

**Meeting Summary**  
**Tribal Court State Court (TCSC) Forum**  
**Friday, October 9, 2020**  
Hosted by: Tribal Court (via WebEx)

*The purpose of the Tribal Court State Court Forum is to enhance tribal court and state court relationships, provide an opportunity to address issues arising from the courts' concurrent jurisdictions, collaborate on development and delivery of judicial education and training, recommend revisions to Minnesota's procedural rules of court, and work on issues that cross jurisdictional boundaries.*

[Link to TCSC Forum website](#)

**Tribal Court Co-Chairs: Hon. Chris Anderson and Hon. Vanya Hogen**  
**State Court Co-Chairs: Hon. Lucinda Jesson and Hon. Sally Tarnowski**

### **Blessing and Welcome**

The meeting began with a blessing from Charles Smith, Fond du Lac's Language Coordinator, and was followed by a welcome from TCSC Forum Tribal Court Co-Chair, Judge Vanya Hogen. Introductions were made by forum members as well as from special guests who were in attendance.

### **Review and approve July 24, 2020 Meeting Summary**



7-24-20 TCSCF  
Meeting Summary

Approved without change.

### **An Inside View of Fond du Lac Tribal Court**

Hon. Suzanne Ojibway Townsend, Chief Judge, Hon. Megan Treuer, Associate Judge, and Kristi Wheale, Court Administrator, worked together to assemble and share a [video tour](#) and handout of Fond du Lac Tribal Court. Their presentation was followed by some conversation about Fond du Lac Tribal Court and how it's responding to the current public health crisis and safely continuing its operations.



About FDL Tribal  
Court

### **An Overview of Fond du Lac's Human Services Division**

Samuel Moose, Human Services Director, and Jennifer Dupuis, Associate Human Services Director, provided an overview of Fond du Lac's Human Services Division. Their presentation was followed by general conversation about how their division is delivering services and meeting local needs throughout the current public health crisis.



## Training Proposals for Judge Conferences

Hon. Vanya Hogen, Shakopee Mdewakanton Sioux Community Tribal Court, Hon. Lucinda Jesson, MN Court of Appeals, and Melissa Lorentz, Law Clerk, MN Court of Appeals shared about the legal research they are doing in collaboration with one another for the Tribal Court State Court Forum in an effort to have a ready set of materials for training proposal submissions that arise throughout the year. Their draft outline for new judge training is below.

Forum members expressed positive feedback in terms of the efforts being made on this project, along with a suggestion to add a history component to the outline as reasoning for why we need the Indian Child Welfare Act (ICWA). Any additional feedback should be directed to Melissa Lorentz at [Melissa.Lorentz@courts.state.mn.us](mailto:Melissa.Lorentz@courts.state.mn.us).



New Judge Training  
Outline - draft

## ICWA Courts Summit and CJI ICWA Subcommittee

Hon. Anne McKeig, MN Supreme Court, provided an update to the group on the ICWA Courts Summit and other efforts underway by the ICWA Subcommittee of the CJI Advisory Committee. As part of her update on the ICWA Courts Summit, she played a [video](#) that Judge Manning prepared for the Summit that showcases his ICWA Courtroom in Hennepin County District Court and explains the significance of how his courtroom is organized.

## Future Plans: Next Meeting Date & Identification of Future Topics

TCSC Forum Co-Chair, Judge Lucinda (“Cindy”) Jesson led the group in a conversation about whether to meet in December and what topics to discuss at the next TCSC Forum Meeting. In terms of when to meet, the co-chairs will discuss this in more detail and then follow-up with Forum members and interested parties by email with a proposed plan for meeting (or not) in December.

The following items were identified as suggested topics for future meetings:

- Presentation from Judge Schluchter in the 9<sup>th</sup> Judicial District re an update on the deep dives her county is doing into their data in response to the Sentencing Guidelines Commission Report on Probation Revocations.
- Update from the Sentencing Guidelines Commission in response to its September 2020 Report on Probation Revocations that just issued.
- Presentation from Jerry Moe at Hazelden Children’s Program regarding services to families struggling with addiction issues. Mr. Moe recently presented to the CJI Advisory Committee and expressed a desire to do more in his work with tribal relations.

- Presentation from Jack DeWalt on (1) Minnesota’s Chapter of the Association of Family and Conciliation Courts (AFCC) and (2) the current management team he is serving on, which focuses on domestic violence and Hennepin County Family Court.
- Family First Prevention Services Act (FFPSA): What Judges Should Know as we Near Full Implementation in September of 2021. CJI Staff Attorney Rebecca (“Becca”) Vanden Hanen is taking the lead on this project from the state court side of things. She could present on this topic at a future meeting.
- Check-in regarding TCSC Forum strategic priorities.
- Training proposals for judge conferences.
- Other?
  - Tribal Court Judge B.J. Jones suggested the Forum do something around the Native American Children’s Safety Act and what it means in terms of background checks and challenges with limited searches. Perhaps the state courts could help with how tribes access the disqualification list that the MN Department of Human Services (DHS) keeps.

This could be in the form of a panel discussion with Tribal Court Judge Jones, someone from the state courts, and someone from DHS. Part of this could include a discussion about DHS disqualifying factors and how those factors are viewed from the perspective of Indian people. Judge Stephen Smith volunteered to help with this from the state court perspective.

There was consensus among the group that this would be a good topic to pursue at a future meeting.

## Partnering for Change

Hon. Paul Day, Chief Judge, Leech Lake Tribal Court shared how he and Hon. Korey Wahwassuck, Itasca County, District Court Judge are working together as part of a new initiative where Itasca County and Leech Lake Band of Ojibwe partner for impactful cultural family solutions.

The Grand Rapids Herald Review Recently published an [article](#) regarding this and Lakeland Public TV recently ran a [news story](#) on this as well.

## Closing Remarks / Announcements

### Trainings, Conferences, Other Outreach

- [CJI CWA Trainings](#) (temporarily postponed due to COVID-19):
  - Minneapolis (date TBD)
  - St. Paul (date TBD)
  - Duluth (date TBD)
  - Bemidji (date TBD)
- National Indian Child Welfare Association (NICWA) events:
  - [Positive Indian Parenting](#): November 9-10 & 12-13, 2020 (online events)

- [Positive Indian Parenting; In Home Services:](#) February 9-11, 2021 (Palm Springs, CA)
- [Positive Indian Parenting; Understanding ICWA:](#) April 14-16, 2021 (Seattle, WA)
- [2021 Annual National Native American Law Students Association \(NNALSA\) Moot Court Competition](#), February 26 – 27, 2021 (University of North Dakota School of Law in Grand Forks). Looking for participation from tribal judges in Minnesota as well as state court judges who hear Indian law cases. Will likely be held virtually via Zoom this year.

#### Future Meeting Dates

- **December 2020** – State Court Host: Annual Conference of Judges Breakfast Meeting (date TBD)

**Meeting Adjourned.**