



**The New Mexico Tribal-State  
Judicial Consortium**

*STRENGTHENING RELATIONSHIPS, FOSTERING COMMUNICATIONS*

**State of New Mexico**

**Indian Affairs Committee Meeting**

Tuesday, July 25, 2017

Pueblo of Zuni

**Presentation from the Tribal-State Judicial Consortium**

By:

Co-Chair, Judge William “Bluehouse” Johnson (Acoma Tribal Court, Isleta  
Pueblo Member)

&

State Member, Judge Renée Torres (Bernalillo County Metropolitan Court)

**Contents:**

- I. New Mexico Supreme Court Order
- II. Tribal-State Judicial Consortium Roster
- III. Tribal State Judicial Consortium 2015 & 2016 Annual Reports
- IV. Draft of the most recent strategic plan, still being formulated

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**IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

**March 21, 2017**

**NO. 17-8100**

**IN THE MATTER OF THE APPOINTMENT  
OF HON. T. DAVID EISENBERG, HON.  
VINCENT KNIGHT JR., HON. MARITA  
ROBINSON, HON. RENEE TORRES, AND  
HON. BRIANNA ZAMORA TO THE  
TRIBAL-STATE JUDICIAL CONSORTIUM**

**ORDER**

WHEREAS, it appearing to the Court that five vacancies exist on the Tribal-State Judicial Consortium, and the Court being desirous of filling said vacancies, Chief Justice Charles W. Daniels, Justice Petra Jimenez Maes, Justice Edward L. Chávez, Justice Barbara J. Vigil, and Justice Judith K. Nakamura concurring;

NOW, THEREFORE, IT IS ORDERED that Hon. Renee Torres is appointed to the Tribal-State Judicial Consortium to fill the unexpired term of Hon. Delilah Montaña-Baca, said term to expire December 31, 2018;

IT IS FURTHER ORDERED that Hon. Renee Torres is eligible for reappointment to the Tribal-State Judicial Consortium to serve two full three-year terms upon expiration of her current term;

1           IT IS FURTHER ORDERED that State alternate member Hon. Brianna  
2 Zamora shall transfer as a full member to the Tribal-State Judicial Consortium,  
3 to fill the position previously held by Hon. James Wechsler, said term to expire  
4 December 31, 2019;

5           IT IS FURTHER ORDERED that Hon. Brianna Zamora is eligible for  
6 reappointment to the Tribal-State Judicial Consortium to serve two full three-  
7 year terms upon expiration of her current term;

8           IT IS FURTHER ORDERED that Hon. T. David Eisenberg is appointed  
9 to the Tribal-State Judicial Consortium to fill the unexpired term of Hon.  
10 Vincent Knight Sr., said term to expire December 31, 2017;

11           IT IS FURTHER ORDERED that Hon. T. David Eisenberg is eligible for  
12 reappointment to the Tribal-State Judicial Consortium to serve two full three-  
13 year terms upon expiration of his current term;

14           IT IS FURTHER ORDERED that Hon. Vincent Knight Jr. is appointed  
15 to the Tribal-State Judicial Consortium to fill the unexpired term of Hon. Joseph  
16 Little, said term to expire December 31, 2018;

17           IT IS FURTHER ORDERED that Hon. Vincent Knight Jr. is eligible for  
18 reappointment to the Tribal-State Judicial Consortium to serve two full three-  
19 year terms upon expiration of his current term;

20           IT IS FURTHER ORDERED that Hon. Marita Robinson is appointed to

1 the Tribal-State Judicial Consortium to fill the unexpired term of Hon. Michelle  
2 Brown-Yazzie, said term to expire December 31, 2017;

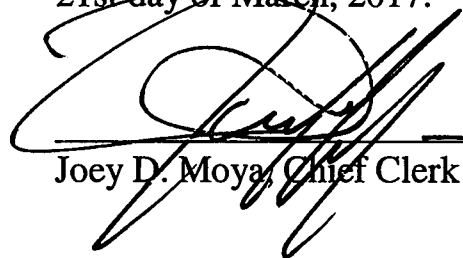
3 IT IS FURTHER ORDERED that Hon. Marita Robinson is eligible for  
4 reappointment to the Tribal-State Judicial Consortium to serve two full three-  
5 year terms upon expiration of her current term; and

6 IT IS FURTHER ORDERED that a vacancy for one State alternate  
7 member shall exist on the Tribal-State Judicial Consortium until further order  
8 of this Court.

9 IT IS SO ORDERED.

10 WITNESS, the Honorable Charles W. Daniels,  
11 Chief Justice of the Supreme Court of the State  
12 of New Mexico, and the seal of said Court this  
13 21st day of March, 2017.

14  
15 (SEAL)  
16

  
Joey D. Moya, Chief Clerk

**IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**  
**March 21, 2017**

**ROSTER FOR THE TRIBAL-STATE JUDICIAL CONSORTIUM**

<u>Commission Members</u>	<u>Representative Capacity</u>	<u>Term</u>
Hon. M. Monica Zamora State Co-Chair New Mexico Court of Appeals P.O. Box 25306 Albuquerque, NM 87125 505-767-6125 / 505-841-4614 fax	State Member	Appointed 1/1/2014 1st term expires 12/31/2016 1st reappointment 1/1/2017 3-yr term expires 12/31/2019
Hon. John F. Davis Thirteenth Judicial District Court P.O. Box 600 Bernalillo, NM 87004 505-867-8050 / 505-867-5161 fax	State Member	Appointed 8/9/2013 to fulfill unexpired term of K. Parsons, said term expires 12/31/2015 1st reappointment 1/1/2016 3-yr term expires 12/31/2018
Hon. Maria Dominguez Bernalillo County Metropolitan Court P.O. Box 133 Albuquerque, NM 87103 505-841-8289 / 505-222-4811 fax	State Member	Appointed 8/5/2015 to fulfill unexpired term of S. Engel, said term expires 12/31/2017
Hon. William E. Parnall Second Judicial District Court 5100 Second Street NW Albuquerque, NM 87107 505-841-7602 / 505-841-5920 fax	State Member	Appointed 1/17/2012 to fulfill unexpired term of K. Culbertson, said term expires 12/31/2013 1st reappointment 1/1/2014 3-yr term expires 12/31/2016 2nd reappointment 1/1/2017 3-yr term expires 12/31/2019
Hon. Pedro G. Rael Thirteenth Judicial District Court P.O. Box 758 Grants, NM 87020 505-287-2104 / 505-287-3658 fax	State Member	Appointed 1/1/2016 3-yr term expires 12/31/2018

