second day the group brainstorming session about addressing challenges was informative.	6/9/2016 8:30 AM
15	Presentation by the Michigan forum was very informative.	6/8/2016 11:38 AM
16	How other jurisdictions have dealt with recognition of Tribal Court Judgments was useful. The TOLA/VAWA presentation was very useful as well.	6/8/2016 9:41 AM
17	TLOA - VAWA	6/7/2016 2:10 PM
18	Yes, the joint jurisdiction discussion. Please repeat the breakout sessions so I can get all the information.	6/7/2016 1:45 PM
19	Liked the noon ICWA--would have liked an outline of cases Summary /issues/conclusions	6/7/2016 12:31 PM
20	enjoyed hearing Judge Thorne's comments. I enjoyed hearing ND Chief Judge's comments- he was encouraging for some of the state judges I think.	6/7/2016 9:33 AM
21	The information during lunch was helpful; would have liked to have handouts so we could use as a reference when we got back.	6/7/2016 8:58 AM

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22	Each state presentation was useful. Every state gave a good idea.	6/7/2016 6:56 AM
23	The break out session for joint jurisdiction courts stood out as very useful. Although the example of this court was from a PL 280 state, the discussion included non-PL 280 states, including a grant source for developing such a non-PL 280 joint jurisdiction court. I was fascinated and inspired by this presentation. I learned a great deal and look forward to seeing more developments in this area for other courts.	6/7/2016 5:25 AM
24	Discussion of the strengths and weaknesses /obstacles was most useful as there appeared to be many commons threads among the various forums.	6/6/2016 9:07 PM
25	The joint jurisdiction presentation was terrific -- to learn the history and background of what is going on in El Dorado County/Shingle Springs here in California. I'm just sorry Christine and Suzanne weren't able to be here.	6/6/2016 7:46 PM
26	I appreciated the opportunity to speak with counterparts from other tribes regarding similar issues.	6/6/2016 5:10 PM
27	This comment is less about a particular presentation, and more about how helpful it was to learn how other forums handled comity/full faith and credit through legislation or rule of court. Exploring funding always a help.	6/6/2016 3:59 PM
28	Judge Thorne always does s nice job.	6/6/2016 3:43 PM

National Convening of Tribal-State Court Forums

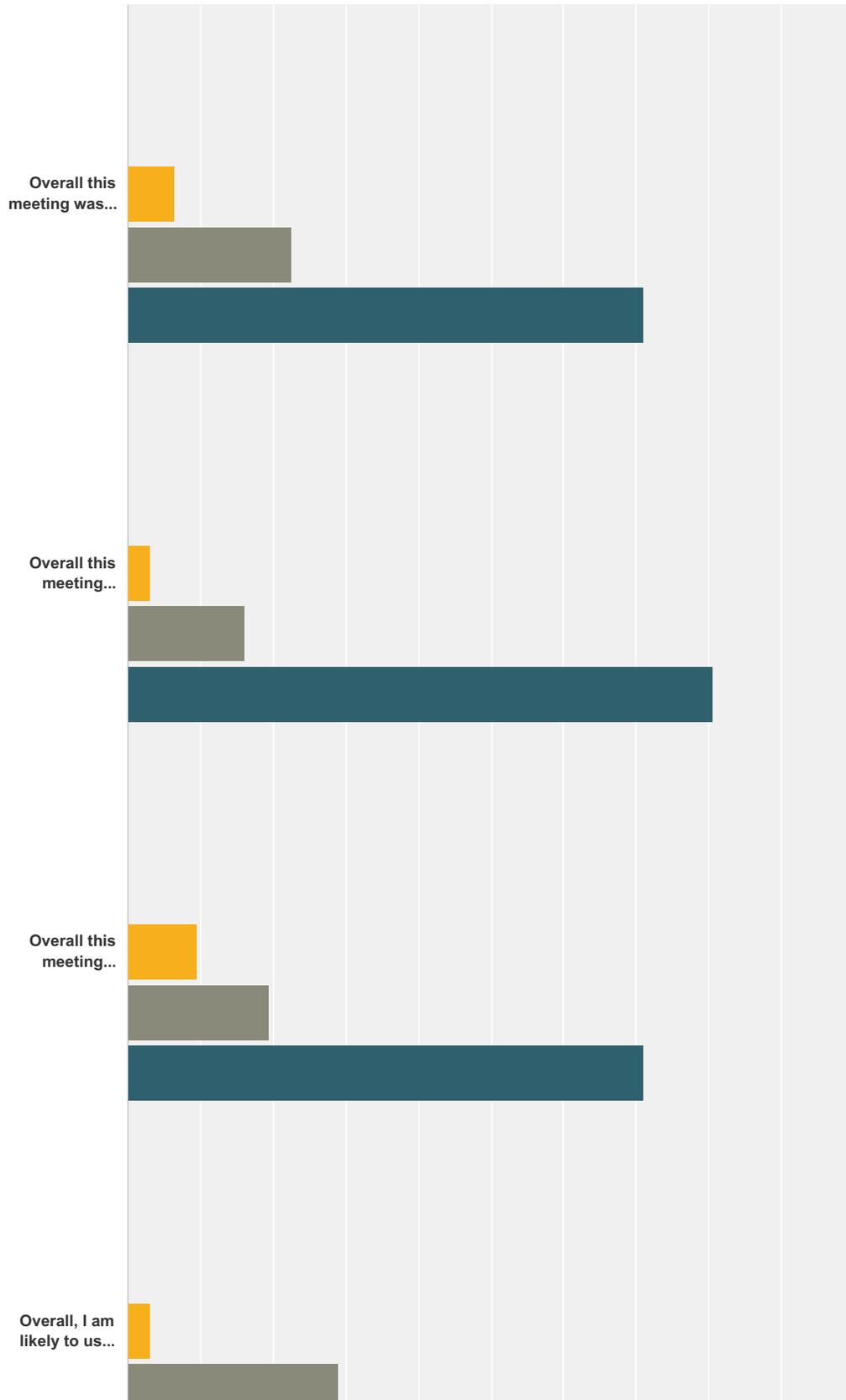
Q8 Was there one presentation or exercise during the meeting that was less useful for you?

