MEETING SUMMARY
Tribal Court State Court Forum
Thursday, December 6, 2018
Annual Conference of Judges
Radisson Blu Hotel, Mall of America

Attendees

Forum Members:

- Hon. Amber Ahola
- Hon. Chris Allery
- Hon. Henry Buffalo
- Hon. Peter Cahill
- Hon. Paul Day
- Hon. Karen Duncan
- Hon. Leonard Fineday
- Hon. David Harrington
- Hon. Stoney Hiljus
- Hon. Lucinda Jesson
- Hon. Gail Kulick
- Hon. Anne McKeig
- Hon. Ann Offermann
- Hon. Mary Ringhand
- Hon. Patrick Rohland
- Hon. Mike Rousu
- Hon. Jessica Ryan
- Hon. Lenor Scheffler
- Hon. Dwayne Knutson
- Hon. George Soule
- Hon. Megan Treuer
- Hon. Renee Worke

Guests:

- Hon. Jana Austad
- Hon. Robert Blaeser
- Hon. Amy Brosnahan
- Hon. Annie Claesson-Huseby
- Katie Engler, BCA
- Melia Garza, State Court Administration
- Karen Jaszewski, State Court Administration
- Gary Kalstabakken, BCA
- Hon. David Lillehaug
- Melissa Lorentz
- Hon. Karin McCarthy
- Hon. Doug Meslow
- Jodie Metcalf, State Court Administration
- Hon. David Minge
- Jan Nelson
- Peter Rademacher, Hogan Adams
- Hon. Anne Rasmusson
- Hon. Jeff Remick
- Hon. Robert Tiffany
- Hon. Korey Wahwassuck

Presentation from BCA about Order for Protection Direct Entry Requirements

Katie Engler and Gary Kalstabakken from the Bureau of Criminal Apprehension (BCA) walked through the document outlining the BCA requirements for direct entry of tribal court Orders for Protection (OFPs) into Minnesota Hot Files and National Crime Information Center (NCIC). Currently, OFPs issued by tribal courts can be provided to a Minnesota state court location to be entered into the Minnesota Court Information System (MNCIS) and passed to Hot Files and NCIC.

Discussion/Questions:

- Would it be beneficial for tribal courts to talk with BCA about what types of systems could integrate with BCA?
BCA believes they can work with most, if not all, systems. There could be efficiency, in terms of resources, if multiple tribal courts chose to use the same system, but that is not required.

- **Can tribal court orders still be provided to state courts for entry?**
  Yes, this option remains and is consistent with Minn. Stat. §518B.01 subd. ___. There are a few challenges with this process, however.
  - If the tribal court order is updated, the systems become out of sync unless and until the update is provided to state courts for updating in MNCIS. For example, if an order is dismissed, the order will continue to show as active in MNCIS, Hot Files, and NCIC until that update is provided to a Minnesota state court location.
  - If the language of the tribal court order states the order is only effective upon a certain condition, such as service on the respondent, as opposed to upon signature, Minnesota state courts cannot enter that order prior to that condition being met. Orders cannot be entered unless they are active.

- **Is there value in establishing a single state court location for all tribal courts to send their orders for entry into MNCIS?**
  A tribal court representative said a potential downfall of this approach is that tribal courts like to build and continually strengthen relationships with their local state court.

- **Who is the primary contact for tribal courts if they have additional questions or wish to further discuss establishing direct entry of their orders into Hot Files?**
  Gary Kalstabakken, BCA Product Manager, is the best contact. Gary can be reached at [gary.kalstabakken@state.mn.us](mailto:gary.kalstabakken@state.mn.us) or 651-793-2736.

### General Announcements

- Justice McKeig announced that Judge Harrington will be retiring and thanked him for his contributions.
- Judge Cahill gave update on ICWA case handling in Hennepin.
- Justice McKeig spoke about tribal flags presented to Hennepin County.
- Judge Kulick provided update about new agreement in place between Mille Lacs Band and Mille Lacs County law enforcement.
- Judge Scheffler thanked Justice Lillehaug for his contributions to the Forum. Justice McKeig will now attend on behalf of the Supreme Court.
- Judge Wahwassuck- will be doing child sex trafficking conference as follow up to conference
- There is a webpage devoted to the Tribal Court State Court Forum. Direct link: [http://mncourts.gov/Help-Topics/TCSCF.aspx](http://mncourts.gov/Help-Topics/TCSCF.aspx)
- Judge Ryan shared update about Judy Nord.