Hon. Renee Torres Bernalillo County Metropolitan Court P.O. Box 133 Albuquerque, NM 87103 505-841-8255 / 505-222-4803 fax	State Member	Appointed 3/21/2017 to fulfill unexpired term of D. Montañó-Baca, said term expires 12/31/2018
Hon. Briana Zamora Second Judicial District Court P.O. Box 488 Albuquerque, NM 87103 505-841-7484 / 505-841-5457 fax	State Member	Appointed 3/21/2017, said term expires 12/31/2019
Vacant	State Alternate	
Hon. William Johnson Tribal Co-Chair P.O. Box 532 Isleta, NM 87022 505-980-4295	Tribal Member	Appointed 1/1/2013 3-yr term expires 12/31/2015 1st reappointment 1/1/2016 3-yr term expires 12/31/2018
Hon. Randolph M. Collins Acoma Tribal Court P.O. Box 347 Acoma Pueblo, NM 87034 505-552-7500 / 505-552-7394 fax	Tribal Member	Appointed 1/1/2014 3-yr term expires 12/31/2016 1st reappointment 1/1/2017 3-yr term expires 12/31/2019
Hon. T. David Eisenberg Taos Pueblo Tribal Court P.O. Box 1846 Taos, NM 87571 505-751-0488 / 505-571-3552 (fax)	Tribal Member	Appointed 3/21/2017 to fulfill unexpired term of V. Knight Sr., said term expires 12/31/2017
Hon. Vincent Knight Jr. Mescalero Apache Tribal Court P.O. Box 227 Mescalero, NM 88340 575-464-9311 / 575-464-4863 fax	Tribal Member	Appointed 3/21/2017 to fulfill unexpired term of J. Little, said term expires 12/31/2018
Hon. Leonard Livingston Navajo Nation Judicial Branch P.O. Box 309 Ramah, NM 87321 505-775-3218	Tribal Member	Appointed 5/16/2017 3-yr term expires 12/31/2018

Hon. Geoffrey Tager  
Ohkay Owingeh Tribal Court  
P.O. Box 1128  
San Juan Pueblo, NM 87566  
505-852-4475 / 505-455-7942 fax

Tribal Member

Appointed 8/9/2013 to fulfill  
unexpired term of C. Tsoodle-  
Marcus, term expires 12/31/13  
1st reappointment 1/1/2014  
3-yr term expires 12/31/2016  
2nd reappointment 1/1/2017  
3-yr term expires 12/31/2019

Hon. Marita Robinson  
Jicarilla Apache Tribal Court  
P.O. Box 128  
Dulce, NM 87528  
575-759-7487 / 575-759-3721 fax

At-Large Tribal  
Member

Appointed 3/21/2017 to fulfill  
unexpired term of M. Brown-  
Yazzie, said term expires  
12/31/2017

Hon. Bruce C. Fox  
Laguna Tribal Court  
P.O. Box 194  
Laguna, NM 87120  
505-552-1900 / 505-552-7186 fax

Tribal Alternate

Hon. Allan Toledo  
Jemez Pueblo  
P.O. Box 100  
Jemez Pueblo, NM 87024  
575-834-1881

Tribal Alternate

**Non-Voting Members**

**Representative  
Capacity**

**Term**

Hon. Barbara J. Vigil  
New Mexico Supreme Court  
P.O. Box 848  
Santa Fe, NM 87504  
505-827-4886

Supreme Court Liaison

Ex-officio

Kyle Nayback  
Office of the U.S. Attorney  
201 Third Street NW, Suite 900  
Albuquerque, NM 87102  
505-224-1530

Federal Liaison

Ex-officio

Jennifer Vieira  
Administrative Office of the Courts  
237 Don Gaspar  
Santa Fe, NM 87501  
505-827-4741