Answered: 25 Skipped: 6

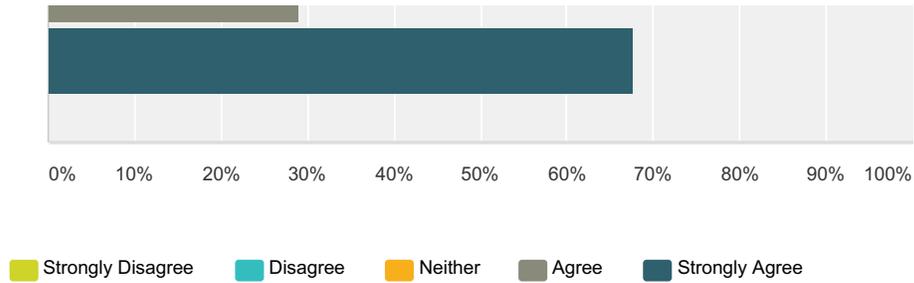
#	Responses	Date
1	The ability to share information	7/6/2016 5:29 PM
2	Kathryn's presentation was unorganized. She was expecting people to ask questions and they weren't engaged. I've seen her present before and she was very dynamic and engaging, but it was just off this time for me.	6/22/2016 12:27 PM
3	Fort break out.	6/21/2016 11:18 AM
4	The VAWA and TOLA conversation, only because I am familiar with these topics and have been attending the ITWG meetings. The presentation was excellent!	6/21/2016 10:18 AM
5	Yes, my own. It was difficult to give a presentation when our state doesn't really have one. It was like driving blind. I felt extremely unprepared and was very embarrassed and feel like I wasted everyone's time. Sorry.	6/20/2016 6:42 PM
6	The one and a half day was all worthwhile.	6/20/2016 2:24 PM
7	Nope	6/20/2016 1:32 PM
8	TLOA	6/20/2016 1:08 PM
9	No, I believe it was all very useful, especially hearing what other forums have done or are planning to do in developing forums. It is helpful to share what has been accomplished so we may not have to reinvent some things that are already proven as good practice. Building relationships and having a real person to meet other than just online is especially valuable and allows for more follow up discussion on unique circumstances. It was good to meet the staff from TLPI and everyone that participated.	6/17/2016 7:33 AM
10	It was all useful because so much of it was new. I would emphasize that the forum presentations be "brief," so we could have more concrete and substantive stuff to carry back to our forums. But I did get many good ideas from other forums to try out in our forum, so I did appreciate hearing from the other forums.	6/14/2016 11:16 AM
11	The one on ICWA I didn't get to see.	6/13/2016 6:30 PM
12	No.	6/13/2016 5:34 PM
13	I liked meeting the other judges from distant jurisdictions....and felt bad for those that did not have any staff, but the truth of the matter is that those that do have staff have it because Indian programs/monies create them.....so am just hoping we are all correct in spending funds for this purpose as opposed to direct services....so far I am thinking they result in better services so that works...???? hope I am right over time.	6/11/2016 9:24 AM
14	The ICWA break-out wasn't really a presentation. She just asked participants whether there were any issues anyone wanted to discuss. I didn't learn much.	6/9/2016 8:30 AM
15	I thought all of the information was relevant and useful. I would have liked an additional 1/2 day for a full 2-day conference.	6/8/2016 9:41 AM
16	TLOA	6/7/2016 1:45 PM
17	I am not sure I learned much from the state forum outlines	6/7/2016 12:31 PM
18	sometimes best to keep comments at the end of a presentation. Some folks comment alot and would be nice to hear more of the presenter then questions asked at end of presentation.	6/7/2016 9:33 AM
19	ICWA breakout could have contained more information (example ICWA Curriculum and how we could use it in out states).	6/7/2016 8:58 AM
20	I am sorry we didn't get to her both breakouts.	6/7/2016 6:56 AM
21	N/A	6/7/2016 5:25 AM
22	Not that I can think of	6/6/2016 9:07 PM
23	The special jurisdiction VAWA discussion was very interesting (I'm something of a law geek); but none of our California tribal courts is exercising that jurisdiction. So as a practical matter it didn't help.	6/6/2016 7:46 PM

