

# CALIFORNIA TRIBAL COURT/STATE COURT FORUM

## Forum E-Update

JUNE 2013

### CALIFORNIA TRIBAL COURT/STATE COURT FORUM

HON. RICHARD C. BLAKE  
Cochair

HON. DENNIS M. PERLUSS  
Cochair

Hon. Abby Abinanti  
Hon. April E. Attebury  
Hon. Mitchell L. Beckloff  
Hon. Jerilyn L. Borack  
Hon. Anthony J. Brandenburg  
Hon. Leonard P. Edwards (Ret.)

Volunteer Mentor Judge  
Hon. Kimberly A. Gaab  
Hon. Michael Golden  
Hon. Cynthia Gomez  
Mr. Olin Jones  
Hon. Suzanne N. Kingsbury  
Hon. William Kockenmeister  
Hon. James R. Lambden  
Hon. Anthony Lee  
Hon. Lester J. Marston  
Hon. Robert Moeller  
Hon. David E. Nelson  
Hon. Kimberly J. Nystrom-Geist  
Hon. Deborah A. Ryan  
Hon. Deborah L. Sanchez  
Hon. Dean T. Stout  
Hon. Allen H. Sumner  
Hon. Juan Ulloa  
Hon. Claudette C. White  
Hon. Christine Williams  
Hon. Christopher G. Wilson  
Hon. Joseph J. Wiseman  
Hon. Sarah S. Works

### FORUM PROPOSALS

**SB 406:** The California Judicial Council approved sponsoring legislation to provide a streamlined procedure for the recognition and enforcement of tribal court civil judgments. The council report can be found at:

<http://www.courts.ca.gov/documents/jc-20121214-itemG.pdf>. This legislative proposal has since been introduced by Senator Noreen Evans, chair of the Senate Judiciary Committee, and can be found here:

[http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb\\_0401-0450/sb\\_406\\_bill\\_20130220\\_introduced.pdf](http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_0401-0450/sb_406_bill_20130220_introduced.pdf)

**Child Support:** Proposed New Rule for Title IV-D Case Transfers to Tribal Court will be posted for public comment (April 19, 2013 - June 19, 2013).

<http://www.courts.ca.gov/documents/Tribal-ITC-FLIV-D.pdf>

**Psychotropic Medication:** Proposed Revised Rules and Forms Relating to Notice of Indian Tribes will be posted for public comment (April 19-June 19).

<http://www.courts.ca.gov/documents/PsychotropicMedsProposal.pdf>

**Tribal Access to Confidential Juvenile Court Files:** Proposed Amendments to Section 827 of the Welfare and Institutions Code will be posted for public comment (April 19-June 19).

<http://www.courts.ca.gov/documents/Tribal-ITCWIC827Draft.pdf>

### FORUM EVENTS

#### Cross-Cultural Court Exchanges

The forum has planned a series of local tribal court/state court exchanges to both model the collaborative relationships among tribal and state court judges at a local level and foster partnerships among tribal and non-tribal agencies and service providers. Through these exchanges, which are judicially-convened on tribal lands, participants identify areas of mutual concern, new ways of working together, and coordinated approaches to enforcing tribal and state court orders. Since no court order is self-executing, these exchanges serve to support both state and tribal courts by ensuring that those who are providing court-connected services are working together to meet the needs of their tribal communities regardless of whether citizens walk through the tribal or state courthouse doors.

Forum members, Judge Claudette White, Chief Judge of the Quechan Tribal Court, and Judge Juan Ulloa, Judge of the Superior Court of Imperial County co-hosted the first exchange. Forum members, Judge Abby Abinanti, Chief Judge of the Yurok Tribal Court and Judge Christopher G. Wilson co-hosted the second exchange. The third exchange will be co-hosted by Judge Richard C. Blake and Judge Christopher G. Wilson. The next exchange is tentatively scheduled on:

Date: September 12, 2013  
Time: 9:00 a.m. – 5:00 p.m.  
Where: Hoopa Reservation

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## JUDICIAL COUNCIL ADMINISTRATIVE OFFICE OF THE COURTS

JUDICIAL COURT OPERATIONS

SERVICES DIVISION

CENTER FOR FAMILIES,

CHILDREN & THE COURTS

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San Francisco, California 94102

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Tribal/State Programs Link:  
[http://www.courts.ca.gov/progr  
ams-tribal.htm](http://www.courts.ca.gov/progr<br/>ams-tribal.htm)

## OTHER ANNOUNCEMENTS

### Indian Child Welfare Act (ICWA) Conference

**June 25 - 27, 2013**

This year's 20th Annual Statewide Indian Child Welfare Act (ICWA) Conference is hosted by the Pechanga Band of Luiseño Indians and held at the Pechanga Resort and Casino in Temecula, California. For registration and other conference information, visit the Pechanga Tribe's home page at <http://www.pechanga-nsn.gov/page?pageId=542>