Consortium Staff

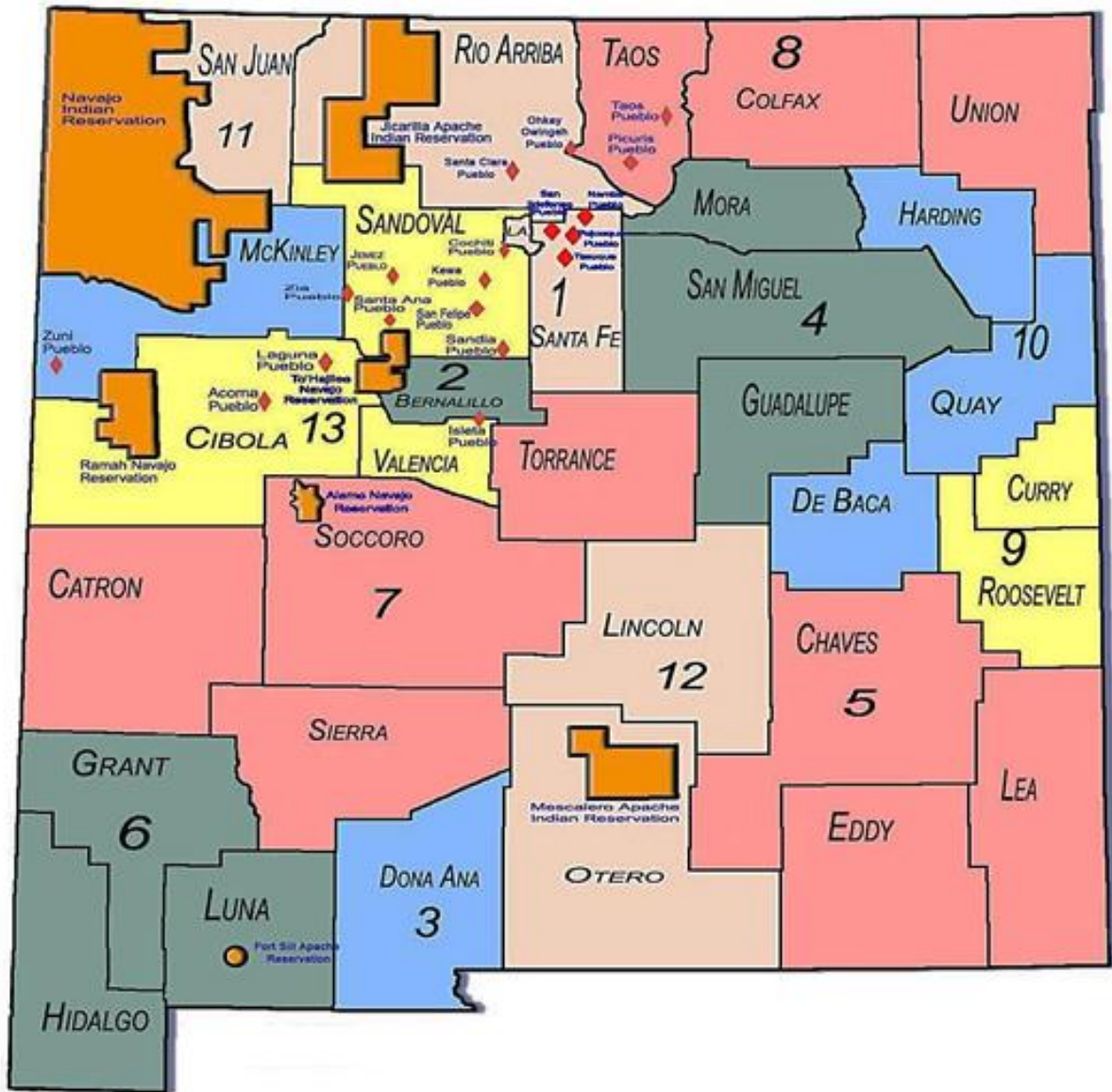
Ex-officio



# The New Mexico Tribal-State Judicial Consortium Annual Report 2015



### TRIBAL NATIONS AND STATE JUDICIAL DISTRICTS



## Message from the Co-Chairs

As Co-Chairs of the New Mexico Tribal-State Judicial Consortium, we would like to present the following 2015 Annual Report. This report highlights the work the Consortium has done throughout the year and activities planned for 2016.

The Tribal-State Judicial Consortium has worked hard to establish and maintain local relationships and communications between both Tribal and State Courts by working collaboratively on cross-jurisdictional issues.

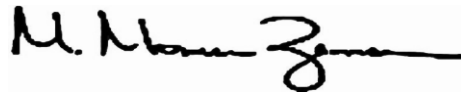
While the Consortium has made progress, there is still work needed.

We intend to keep up the momentum and continue to achieve our goals.

Thank you.



Judge William Bluehouse Johnson



Judge Monica Zamora



## Mission

The Mission of the New Mexico Tribal-State Judicial Consortium is to encourage and facilitate communication and collaboration between State and Tribal Court judges on common issues, focusing on domestic violence, domestic relations, child custody, child support, child abuse and neglect, and juvenile justice and addressing questions of jurisdiction and sovereignty as they relate to each particular issue.

From this Mission Statement three goals have been set:

- ❏ Create rapport between State and Tribal Judges
- ❏ Educate and train State/Tribal Judges and Tribal leadership
- ❏ Continue to review State services for Native children and families on and off the reservation.



## Introduction

The Tribal-State Judicial Consortium has focused on the following areas:

- **DEVELOP AND MAINTAIN RELATIONSHIPS:**

Quarterly Consortium meetings offer briefings by subject matter experts who can address situations involving cross-jurisdictional issues, such as orders of protection and mental health orders of commitment. The meetings also provide an opportunity for discussion between Tribal and State Judges about current issues and case law affecting Indian Country. The Consortium also promotes relationships and communications to help Tribal and State Courts learn more about the challenges they each encounter and begin working together to address them. In addition, there are training opportunities provided. The meetings alternate between State and Tribal locations so that our members can also visit and learn about each other's courts and programs.

Growing out of a subcommittee of the Court Improvement Project on child welfare years ago, the Consortium was formally recognized by the New Mexico Supreme Court as one of its advisory committees in 2006. Seven Tribal and State Judges represent the various Pueblos, Tribes, and the Navajo Nation and all levels of New Mexico Courts on the Consortium. These fourteen members, with the assistance of three alternate members, offer a forum to help raise awareness among these Courts about legal issues affecting both court systems.



- **OUTREACH:**

The Consortium is currently concentrating on projects involving the Indian Child Welfare Act (ICWA), full faith and credit/comity, and improving outreach and communications with the Tribal and State Courts. The National Criminal Justice Association, Tribal Law and Policy Institute, and the National American Indian Court Judges Association have recognized the Consortium for its efforts in outreach and collaboration.

### **Consortium Work for 2015**

In January 2015, Consortium members attended the 22<sup>nd</sup> annual Children's Law Institute Conference in Albuquerque, New Mexico and the first Consortium meeting for the year was held. The information presented involved Problem-Solving Courts and Tribal Healing Wellness Courts.

In April 2015, the Consortium met for a full day to discuss the organizational history, current environment, and identify its goals for the next five years. The meeting was facilitated by Indigenous Collaboration Inc. and was sponsored by the Casey Family Programs. Radar priorities were outlined as those things that need the Consortium's immediate attention. These include the following:

- Recognition of violations of protective orders
- Access to state services for Indian Children and Families

- Memorandum of Understanding that are simplified for full faith and credit/comity
- More involvement of the federal partners
- Collaboration with neighboring jurisdictions including tribe to tribe
- Shared resources and services to include tradition and culture
- Collaboration with state court judges on child custody decisions
- Model ordinances for customary marriage and domestic violence implementation
- Court visitations
- Tradition and due process
- Juvenile detention alternatives
- ICWA- Indian Child Welfare Act
- Title IV-E

The group was asked to consider and describe what would be in place in



the year 2020 if this group of tribal judges, state judges, and allies were to effectively collaborate and have a visible impact in the policies, practices, and administering of justice in New Mexico.

The goals for each Committee were identified and timelines developed. The Committees consisted of:

- ☞ Rapport/Communication-*Chaired by Judge Monica Zamora and Judge William Bluehouse Johnson*
- ☞ State Services for Indian Children and Families-*Chaired by Judge Randy Collins*
- ☞ Full Faith and Credit-*Chaired by Judge Vincent Knight*
- ☞ ICWA/Title IVE-*Chaired by Judge John Romero*
- ☞ Drug Court (New)-*Chaired by Judge Bruce Fox*
- ☞ Juvenile Detention Alternative Initiative (JDAI) (New)-*Chaired by Judge Monica Zamora*

In July 2015, the Consortium traveled to Taos for the quarterly meeting. The meeting was held at the Butterfly Healing Center, a treatment facility



for Native and Non-Native children. Governor Romero of Taos Pueblo and other tribal leaders attended this meeting. Donnalyn Saracino (Acoma) made a presentation on behalf of the newly formed Tribal ICWA Consortium. The committee provided reports on the work each are doing to accomplish their identified goals.



Finally, in November 2105, the Consortium met in Mescalero, NM to review the work of the committees and start the planning for 2016.