Q9 Please indicate your agreement with the following statements.

Answered: 31 Skipped: 0



National Convening of Tribal-State Court Forums

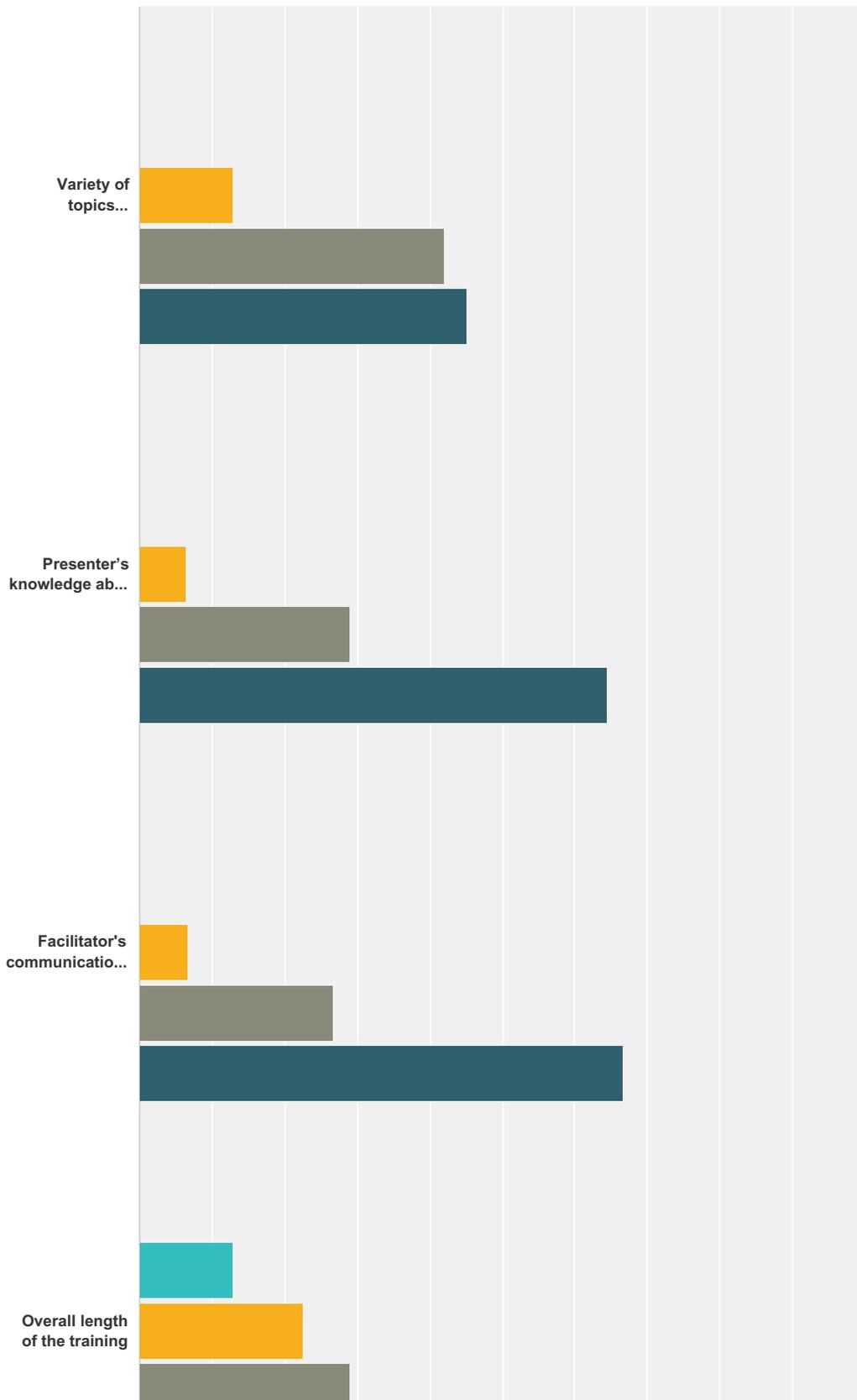


	Strongly Disagree	Disagree	Neither	Agree	Strongly Agree	Total
Overall this meeting was relevant to my work with the court forum.	0.00% 0	0.00% 0	6.45% 2	22.58% 7	70.97% 22	31
Overall this meeting provided me with information that will help me with the court forum.	0.00% 0	0.00% 0	3.23% 1	16.13% 5	80.65% 25	31
Overall this meeting increased my knowledge and skills on the topics presented.	0.00% 0	0.00% 0	9.68% 3	19.35% 6	70.97% 22	31
Overall, I am likely to use what I learned from this meeting.	0.00% 0	0.00% 0	3.23% 1	29.03% 9	67.74% 21	31

