

Tribal Court State Court Forum

Establishing Priorities for 2018 – 2019

November 30, 2017

The purposes of the Tribal Court State Court Forum are 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.

During the November 2017 Forum meeting hosted by the Mille Lacs Tribal Court, the members discussed topics that would help to focus on priorities for 2018 – 2019. Following is a summary of that discussion.

1. Given the stated purposes of the Forum, what do you see as the Forum's role?

- Raising questions/issues on topics of mutual interest and identifying potential answers/resolutions
- Providing information and education to other judges, especially in judicial districts where there are no tribal courts
- Providing cultural education to help state court judges understand some of the cultural differences between various tribal courts and communities
- Helping state court judges understand the implications of how Indian people experience courtrooms and what state court judges can do to help litigants
- Cooperating on issues of common concern; specialty courts
- Continuing to build relationships
- Making recommendations to improve state court and tribal court systems
- Serving as a clearinghouse for issues and ideas
- Sharing ideas nationally
- Sharing resources in this time of limited resources
- Building consensus, communicating, collaborating, coordinating, and cooperating

2. On what issues or topics should the Forum focus its attention?

- Allowing tribal court orders to be uploaded to MNCIS so state court judges have access to and so they can be passed to the BCA for enforcement if needed
- Allowing tribal court judges access to MNCIS so not just one-way flow of information
- Ensuring implementation of both the letter and spirit of the Indian Child Welfare Act (ICWA)
- Including state court judges in judicial listening sessions through local CJE or EJC. For example, if listening session in Red Lake, then have state court judges attend to listen to concerns
- Maintaining contact between tribal court and state court systems
- Monitoring federal and state law changes and pending legislation that may impact state or tribal courts
- Communicating with MN County Attorneys' Association and Law Enforcement Associations to ensure they are knowledgeable about tribal court and state court issues
- Connection with MNCIS so orders can be moved quickly
- Tribal privacy concerns are not open to public

3. What is working well with the Forum?

- 20 years of successful cooperation and sharing
- Positive relationships
- Forum still going, despite recent issues regarding membership

4. What could Forum do better

- Finding ways to get all Forum members energized and re-engaged in Forum – this comment stemmed from limited turn out at November meeting and “resent unpleasantness”
- Encourage districts courts to invite tribal court judges to district bench meetings
- Ensure tribal court judges are invited to Annual Conference of Judges (need accurate email/phone information for tribal court judges)
- Include one non-voting seat on the Judicial Council for tribal court judge
- Invite court administrators from tribal court and state court to Forum meetings
- Recruit more Forum members
- Provide more training to judges, including at bench meetings
- Provide “Tribal Court 101” training sheriffs’ association and MN County Attorney’s Association
- Develop a map showing overlap of districts and tribes

5. What do you or your tribe or district hope to get out of the Forum?

- Determine who will testify during Supreme Court hearing regarding Rule 10
- Better understand “One-Court” – state court initiative designed to ensure consistent court administration case processing across county lines and allow courts in all counties to remain open. Concern about name of initiative.

6. What can the Forum do to more effectively communicate with judges (and others)?

- Include training/education about Forum topics every year at MN Association of Judges Conference (Maddens) and Annual Conference of Judges
- Send Forum meeting summaries to colleagues (agendas and meeting summaries are posted on the Forum website)
- Include “Tribal Court State Court Forum Update” as standing item at quarterly state court bench meetings
- Include “Tribal Court State Court Forum Update” as standing item at Judicial Council
- Develop an electronic quarterly newsletter to communicate to tribal court and state court judges and court administration