## **COMMITTEES:**

### **RAPPOR/COMMUNICATION**

The Rapport/Communication Committee has made it a continual goal to maintain the continued relationship building and on-going communication between State and Tribal Judges in order to accomplish the overall Tribal State Consortium's purpose as well as continue to provide support to the other five Committees.

The Committee continues to work on reaching out to Tribal and to State Leadership in New Mexico. Along with this annual report, a letter to our State Representatives and Senators, Tribal Courts, and Tribal Governors was sent to introduce them to the Tribal-State Consortium and inform them about our work to encourage rapport between our leaders. The Consortium also facilitated professional relationships that result in greater collaboration, such as the presentation at the Tribal Leadership Conference held in September 2015 at the Tamaya Resort in Santa Ana Pueblo and in August 2015 for the National Council of Juvenile and Family Court Judges Child Abuse and Neglect Institute. The following outlines additional work completed.

<b>Date</b>	<b>Task</b>	<b>Purpose</b>	<b>Outcome</b>
January 2015	Meeting	Children's Law Institute and Quarterly Meeting.	Attendance at training and presentation on

			Tribal Healing to Wellness Courts.
May 2015	Meeting	Invitation from Taos Pueblo to invite tribal leaders to attend the July Consortium meetings.	Taos Governor and several tribal leaders attended lunch at Consortium meeting in July 2015 and toured the Butterfly Treatment Center.
August 2015	Meeting	Committee meeting to discuss continued outreach to tribal entities, legislators, and others.	
August 2015	Magistrate Conference		Two Tribal Judges attended the Magistrate Conference
September 2015	American Indian Law Tribal Leadership Conference	Communication	25 Tribal-State brochures were handed out at the Conference
November 2015	Meeting	Invitation from Mescalero to host the quarterly meeting and to tour the court.	Mescalero leadership provided an introduction of their work and gave tours.

November 2015	REC Conference	All Pueblo Governors' Council meeting	The Co-Chairs presented to the All Pueblo Governors Council the work of the Consortium as well as to issue a letter of support for Tribal Healing Wellness Courts
December 2015	Meeting	Navajo Nation Judicial Branch	Judge Monica Zamora attended the meeting with the Navajo Nation Judicial Branch and Supreme Court to explain the work of the Consortium with details of each of the committee projects and accomplishments.
December 2015	Meeting with Santa Fe Council on International Relations/Human & Civil Rights Advocacy and Awareness	Meet with international group of lawyers and human rights advocates from various Middle Eastern countries.	Judge Taggart met with HCRAA

**PLANS FOR 2016:**

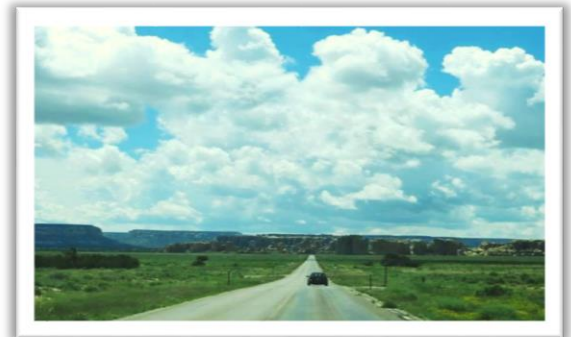


Through the assistance from Casey Family Programs, ongoing Tribal State collaboration meetings will occur to continue to identify issues and prioritize those issues. The first meeting was held in November 2015, which brought together leaders from the Tribal-State Judicial Consortium, the ICWA Consortium, and CYFD. There are similar issues each group is addressing such as ICWA compliance, practices, tribal notifications, children's code changes, ongoing education and training. Another meeting is scheduled to convene in January 2016 to discuss the best way to collaborate and share resources.

The Judicial Information Division is also working on updating all AOC program websites. This will be the opportunity to create a user friendly website that will assist state and tribal judges, as well as the legal community finding necessary information.

### State Services

The primary action item of the State Services Committee this year has been to obtain state recognition of tribal court orders and allowing tribal members access to state services. It is beyond dispute that Native American children and families have a great need for increased services.



Expanding tribal jurisdiction is necessary if access to state services are to be adequately provided to Native Americans. Studies show that culturally sensitive programs and exposure to tribal traditions, including those promoting tribal customs, are more effective in reducing recidivism, furthering justice and reform. Empowered tribal courts are less likely to alienate youth and families from the tribal community and tribal customs.

To meet this goal, the Services Committee is working to develop model tribal court orders that can be recognized by state courts. The approach is based on Project Passport, the uniform cover sheet approved by the New Mexico Supreme Court. The Project Passport cover sheet sets the minimum

requirements that must be met before the order can be enforced by another jurisdiction.

The model orders for tribal courts would be enforceable in state court and would meet state requirements. Therefore, if a tribal resident is in need of a service that cannot be provided locally, the tribal court could use the requirements stated in the model order to obtain services from the state. The tribal court would retain jurisdiction and monitor the individual's progress while ensuring that tribal customs and traditions are being used as part of the treatment.

The Service Committee's first step was to pick an area of needed state services. The committee decided to start with Juvenile Involuntary Commitment orders, as New Mexico law currently provides for state recognition of tribal court orders (§32A-6A-29). New Mexico law recognizes that the factors and issues surrounding mentally incapacitated adults are similar to that of juveniles and the committee is working to develop model orders for the involuntary commitment of adults and juveniles.



The services committee is working on other action items such as: 1) model orders for tribal access to other needed state services; 2) the development of a lay counsel or a lay advocate program for better representation in tribal courts; 3) drafting a model

ordinance/law that can be used by tribes in implementing the federal VAWA law; 4) the identification of an index and/or online directory of state services, 5) improved tribal notification by the state of tribal youth in state custody and 6) how one can gain access to state services such as developing MOUs.

### **PLANS FOR 2016:**

After receiving feedback from the Consortium on the model orders, they will be submitted to the Supreme Court Rules Committee for consideration

and adoption. Once approved, the Committee will develop a process to ensure all state and tribal courts have access to the forms.

### Full Faith and Credit

The Full Faith and Credit Committee works on educating state and tribal judges. In January 2015, Chair Judge Vincent Knight and Judge Randy Collins presented on ICWA in relation to qualified expert witnesses.

There has been ongoing collaboration with the VAWA Attorney regarding training efforts and recommendations for tribal-state in 2016. Patricia Galindo is currently training all district court clerks on orders and the Committee will need to determine which tribal locations are using and then reach out and offer technical assistance if not. She also has set up training with BIA law enforcement officers. A presentation was made during the November 2015 quarterly meeting, regarding protective orders.