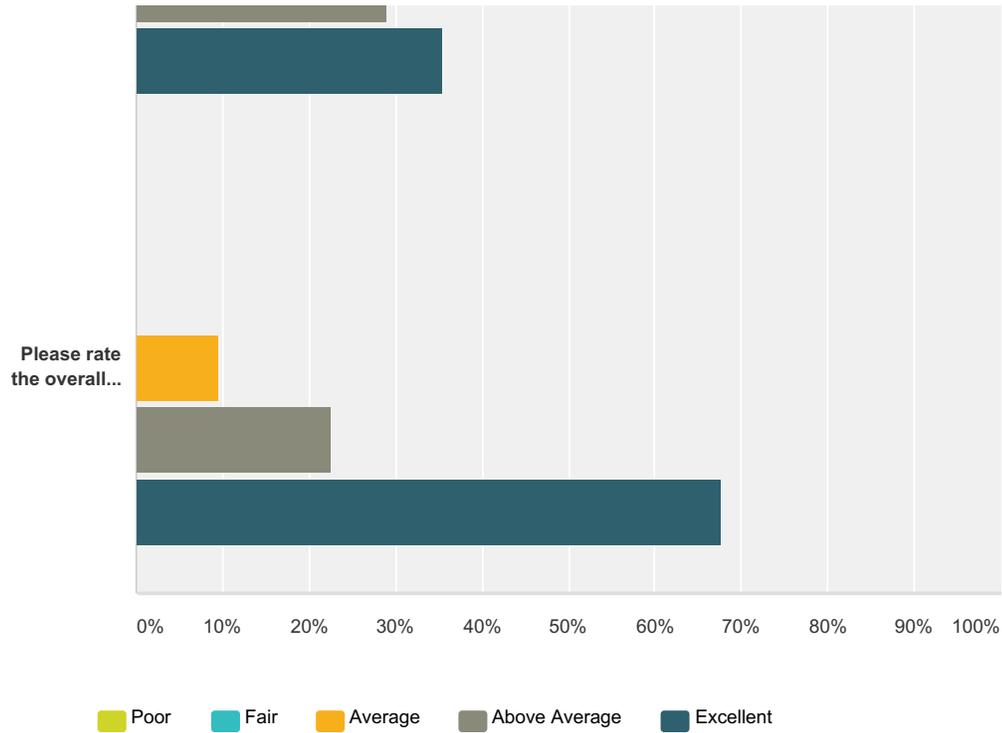
#	Additional Comments?	Date
1	Thank you so much for the invitation and bringing us all together. NM appreciates all your work.	6/20/2016 2:26 PM
2	Thank you	6/20/2016 1:33 PM
3	Have two break out sessions so we can go to both.	6/20/2016 1:09 PM
4	I also see the forum as a great educational piece that will pass and support experience and knowledge forward to new members both locally and among the other forums. It will be good if we can have the support to continue finding ways to convene. When first appointed as a judge, I attended the Judicial College course in Reno and my interaction with all of the tribal judges that were in attendance was very helpful. Many times it is isolating to be so busy, overly busy in our own courts that it is energizing to find out better ways and meeting with others with the same challenges in balancing work and home. It was great, time was short, the venue at the hotel was great. It was a little crowded and stuffy at the State building	6/17/2016 7:52 AM
5	Again, thank you for an excellent conference. Honestly, there is so much to cover that another day could be filled with useful education, especially because so many came so far. I also very much appreciate all of the written material and connections to additional resources. Now, if I could only slow down my day job so I could circle back to all of it. It was a real pleasure meeting you all and being energized by your good work. Thank you for everything.	6/14/2016 11:23 AM
6	I think a yearly session would be very beneficial. It is so helpful to hear about other forums and a personal meeting is the best way to accomplish this.	6/8/2016 9:43 AM
7	Nice hosts.	6/7/2016 6:58 AM
8	I am not a judge, but will be am in the beginning stages of assisting the forum with more administrative duties. However, this forum allowed me to have a broader knowledge of these forums' roles and what they have accomplished already. I was impassioned by all of the work and success these forums have accomplished. I actually feel prepared to discuss ideas with the Michigan forum, if given the opportunity, as a result of all the information I gained at this event.	6/7/2016 5:40 AM
