

Meeting Summary
Tribal Court State Court (TCSC) Forum
Friday, March 6, 2020
Hosted by: Upper Sioux Community

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. Henry Buffalo and Hon. Lenor Scheffler
State Court Co-Chairs: Hon. Lucinda Jesson and Hon. Sally Tarnowski

Blessing and Welcome

The meeting began with a blessing from one of the tribal elders and was followed by a welcome and brief overview of the Upper Sioux Community from Tribal Treasurer, Sharon Odegard, and TCSC Forum Co-Chair, Judge Lenor Scheffler. Introductions were made by forum members as well as from special guests who were in attendance.

Introductions

The following forum members and interested parties were present and introduced themselves: Judge Reynaldo Aligada (Ramsey County), Judge Christina Deschampe (Grand Portage Band of Lake Superior Chippewa and Minnesota Chippewa Tribe Court of Appeals), Judge Vanya Hogan (Shakopee Mdewakanton Sioux Community), Judge Lucinda ("Cindy") Jesson (MN Court of Appeals), Judge Gail Kulick (Mille Lacs County), Justice Anne McKeig (MN Supreme Court), Peter Rademacher (Hogen Adams), Judge Mary Ringhand (Red Lake Nation), Judge Patrick Rohland (Redwood County), Judge Elizabeth Royal (Red Lake Nation), Judge Jessica Ryan (Lower Sioux Indian Community), Judge Lenor Scheffler (Upper Sioux Community), Judge Stephen Smith (Ramsey County), Judge George Soule (Prairie Island Indian Community and White Earth Nation), Rebecca ("Becca") Vanden Hanen (State Court Administrator's Office), and Judge Korey Wahwassuck (Itasca County).

Jennifer Eichten (MN Department of Human Services) and Jill Esch (Ombudsperson for American Indian Families) were also present as special guests to make a presentation to the group.

Overview of agenda and identification of any additional agenda items

Judge Kulick brought up a jury pool issue with the intention of discussing it in more detail during her other agenda item. Justice McKeig reminded everyone that Justice Lillehaug is retiring in July. She suggested the Forum do something at its next meeting to celebrate his involvement in (and contributions to) the Forum over the years.

Review and approve September 13, 2019 Meeting Summary and December 5, 2019 Meeting Summary

Both approved without change.

Probation Revocation Report

Judge Kulick is still working on outreach to the Governor's Office in response to the 2018 Sentencing Guidelines Commission Report that showed high probation revocation numbers for Native Americans. She talked about the growing presence of Native Americans on jury pools in her area as an example of how significant it is to follow-up on issues earlier raised.

Presentation from MN Dept. of Human Services



DHS FFPSA
PowerPoint Presenta

Jennifer Eichten provided an overview of the Family First Prevention Services Act (FFPSA) and its impact on child protection and juvenile delinquency proceedings in state and tribal courts.

There was much discussion about when and how the legislation would be implemented in state and tribal courts. Ms. Eichten indicated that she will provide more prevention information and updates to the Forum as things progress. Becca Vanden Hanen from the State Court Administrator's Office indicated that she's leading the state court's workgroup on the topic and recently made a presentation to the state Judicial District Administrators and will email a copy of that PowerPoint presentation to everyone so that people can see what the state courts are doing to prepare for implementation.

Lunch (provided by Upper Sioux Community Tribal Court)

Upper Sioux Community Tribal Court graciously provided lunch for everyone. During lunch, Jill Esch introduced herself and passed around two reports that she recently prepared.

ICWA & Other Outreach

Becca Vanden Hanen informed everyone of the following [ICWA Trainings](#) that state court, through CJI, is putting on for all child protection stakeholders in the area:

- July 17, 2020 – Minneapolis;
- August 21, 2020 – St. Paul;
- September 18, 2020 – Duluth; and
- November 20, 2020 – Bemidji.

Becca also discussed some potential work to broaden collaboration of CJI ICWA training with DHS and UMD.

The group noted that the National Indian Child Welfare Association (NICWA) has some upcoming trainings as well:

- [2020 NICWA Training Institute](#): Understanding ICWA, Positive Indian Parenting, April 1-3, 2020, Denver, CO
- [2020 NICWA Training Institute](#): Positive Indian Parenting, Qualified Expert Witness, Working with Substance-Abusing Families, June 2-4, 2020, Portland, OR

Additionally, there is the [UMD Annual ICWA Conference](#) on May 13, 2020 at Grand Casino Hinckley, featuring keynote speaker Dr. Jerry Milner, Acting Commissioner of the Administration for Children and Families. Conference presentations will offer examples of ICWA collaboration and how collaboration strengthens American Indian children and families, and the agencies that serve them.