One of the more critical topics is understanding and implementing the constitutional concept of Full Faith and Credit provided in the US Constitution between each of the states and the federal court. Unfortunately, there is a question whether this principle applies between the state and tribal judiciary. This is a critical issue for states, like New Mexico, that have tribal courts. Ideally, both courts should recognize each other's orders when presented.

New Mexico leads the Nation in recognizing the tribal court orders by both statutes and case opinions. The two cases on FFC in New Mexico are HALWOOD V. COWBOY AUTO SALES, 1997-NMCA-098, 124 N.M. 77, 946 P.2d 1088 and JIM V. CIT FIN. SERVS. CORP., 1975-NMSC-019, 87 N.M. 362, 533 P.2d 751 (S. Ct. 1975). These cases held that tribal court orders that provide minimum due process are entitled to Full Faith and Credit. Additionally, NM Uniform Interstate Enforcement of Domestic Violence Protection Orders 40-13A-1 specifically mandates that tribal court orders regarding protective orders shall be honored by state courts. The NM State

Legislature is to be commended in this enactment. There remains a need for the State Legislature to enact similar legislation on a number of topics. Many of the challenges concern the general lack of knowledge about the current law among the state and tribal judges. For example, the Indian Child Welfare Act mandates Full Faith and Credit in child custody issues and the Consortium has made great strides in teaching state judges on how best to implement the ICWA in their courts. There are other federal laws that mandate FFC and these are taken up by the FCC Consortium Committee. (See Gutierrez Case) Of these, perhaps the Violence Against Women Act is of most importance. The federal Act requires each jurisdiction to give Full Faith and Credit to protective orders issued by the respective state or tribal court. (See Uniform Interstate Enforcement of Domestic Violence Protection Orders 40-13A-1) Both jurisdictions' law enforcement agencies play a vital role in the enforcement of these orders. Without enforcement, victims of domestic violence have no protection. Project Passport is a nation-wide effort to address this issue by designing a "front page" that provide sufficient information to allow a law enforcement officer to recognize and enforce the protective order. In addition, 18 USC 2265e allows tribes to exclude non-Indians from their jurisdiction who violate a state or federal protective order.

### **Plans for 2016:**

The FCC Consortium Committee has been working diligently to inform state and tribal judges about these laws and cases to ensure their recognition and enforcement. This makes both citizens of their respective jurisdictions safer. In this regard, Joint Powers Agreements, Cross-Deputization of law enforcement officers are very important.



The New Mexico Foreign Judgment Act is sort of a last resort catch-all to recognized civil judgments of the tribes in New Mexico. Many tribes are not familiar with the requirements of this law to gain recognition. The FCC Consortium works hard to make this known to the tribes.

As set out above, the FCC Committee has much work to address:

*Goal #1:* Continue to provide updates and awareness training to both state and tribal judges. This is the primary mandate of the Consortium and specifically, FFC.

*Goal #2:* Contact district judges and tribal judges to participate and attend the quarterly meetings of the Consortium to establish rapport and open communication and a dialogue between the two jurisdictions. Consortium meetings are generally held and hosted by a tribal consortium member and often, tribal judges do not know or even communicate with their district judges.

*Goal #3:* Local CYFD officer managers need to keep apprised of tribal social service workers and vice versa. The Consortium will foster their communication by addressing their specific needs to share resources.



*Goal #4:* Whenever possible or whenever invited, member judges of the Consortium should present on FFC and other topics of interest to state judges and special service providers at conferences in order to increase awareness and foster communication.

A University of New Mexico law student extern will be used to research Full Faith and Credit as well as Comity and draft a position paper. A brief will also be completed on recent court cases which impact full faith and credit. A cover sheet for full faith and credit will be generated and sent the Supreme Court Rules Committee. The Committee will also work with both State and Tribal judges to set up regional meetings to provide information and conduct listening tours to identify needs and concerns.

### ICWA/Title IVE

In May 2015, the Bureau of Indian Affairs (BIA) held public meetings regarding the proposed ICWA regulations. The ICWA/Title IV-E Committee monitored the progress and some attended the ICWA Consortium meetings.

In July 2015, Chair Judge John Romero participated in the Navajo Children and Family Services mid-year meeting. The group of ICWA and adoption workers received information regarding the importance of notice to Navajo Nation of members' involvement in private adoption and child welfare cases well before the legal cases was filed.

The Tribal Social Workers formed the ICWA Consortium to start looking at practices around the state. Committee members are collaborating to ensure ICWA compliance, conduct training, and review practices.

Through funding from the Corrine Wolff Children's Law Center, the ICWA bench card for judges was updated and a one-page summary generated to assist judges on the bench. A webinar for State and Tribal Judges was held in September 2015 on key concepts and recent clarifications. The purpose was to protect the best interest of Indian children and to promote the stability and security of Indian tribes and families.

With the assistance of the Children Youth and Families Department, a Title IV-E bench card was also created to assist with IV-E compliance.

### **PLANS FOR 2016:**

There will be a Bureau of Justice grant to support the creation of effective practice model partnerships stakeholders to effectively implement ICWA. The ICWA/Title IVE Committee will look at applying and will work with the ICWA Consortium and CYFD to assist.

A federal grant will be reviewed and hopefully funded to see if work could be done to improve ICWA notices, however, support from the Supreme Court is needed to increase State funds to assist with moving toward other goals.

### **Drug Court**

After a presentation on Healing to Wellness Courts in January 2016, the Consortium formed a small Drug Court Committee to promote the continued use and expansion of State Drug Courts and Tribal Healing to Wellness Courts around the State. Healing to Wellness Courts are similar to Drug Courts in that they are





both aimed at assisting non-violent addicted criminal offenders to get clean and become better community members. This is accomplished by diverting criminal defendants from the typical criminal justice system into these specialty “courts” which are essentially stringent outpatient treatment programs that typically take a year to complete.

In 2015 the Committee met twice and informally met at the quarterly Consortium meetings. The Committee generated a memorandum in support of Tribal Healing to Wellness Courts (attached in Appendix A).

### **PLANS FOR 2016:**

During 2016 the Committee will be working on the following:

- A memorandum of support of Drug Courts and Healing to Wellness Court for proposed adoption by the Consortium. This will include a review of procedures and proposed adoption of uniform standards, recommendations regarding state/tribal collaboration to allow transfer of criminal defendants to courts based on their residence location, and statistics showing the success of Drug Courts and Healing to Wellness Courts.
- Identify and publish to the Consortium potential funding sources to support Drug Courts and Healing to Wellness Courts.