9	Very well done. Pacing was good; kept me engaged all day Thursday (and Friday, as well).	6/6/2016 7:48 PM
10	BIG BIG Thank YOU!	6/6/2016 4:00 PM
11	Location was difficult to get to due to traffic. Biltmore is beautiful. The Annotated Directory is terrific. Would liked to have had more on the hard part of Tribal-State forums. For instance, on tribal courts that are behind in their due process protocol.	6/6/2016 3:50 PM

Q10 Please rate the meeting on the issues below.

Answered: 31 Skipped: 0



National Convening of Tribal-State Court Forums



	Poor	Fair	Average	Above Average	Excellent	Total
Variety of topics presented overall	0.00% 0	0.00% 0	12.90% 4	41.94% 13	45.16% 14	31
Presenter's knowledge about the topics.	0.00% 0	0.00% 0	6.45% 2	29.03% 9	64.52% 20	31
Facilitator's communication of information overall	0.00% 0	0.00% 0	6.67% 2	26.67% 8	66.67% 20	30
Overall length of the training	0.00% 0	12.90% 4	22.58% 7	29.03% 9	35.48% 11	31
Please rate the overall quality of this training	0.00% 0	0.00% 0	9.68% 3	22.58% 7	67.74% 21	31

#	Additional Comments?	Date
1	The most helpful part was the report outs. As a new forum it gave us lots of ideas. The ability to network was also very important.	6/22/2016 12:31 PM
2	I wished we had a little more time to discuss topics.	6/21/2016 1:05 PM
3	I think I made most of my comments before. It was inspiring and humbling to be with people across the country who are working on similar issues. I am always impressed with the excellent work that TLPI and staff do to coordinate meetings. I am deeply appreciative of the work TLPI does for Indian Country. Thank you to all those who were involved!!	6/21/2016 10:26 AM
4	Even with all of our busy schedules, another half day would have been great to interact and share even more information.	6/20/2016 2:26 PM
5	It was a short meeting and it would have been nice to attend the two sessions, mix everyone up for different discussions so we could meet more with others. We did not have the opportunity to meet everyone unless we went out of our way to do so.	6/17/2016 7:52 AM
6	Great!	6/14/2016 11:23 AM