In terms of other trainings, a May 8, 2020 federal Native American training was mentioned. Judge Leo Brisbois is the one working on this.

Jill Esch will send information about a 3-day Leech Lake Training coming up as well.

Justice McKeig and Judge Wahwassuck talked about CANI training through the National Council of Juvenile and Family Court Judges (NCJFCJ). They mentioned that the national group has reached out to Minnesota for input and perhaps CIP or FFPSA funds could be used to send more judges to this training now or in the future.

ICWA Subcommittee – Current Work & Upcoming Events

Justice McKeig introduced the newly formed ICWA Subcommittee of the CJJ Advisory Committee. She talked about its current work and upcoming ICWA Courts Convening event on April 24, 2020.

***Tribal Justice* Screening (hosted by Hennepin County Library)**

Judges Ringhand and Royal gave a summary of the October 24th screening of *Tribal Justice*, in which they participated. The event included a visit from Director Anne Makepeace and Tribal Justices Abby Abinanti and Claudette White. Judges Ringhand and Royal expressed that Red Lake Nation wants to do some showings of the *Tribal Justice* film on its own to bring the information back to their community locally.

Other Updates

Judge Rohland updated the group about the successes of the drug court initiative in his district.

Judge Scheffler talked about sentencing and supportive circles that have grown out of a visit from Ramsey County Attorney Choi, his colleagues, and other stakeholders. Justice McKeig said she would check with Hennepin County about participating in similar restorative justice initiatives.

Future Topics & Next Steps

- Becca Vanden Hanen will circulate information about Professor Statz's research proposal on what more can be done as personal support for state court judges and tribal court judges in rural communities. She'll include a deadline to express support or interest in meeting to discuss it further.
- In follow-up to her work with the Sentencing Guidelines Commission, Judge Kulick will draft a letter to Executive Director Reitz and Chair Mitchell inviting them to come and make a presentation to the group. She will circulate it to the co-chairs for their review within the next few weeks.

- Maddens 2020 training for new judges.



Maddens Proposal
- Introduction to Tril

The Forum made the attached training proposal for the MDJA fall education conference at Maddens. Stay tuned for more information on that.

Justice McKeig and Judge Jesson will connect about making a proposal to Susan Love about inviting Judges Abinanti and White to come to the Judges Conference in December or to Maddens in September.

- The group decided to pursue a presentation on the new task force for Missing and Endangered Tribal Children at its next meeting in July. Patina Park came up as one possible person to reach out to about this. Inviting the Lt. Governor or the Governor himself came up as other options as well.
- The group decided to keep a presentation from Jack DeWalt in mind for a future meeting. Mr. DeWalt could speak on Minnesota's Chapter of the Association of Family and Conciliation Courts (AFCC). He could also talk about the current management team he is serving on, which focuses on domestic violence and Hennepin County Family Court.
- Becca Vanden Hanen announced new staffing for the Tribal Court State Court Forum. State Court Administration is hiring a new individual to staff the Committee on Equality and Justice (CEJ) as well as the Tribal Court State Court Forum. That individual is scheduled to start in the spring, train with Becca for a few months, and then start staffing the Forum on their own in the fall. Becca and this new person will together staff the July meeting. Becca expressed her joy working with the Forum and her excitement to see the new possibilities that this position presents for the group. She will continue to serve as a liaison between CJI and the Tribal Court State Court Forum.
- The group talked about having someone from the Committee on Equality and Justice (CEJ) – maybe a judge who is active on the Committee - come and talk about opportunities to partner.

Future Meeting Dates

- Friday, July 24, 2020 – State Court Host (6th Judicial District);
- Friday, October 9, 2020 – Tribal Court Host (TBD – maybe Fond du Lac Band of Lake Superior Chippewa); and
- TBD (early December 2020) – State Court Host (Annual Conference of Judges Breakfast Meeting).

Adjourn & Optional Tour with Judge Scheffler.

Judge Jessica Ryan led the group in a sharing of maple sugar.

A group photo was taken.

Judge Scheffler gave a tour of the courthouse to those interested as they left Upper Sioux Community going toward Granite Falls.