### **Juvenile Detention Alternative Initiative (JDAI)**

The overall targeted goal for the JDAI Committee is to develop a Tribal JDAI Model that can be incorporated into the overall State to Scale effort in getting JDAI established throughout the State of New Mexico.

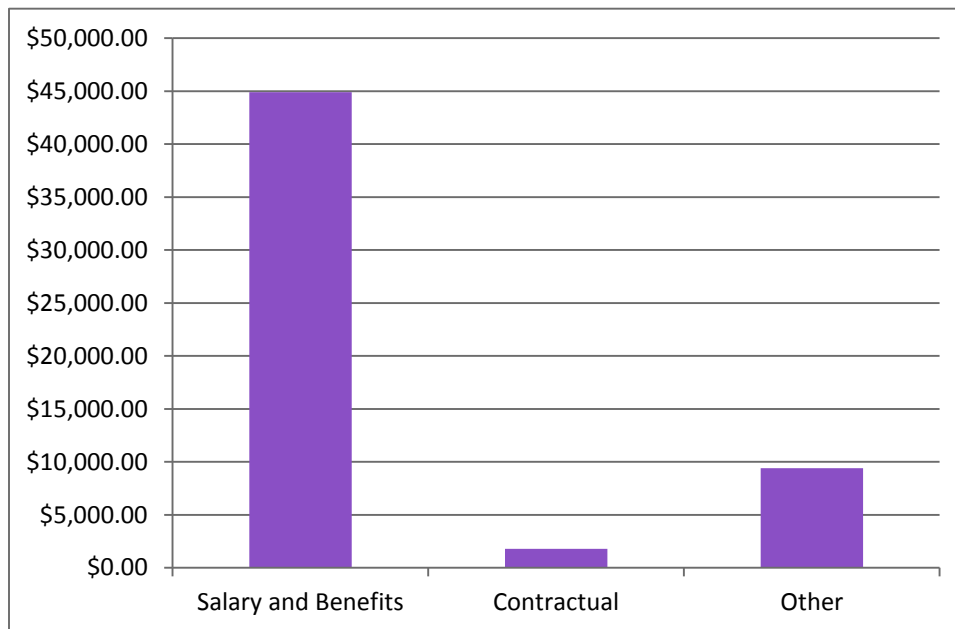
The Isleta Pueblo has been identified as the place to create and test the JDAI model. Funding and technical assistance will come from the Annie E. Casey Foundation and The Burns Institute. Members of the Isleta Pueblo attended the national JDAI Conference in Arizona. The Pueblo of Isleta is also working with The Burns Institute to conduct a systemic data and needs analysis. The result of this analysis will be to determine the next step for this pilot project.

### **PLANS FOR 2016:**

Continued work and the evaluation of the pilot project will be completed and a plan generated to include additional tribal sites.

### **Funding**

Funding for the Tribal-State Judicial Consortium comes from state resources which provide matching funds to the Court Improvement Project.



The funding for Tribal-State is generated from State General Funds that are used for federal grant match to the Children's Bureau in support of Children's Court Improvement Commission. The total amount allocated was \$56,100 and all of the funds were expended. A portion of the funds went to Contractual Services, which were used for a facilitator for a Children and Family Services Department retreat. The funds expended on salary and benefits were for half of a full-time Senior Statewide Program Manager. The remaining funds were used for other costs such as travel for state and tribal judges, training, supplies, room rental fees, and telecommunication costs.

**Note:** In FY 2016, the funding was cut to \$30,800. In order to assist with the initiatives and to support the committees, the Tribal-State funds would request an increase in FY 2017.



## Summary

The Tribal-State Judicial Consortium has grown over the years and the state and tribal judges have focused on initiatives that seek continuous quality improvement. The Consortium is known nationally for their work with requests from other tribal and state judiciary to attend our quarterly meetings for 2016; two visits have been planned.

We are proud that our efforts have received national attention and recognition. We strive to continue growing and cultivating the collaboration between two judicial systems for the benefit of all New Mexico citizens.





**State of New Mexico  
Tribal-State Judicial Consortium  
Annual Report - 2016**





## Message from the Co-Chairs

As Co-Chairs of the New Mexico Tribal-State Judicial Consortium, we would like to present the following 2017 Annual Report. This report highlights the work the Consortium has done throughout the year and activities planned for 2017.

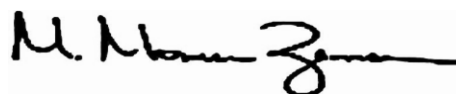
The Tribal-State Judicial Consortium has continued to work hard to establish and maintain local relationships and communications between both Tribal and State courts by working collaboratively on cross-jurisdictional issues. The important work of the Consortium is an ongoing process that will continue to provide a solid platform from which both judiciaries can build and support each other, and ultimately for the benefit of the citizens of the State of New Mexico.

We intend to keep up the momentum to achieve our common goals.

Thank you.



Judge William Bluehouse Johnson



Judge Monica Zamora



## Mission

The Mission of the New Mexico Tribal-State Judicial Consortium is to encourage and facilitate communication and collaboration between State and Tribal Court judges on common issues such as child abuse and neglect, substance abuse treatment, domestic violence, domestic relations, child custody, child support, and juvenile justice. They also work together to address questions of jurisdiction and sovereignty as they relate to each particular issue. From this Mission Statement three goals have been set:

- ✎ Create rapport between State and Tribal judges
- ✎ Educate and train State and Tribal judges and leadership
- ✎ Review and support implementation of State services for Native children and families on and off the reservation.

## Year in Review: Consortium Quarterly Meetings in 2016

In January 2016, Consortium members attended the 23<sup>rd</sup> annual Children's Law Institute Conference in Albuquerque. The January quarterly meeting was also held at the conference site. This meeting featured two presentations, which involved mental health commitment orders from Special Master John Schoepner as well as a presentation from Southwest Indian Law Clinic students and Professor Cheryl Fairbanks on Consensus Based Healing. In addition, recommendations to fill tribal and state member vacancies were presented and approved.

In February, the members attended the Children's Code Meeting facilitated by Beth Gillia of the Corinne Wolfe Children's Law Center. A brain storming session led into identifying the group's current most important issues:

- Access to services regulated and offered by the state/federal government agencies
- Training of staff and judges in both State and Tribal courts
- Establishing culturally appropriate therapeutic treatment facilities and services for Indian children and families.

Tesuque Pueblo hosted the Consortium meeting in April and generously provided the members and their guests with a delicious breakfast and lunch. Governor Rick Vigil addressed the attendees regarding behavioral health services and stressed the need for ongoing collaboration and communication between both judiciaries.