National Convening of Tribal-State Court Forums

7	One topic area that might be of interest is on Federal Laws of General Application to Tribes. Not all federal laws apply to Tribes, though most do. Some specifically included Tribes, and there is a legal test for when the statute is silent. A survey or session on current federal laws and application to tribes (and tribal courts) would be helpful. I don't know if any other judges would want this type of training, but there are some laws could go either way, like the Soldiers and Sailors Relief Act.	6/13/2016 5:42 PM
8	Again, a full 2-day training might allow for more one-on-one conversations with other judges.	6/8/2016 9:43 AM
9	Would like two full days so were not as rushed.	6/7/2016 1:46 PM
10	should extend to 2 full days	6/7/2016 9:35 AM
11	I wish there would have been two full days. However, given the time it was organized well and never felt rushed; I just think more topics could have been discussed and/or examined more.	6/7/2016 5:40 AM
12	The event could have benefited from two full days. The second day only started dialog before we had to leave	6/6/2016 9:09 PM

National Convening of Tribal-State Court Forums

Q11 Please list any topics you would like to see covered at future tribal-state court national convening.

Answered: 17 Skipped: 14

#	Responses	Date
1	Juvenile Justice Reform, Court performance standard NCSC	7/6/2016 5:31 PM
2	more report outs challenges and successes	6/22/2016 12:31 PM
3	Juvenile Justice issues	6/20/2016 1:09 PM
4	trust issues and delegation of power to states, forum support	6/17/2016 7:52 AM
5	More current legal developments across the county: tribal, state, federal.	6/14/2016 11:23 AM
6	More information and discussion on how to successfully deal with the challenges identified at this meeting.	6/13/2016 6:36 PM
7	See Above. I made my comment in the wrong box.	6/13/2016 5:42 PM
8	funding sources/mentoring/joint courts more	6/11/2016 9:26 AM
9	Since our council is only in its infancy, I can't think of future topics. I think it's always important, however, to share updates with all of the councils. I thought that Judge Fagg of MT brought up some interesting points during our presentation that could be further explored because his experiences are not unusual in MT.	6/9/2016 8:32 AM
10	Forum staff training.	6/8/2016 9:43 AM
11	Title IV-E	6/7/2016 2:12 PM
12	More time for open discussions and smaller groups.	6/7/2016 1:46 PM
13	Recommendations from experts (example: Len Edwards)	6/7/2016 9:00 AM
14	concurrent jurisdiction	6/7/2016 6:58 AM
15	Civil issues- such as divorce cases filed in tribal court when one party is a recipient of state social services.	6/7/2016 5:40 AM
16	Funding opportunities	6/6/2016 9:09 PM
17	It should happen again.	6/6/2016 5:11 PM

National Convening of Tribal-State Court Forums

Q12 Other comments.

Answered: 9 Skipped: 22

#	Responses	Date
1	Great learning opportunity and wonderful hotel. Thank You!	6/22/2016 12:31 PM
2	Thank you for your kindness and generosity.	6/14/2016 11:23 AM
3	I would love to attend another one! Thank you!	6/9/2016 8:32 AM
4	I appreciate that travel costs per paid for by TLPI - thanks!	6/8/2016 9:43 AM
5	Great discussion and ideas presented. Gathering of judges creates understanding and then agreement.	6/7/2016 2:12 PM
6	Would like to see Council members attend one day so they can be educated on Tribal Court issues and the dangers of interference with Tribal Court.	6/7/2016 1:46 PM
7	Would like a listing of state and tribal court agreements	6/7/2016 12:34 PM
8	none	6/7/2016 6:58 AM
9	None	6/6/2016 9:09 PM

Analysis: Recommendations

(From 2012 Tribal-State Working Group Meeting)

This section discusses what can be done to encourage tribal court and state court collaborations and collaborations between the two justice systems. The first part of this section describes actions that could be taken by a state, tribal, or federal government that would encourage collaborations between the tribal and state justice systems. Funding for the actions may come from the federal government or other sources. The second part of this section specifically discusses recommendation for resources that could be helpful in developing or sustaining collaborations between the two justice systems. An emphasis was placed on starting small and starting local. The working group discussed the issues and most of these recommendations reflect major ideas of the group. However, the group was generating ideas, and was not focused specifically on who should act and how something should be done. This section takes the ideas generated and recommends action for the state, Indian nation, or federal government.