### National: Disproportionality Rates for Children of Color in Foster Care 2013 Technical Assistance Bulletin

The National Council on Juvenile and Family Court Judges just published Disproportionality Rates for Children of Color in Foster Care Technical Assistance Bulletins, which identify the disproportionality rates for all state and select Model Courts across the Country. This Bulletin, released May 2013, uses the most current (2011) Adoption and Foster Care Reporting System (AFCARS) data and 2011 census data estimates to calculate current disproportionality indexes for every state and select Model Courts across the country. The Bulletin makes comparisons between 2000 and 2011 disproportionality rates to illustrate changes that have occurred in the last decade regarding over-representation of children of color in the foster care system and illustrates the differences in disproportionality rates (when data are available) between the Model Courts and their respective states. See link: <http://www.ncjfcj.org/resource-library/publications/disproportionality-rates-children-color-foster-care-2013-technical>

### CA: Disproportional Placements of Native American Foster Youth in Non-Native Homes

Last year, 439 Native American children entered foster care in California, according to the Child Welfare Dynamic Report System (CWDRS), collaboration between the Child Welfare Dynamic Report System (CWDRS) California Department of Social Services and the University of California at Berkeley. Though the number may seem small, it's disproportionately high, given that Native Americans make up only 1.7 percent of the state's population. See news article <http://oaklandnorth.net/2013/05/28/native-american-child-adoption-law-presents-extra-challenges-for-taxed-system/> and examine data from the statewide database and reporting system: [http://cssr.berkeley.edu/ucb\\_childwelfare/](http://cssr.berkeley.edu/ucb_childwelfare/)

These programs are supported with funds from the Office on Violence Against Women, U.S. Department of Justice that are administered through the California Emergency Management Agency (CalEMA), the U.S. Department of Health and Human Services, Court Improvement Program, and the California Department of Social Services.

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## **ICWA Educational Resource Video - Bringing our Children Home: An Introduction to the Indian Child Welfare Act**

This ICWA educational resource video is the culmination of the ongoing collaboration between the Mississippi Courts, Child Welfare Agency, and the Mississippi Band of Choctaw Indians in consultation with the National Resource Center on Legal and Judicial Issues and the National Resource Center for Tribes. The video was produced by Mad Genius, Inc., Ridgeland, Mississippi. The video will be a companion to the National ICWA Judicial Curriculum currently in development, a resource designed for state court judges, courts, and judicial educators.

[http://courts.ms.gov/trialcourts/youthcourt/youthcourt\\_vcvideos.html](http://courts.ms.gov/trialcourts/youthcourt/youthcourt_vcvideos.html)

## **Free Training on Organizational Sustainability to Address Violence Against Women September 5-7, 2013, San Francisco, deadline to apply: July 8, 2013**

This training, presented by the U.S. Department of Justice, Office on Violence Against Women, in partnership with Futures Without Violence, is an interactive 2.5 days training with six months follow up support on action plans to enhance organizational infrastructure and provide institutional sustainability support for community based organizations working with underrepresented and underserved populations. For more information and to apply online

<http://www.futureswithoutviolence.org/content/features/detail/1975/>

## **Tribal Access to Federal Criminal Justice Databases Webinar**

**June 25, 2013, 3:00–4:30 p.m. Eastern time**

This webinar will focus on the barriers that tribes face in gaining access to national databases and the steps that tribes can take to start overcoming these challenges.

<https://www.ncjrs.gov/App/EventsCalendar/CalendarSearchDetail.aspx?strConfID=22431>

## **Addiction in Indian Country: Tribal Justice Survey**

The National Tribal Judicial Center at The National Judicial College (NTJC/NJC), with funding support from the Bureau of Justice Assistance (BJA), is conducting an on-line survey to assess training needs on addiction related issues and tribal justice systems. You can access the survey by following this link: <https://www.surveymonkey.com/s/YGT78KD>

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## GRANT OPPORTUNITIES

### **Edward Byrne Justice Assistance Grant (JAG) Program**

**Deadline: July 9, 2013**

The Bureau of Justice Administration posted the FY 2013 State and Local Edward Byrne Memorial Justice Assistance Grant (JAG) Program solicitations and allocations, along with respective application due dates. BJA's JAG Program is a source of federal justice funding to state, local, and tribal jurisdictions and supports a range of program areas including law enforcement, prosecution and courts, prevention and education, corrections and community corrections, drug treatment and enforcement, planning, evaluation, technology improvement, and crime victim and witness initiatives. In FY 2013, there are a total of 56 states/territories and 1,183 local applicants (accounting for disparate groupings) eligible for JAG funds, with a total of \$278.39 million available (approximately \$190 million to states and territories, and \$88.39 million to local units of government).

[https://www.bja.gov/ProgramDetails.aspx?Program\\_ID=59](https://www.bja.gov/ProgramDetails.aspx?Program_ID=59)

### **Bridging Cultures at Community Colleges**

**Deadline: August 27, 2013**

The National Endowment for the Humanities posted FY 2013 Bridging Cultures at Community Colleges grant information, intended to strengthen and enrich humanities education and scholarship at community colleges or community college systems. These projects must be planned and implemented in collaboration with another institution with appropriate resources, such as a college or university, museum, research library, or professional association. Grants may be used to enhance the humanities content of existing programs, develop new programs, or lay the foundation for more extensive endeavors in the future.

<http://www.neh.gov>

### **Surdna Foundation**

**Deadline: Open (Letters of Inquiry)**

The Thriving Cultures Program supports programs that successfully connect teens to artistically rigorous and culturally relevant programs that equip them with practical and life-enhancing skills. This foundation supports programs that prepare young, emerging artists to be creative and innovative leaders in their communities.

<http://www.surdna.org>