In July, the Consortium meeting took place at the Metropolitan Courthouse in Albuquerque. Information on ICWA training and data was provided by the Casey Family Programs collaboration between CYFD, the ICWA Consortium and NM Courts. Highlights from the Consortium Co-chairs and Angela Peinado, who attended the Tribal Law and Policy's National Tribal-State Forum

in Los Angeles, presented the highlights from the forum. Kevin Hammer, legal counsel for the Credit Union Association, presented concerns regarding tribal court probate orders and how they affect banking procedures.

The October quarterly meeting was held at the Second Judicial District's Children's Court Division in Albuquerque. Presenters included: MaryEllen Garcia with the Victim's Reparation Commission, who asked for input regarding their recent grant award and how it would best serve and be distributed to the native peoples of New Mexico who have fallen victim to crime; Patricia Galindo and Judge Dominguez presented the ICWA Designation Report, which offers statistics of children who are designated under ICWA in the State Court system; and Cynthia Chavers of CYFD presented on the updated Children's Code policy as well as the expansion of the Department's Title IV-E Guardian Assistance Program.

### **New Mexico Partners**

Recently, the Casey Foundation invited the Consortium to participate in New Mexico Partners. The group consists of state and tribal stakeholders in the child welfare arena. The purpose of this partnership is to collaborate and calibrate our collective works toward a better outcome for Native children. The concentration for now is to communicate regularly and share information to keep up the momentum on our progress. The ultimate outcome for this partnership is to develop an in depth understanding of the work undertaken and accomplished by each stakeholder or agency, create a regular forum to stay informed of the progress, and eventually bring common information and initiatives together for a more unified and expedient outcome.

## **STRATEGIC PLAN BY COMMITTEE:**

Over the last two years, the Consortium has created six committees in order to address and break down issues in a more manageable way. Each committee is assigned a chairperson and Consortium members can participate in more than one committee. Committee meetings are held at least once between each quarterly meeting, minutes are kept, and the chairs present on the status of work at the quarterly meetings. Below is a summary chart showing the current strategic plan for each committee:

Committee	Purpose	Action
<u><i>Rapport/ Communication</i></u>	Educate both State and Tribal Judges about cross-jurisdictional matters as well as recruit and encourage participation throughout the tribes and pueblos.	Continued outreach to legal community about the importance of understanding ICWA.  Continue to recruit and encourage membership participation with the Consortium  Guidance and participation given to law students who have committed to focus on Tribal Law.
<u><i>State Services</i></u>	Collaborate with state agencies and courts to adequately disburse state services to Native children and families.	Finalize and publish model tribal court orders on mental health and commitment currently in review by the State Supreme Court.
<u><i>Full Faith &amp; Credit</i></u>	Educate stakeholders on FF&C as it relates to domestic matters and issue memorandum to the Consortium	Continue to assist with training and recognition of tribal orders throughout the state.  Issue memorandum of findings regarding domestic matters for Credit Unions based on presentation in July 2016.
<u><i>ICWA/Title IV-E</i></u>	Educate stakeholders on ICWA rules and the recently implemented regulations.	Identify Native Children within the State Court system by creating an ICWA form for District Court Judges.  Work with Casey Programs on data reporting and curriculum development.
<u><i>Drug &amp; Wellness Courts</i></u>	Assist Tribal Wellness Courts in obtaining resources and training.  Identify cross-jurisdictional opportunities to collaborate in adding Wellness Courts as an option to Native probationers seeking treatment for substance abuse.	Committee members will actively seek resources available for Tribal Wellness Courts through additional grant funding, training and cross-jurisdictional collaboration.  Research and create model orders to assist in the recognition of tribal orders regarding drug/wellness courts.  A member will continue to participate in the New Mexico Association of Drug Court Professionals.
<u><i>Juvenile Detention Alternative Initiative (JDAI)</i></u>	Collaboration between State and Tribal Courts to implement JDAI programs across the state.	Continue work with the Statewide Leadership Team in expanding JDAI from the Isleta Pueblo pilot program to the Navajo Nation and on to the rest of the state



## COMMITTEES IN DEPTH:

### Rapport/Communication Committee

The Rapport/Communication Committee continues to encourage and promote relationships between State and Tribal Court judges on common issues, by sharing the Consortium's projects and accomplishments with the state and tribal communities. As part of the judicial community outreach, we have forged a strong relationship with the Southwest Indian Law School Clinic (SILC), a clinical program of the UNM School of Law. The Consortium participated in moot court oral arguments on behalf of the Native American law students at the school, the Native American Law Students Association (NALSA) Moot Court team oral arguments in March 2016 and the Tribal Appellate Advocacy class Moot Court Final Oral Arguments on December 1, 2016. Members of the Consortium were invited to administer the oath to incoming law students throughout the year. Judge Zamora (Court of Appeals) and Judge Johnson (Acoma) participated in January for the Spring Semester students; Judge Zamora and Judge Torrez (Zia) participated in May for the Summer Semester students; and Judge Zamora and Judge Eisenberg (Taos) participated in August for the Fall semester students. The swearing in ceremonies are an excellent opportunity for the Judges to provide encouragement to the law students as they begin their legal careers as practicing attorneys and share their experience and words of wisdom.

The Judges have also had several opportunities to speak with the SILC students during the semester to share their experiences as practitioners and as judges. Judge M. Monica Zamora and her father, Retired District Court Judge and trial lawyer Matias Zamora, had one such opportunity. See the full article:

### "Law is always searching for the truth" and other words of wisdom

*July 28, 2016 - Tamara Williams*

Retired District Court Judge and trial lawyer Matias Zamora and Court of Appeals Judge M. Monica Zamora ('87) shared their love of the law and tips from their extensive legal experience with students in the Southwest Indian Law Clinic (SILC).

The meeting was held at the Court of Appeals, next door to the law school.

*Above right: Retired District Court Judge and trial lawyer Matias Zamora (seated) and Court of Appeals Judge M. Monica Zamora (second from left), shared tips on practicing law with students in the Southwest Indian Law Clinic and their supervisor, Visiting Professor Cheryl Fairbanks (right).*



Judge Monica Zamora first met the class when she performed the SILC swearing in ceremony in May.

She introduced the class to her father, Matias Zamora, who practiced primarily as a personal injury lawyer. Both are experienced trial lawyers and judges. The tips they shared with the students are summarized below:





### **Law is always searching for the truth**

The law is an honorable profession, and honest lawyers always succeed. Be truthful to yourself and to your client, the judge, and the jury.