Recommendations for States:

1. State Supreme Courts should encourage local innovation and local collaborations within their state and build on local successes.
2. Court forums and collaborations should look at the whole justice system because implementation of any project generally deals with more than courts.
3. State Supreme Courts should prepare a report describing all tribal court and state court collaborations within their state—broadening that to look at the system of justice (not just courts). This could be coordinated by the Conference of Chief Justices.
4. Invite Judge Thorne or another expert to state judicial conferences for a plenary or workshop; talk about why collaboration is important; and invite the tribal judges for a presentation and/or round table.
5. Identify state and tribal judges who can serve as conveners on important issues in need of collaboration for resolution.
6. Ensure that successful collaborations are written about in professional journals, newsletters, the Walking on Common Ground website, court websites, judges associations,

tribal websites, the national Court Appointed Special Advocates newsletter, blogs read by Native leaders, and so forth.

7. Encourage the teaching of Indian law and history in law schools. Add Indian law to the bar exam in states with a substantial Indian population. Encourage the state bar to organize an Indian law section of the bar association. Ensure that ICWA is taught in family and children law classes.
8. Develop an award for innovation in tribal and state court collaborations and provide recognition of success at the judicial conference. Honor tribal and state court justice collaborations that benefit the state and Indian nation.

Recommendations for Indian Nations:

1. Tribal legislative branches as well as judicial branches need to come to the table willing to problem solve with local justice systems to find local solutions.
2. Legislative branches need to focus on developing codes in areas where collaboration is most needed and likely to work.
3. Ensure that successful collaborations are written about in professional journals, newsletters, the Walking on Common Ground website, court websites, judges associations, tribal websites, national organization blogs read by Native leaders, and so forth.
4. Teach Indian law and history in tribal colleges.
5. Honor successful tribal-state collaborations that positively impact the tribe.
6. Provide funding to bring in speakers to state judicial conferences or state forums on issues related to collaborations.
7. Explore the possibility of intertribal codes—there are some examples in California of tribes combining justice systems and codes, yet maintaining cultural norms.
8. Pursue intertribal collaborations in the justice system, as well as tribal-state collaborations.

Recommendations for Federal Agencies:

1. Ensure funding streams support local justice collaborations.

2. Provide funding for tribal code development on topics where collaboration is most needed and likely to work, particularly in PL 280 states.
3. Encourage grantees through grant objectives to write about successful collaborations and to distribute short articles to various sources to spread the word to key professionals.
4. Support intertribal collaborations in the justice system.
5. Continue funding Walking on Common Ground conferences, but seek legislative involvement as well as court involvement in the conferences, possibly regionally focused.
6. Provide funding for more opportunities for judges involved in collaborations to learn from each other. Follow up next year with a meeting, possibly combining it with the regional conference planned by Fox Valley Technical College in Wisconsin.
7. Provide funding to bring in speakers on tribal-state justice collaborative topics to regional or state forums or other statewide conferences.
8. Provide financial resources to permit tribal judges to attend, speak, and participate in state judges' judicial forums. Opportunities such as these will not only educate others, but also will build relationships.
9. Provide financial resources to pay for transportation to collaborative meetings and trainings. Face-to-face meetings are critical in developing relationships.
10. Provide financial resources to pay for staffing of the collaboration. Providing funding to help provide staffing for collaboration will ensure that the project moves forward at a reasonable speed and staff can help in ensuring good communication.

Recommendations for the Conference on Chief Justices:

1. Ask all Chief Justices to prepare a report describing all current tribal and state court collaborations within their state and prepare a full report of the collaborations, include in that report information on the teaching of Indian law in law schools or tribal colleges within each state, the existence of Indian law sections of bar associations, and state judicial education on Indian law issues.
2. Develop a national award for effective or innovative tribal-state court collaborations.

Tribal State Court Forums: Overview

State	Year Formed	Membership	Authority	Key Accomplishments
Arizona	1990	Four federal members, six state members, at least seven tribal members, one State Bar member, and two public members.	AZ Supreme Court Administrative Order No. 2007-25	<ul style="list-style-type: none"> ✓ Enforcement of tribal court involuntary commitment orders ✓ Indian law question on the state bar examination ✓ Extradition statute for persons to and from Indian jurisdiction ✓ State rule on certification of questions of law from federal & tribal courts ✓ State rule for the recognition of tribal court civil judgments
California	2010	Over thirty members—all tribal and state court judges - and one non-judicial member.	Rule of Court, Rule 10.60. Tribal Court-State Court Forum	<ul style="list-style-type: none"> ✓ Curriculum on civil and criminal jurisdiction in a Public Law 280 State ✓ Tribal specific data on domestic violence ✓ California Courts protective order registry ✓ Tribal advocates curriculum ✓ Tribal communities and domestic violence judicial bench guide ✓ Judicial toolkit on Federal Indian law ✓ Rule governing Title IV-D case transfers to tribal court ✓ Tribal Court Civil Money Judgment Act ✓ Cross-cultural court exchanges
Idaho	1993	Tribal and state court judges; rep from the U.S. District Court; Prof (serves as a consultant).	Supreme Court of Idaho Court Order	<ul style="list-style-type: none"> ✓ Idaho Tribal-State Court Bench Book 2014 Edition ✓ As a committee of the State Supreme Court, the Forum can propose rules and action to the Supreme Court's Administrative Conference for consideration ✓ Standardized domestic violence protection orders

Tribal State Court Forums: Overview

State	Year Formed	Membership	Authority	Key Accomplishments
Michigan	2014 (similar project began in 1992)	Equal Tribal and State Court judge participation.	Administrative Order No. 2014-12	<ul style="list-style-type: none"> ✓ Creation of the State Bar American Indian Law Standing Committee ✓ Creation of the State Bar American Indian Law Section ✓ Michigan Judicial Institute makes training available to tribal court judges ✓ MI Court Rule 2.615: provides for recognition of tribal court judgments ✓ Annual MI Bar Directory information about tribal courts and governments ✓ Addition of federal forum members
Minnesota	Informally in 1996.	Tribal and state court judges.	State participants recognized by the SC in 2002. Included in 2013 MN Supreme Court's Strategic Plan	<ul style="list-style-type: none"> ✓ Developed state comity rule, adopted in 2004. ✓ Advocated for the full implementation of the Minnesota Indian Family Preservation Act. ✓ Providing on-going judicial education regarding Tribal Courts.
New Mexico	2006	14 members: equal state and tribal participation	State Supreme Court Order No. 8500	<ul style="list-style-type: none"> ✓ Formally recognized as a Supreme Court advisory body in 2006 ✓ Received Outstanding Criminal Justice Program Award from the National Criminal Justice Associate in 2013 ✓ Uniform first page for domestic violence protection orders ✓ ICWA bench cards ✓ Travel scholarships for 6-16 trial judges to participate in training events

Tribal State Court Forums: Overview

State	Year Formed	Membership	Authority	Key Accomplishments
New York	2003	State, tribal and federal court judges and reps from state agencies.	The state court judges are currently working on institutionalizing the Forum with the adoption of a court rule or administrative order.	<ul style="list-style-type: none"> ✓ Adoption of legislation recognizing tribal marriages ✓ A court comity rule for recognition of tribal court judgments ✓ A special edition of the New York State Bar Journal on ICWA, with articles authored by forum members ✓ ICWA training for attorneys, child care professionals, and judges ✓ Listening Conference for state, federal, and tribal court judges and justice system personnel.
North Dakota	1993	18 members: tribal & state court judges, reps of tribal and state court admin. support; 3 public members w/ interest/expertise in tribal/state judicial systems.	State Supreme court Administrative Rule of the Court 37	<ul style="list-style-type: none"> ✓ Amended civil procedure rules that mandate recognition of tribal court orders and judgments ✓ Developing a protocol for child support collection
Utah	2011		None.	<ul style="list-style-type: none"> ✓ Statewide ICWA assessment ✓ ICWA training for all state court judges and child welfare attorneys ✓ Annual Indian Child Welfare Conference ✓ Successful recruitment of Native American foster homes
Wisconsin	1996 (Reestablished)	Equal tribal and state judge participation; tribal attorney; leg liaison; a dist. court admin; and the director of state courts	None.	<ul style="list-style-type: none"> ✓ Discretionary Transfer of Civil Cases to Tribal Court – which allows for transfer through the application of enumerated standards (AKA “Teague Protocol”).