*Left: Judge M. Monica Zamora, Matias Zamora and Visiting Professor Cheryl Fairbanks at the Court of*

Erin McMullen ('16) said this advice resonated with her. "Mr. Zamora stressed that we are entering an honorable profession and even though we will come across attorneys that are less than honorable, these attorneys will fall by the wayside, that it is the honest ones that make it in this profession."

### **Know your case**

Study your case and learn it inside and out. Be very thorough in preparing so you don't get caught off-guard.

Visiting Professor Cheryl Fairbanks said this advice rang true for her. "We saw Mr. Zamora's passion for the law in how he emphasized the importance of thorough preparation," she said. "If you're stymied, roll up your sleeves and get into the case. The answers will come."

### **Engage with people**

Use your knowledge of the case and memory instead of relying heavily on your notes for opening and closing arguments and deposition questions.

Mr. Zamora said he initially viewed jurors as "cardboard faces." When he spent time getting to know them and relate more to them, he saw them as real human beings trying to do an honest job.

Judge Zamora said she learned that lesson the hard way when she was working with her father. She had prepared her questions for a witness she was about to depose and forgot them in her office. As she was walking back towards the conference room her father asked her what she was doing. She informed him that she had forgotten her questions and was headed to the deposition. He threw her notes away and told her if you don't know your case well enough to carry a conversation with this witness, then you had no business setting the deposition. "I realized how distracting it was to keep looking down at a paper with questions on it," said Judge Zamora. "The person you're interviewing looks down at your paper, too. It's much better to engage them in a conversation and then start asking questions naturally."

### **Be professional**

Mr. Zamora had extensive experience getting along well with opposing attorneys. He recounted a story of driving to an out-of-town courtroom with the opposing attorney, sharing the same hotel, arguing their cases during the day, then going out to dinner together. If the opposing counsel is nasty, don't get caught up in it. It's important to be professional at all times.

### **Use your creativity and imagination**

Effective advocates need to use their creativity and imagination more, especially in the courtroom. Judge Zamora shared how she effectively developed an accident reconstruction to demonstrate difficult concepts to the judge and jury.

"We don't use our imagination enough as lawyers, but it's so important," said Fairbanks.

### **Parting words**

Afterwards, the Zamoras chatted with the students and congratulated them on their time in Clinic. Mr. Zamora concluded, "Be active in the State Bar, stay close to your law school and join professional organizations."

The SILC students have also had the opportunity to present to tribal and state judges. At our April meeting, Phillip Huntsman presented a grassroots history of ICWA and information on Tribal courts. He also provided a review of Full Faith and Credit (FFC) court cases and a discussion about the application or non-application of FFC to tribal orders by state courts and FFC to state orders by tribal courts. In June, SILC law students Cristy Chapman, Louis Mallette, Erin McMillian, Brian Rowland, and Professor Cheryl Fairbanks were invited to speak on peacemaking at the annual New Mexico Judicial Conclave, an event where all levels of State and Tribal judges attend.

In June, the Consortium was invited to participate in a national Tribal-State Forum in Los Angeles, sponsored by the Tribal Law and Policy Institute. New Mexico was one of thirteen states invited to this event. Each of the states were at various stages, ranging from beginning to well-established consortiums. Each of the states were asked to present their accomplishments, short term projects, long term projects, and challenges. The common challenge amongst all the participants was funding.

New Mexico was proud to explain that a large part of its success is the professional relationship of its Consortium members. This group is willing to have honest conversations while respecting each other's opinions and positions. We were also able to boast about the Administrative Office of the Courts staff assigned to the commission – Angela Peinado, program manager and Jennifer Vieira, administrative assistant. Their organization, attention to detail, and follow up has been a significant contribution in making our Consortium a success.

Among the accomplishments we have had as a Consortium are the number of non-members who attend our quarterly meetings. Word has gotten out about the Consortium's projects and as a result, interested parties have attended our meetings to provide additional information, collaboration, or offer their services to assist in reaching our goals. One such example is the Tribal ICWA Consortium, which consists of almost all the New Mexico tribes and their stakeholders in the child welfare field. Donalyn Sarracino (Acoma) and Jacqueline Yelch (Isleta) have been successful in setting up this organization. They have been responsible for the increase in membership, and for providing training opportunities. They have also been very generous in sharing their projects and accomplishments with the Consortium. The Consortium is also able to direct them to resources and share professional experiences and expectations with them both in tribal and state court.

## State Services

The primary action item of the State Services Committee in 2016 has been to obtain state recognition of tribal court orders for allowing tribal members access to state services. In sum, the committee drafted model adult and juvenile involuntary commitment orders, which were submitted to the New Mexico Supreme Court for its consideration and adoption.

The proposed model orders are intended to be used by tribal courts for committing individuals to state mental health facilities. The basic idea is that these model orders would be recognized by state courts, without having to take the additional step of a district court domesticating the tribal court order. This procedure would be similar to the way that Project Passport enhances the ability of tribal courts to have its protection orders enforced by state courts. (See District Court Civil Form 4-965, authorized by Supreme Court Order No. 08-830-40). The proposed orders incorporate state legal requirements for involuntary commitments.

These proposed model orders are a product of two years of work by the Tribal State Consortium's State Services Committee. The Consortium has extensively reviewed the draft orders and the background documents over the past year and a half. The draft orders have been developed and modified in response to Consortium comments. In addition, we have sought and incorporated the insights of state stakeholders who are knowledgeable in this area.

Our effort is predicated on accomplishing two important goals. The first goal is pragmatic. We want to ensure access to needed state services, particularly mental health services, for Native American youth and families. Many Native Americans are court ordered to obtain needed services through tribal courts. With the proposed orders, the juvenile or adult would be able to access state mental health services, the tribal court would retain jurisdiction over the individual, and the individual would still be connected to their tribal community.

Additionally, the tribal court can use its authority to better monitor and ensure that the tribal community and its customs and traditions are incorporated as part of the treatment. As a practical matter, enhancing tribal jurisdiction by having tribal orders automatically recognized is necessary to ensure access to mental health services to our Native American communities.

Beyond pragmatism, studies demonstrate this approach should improve the success rate for the provided services. State court recognition of these model orders can assist in promoting culturally sensitive adjudications regarding youth and their families. Studies by the Annie E. Casey Foundation demonstrate that culturally sensitive programs, including those that promote tribal customs are more effective in reducing recidivism, providing restorative justice and reform. See e.g., Mendoza, Natalie C. Alternatives to Incarceration for Tribal and Latino Juveniles, 49 Feb Advocate (Idaho) 10 Advocate (February 2006). Related to this are studies from the Harvard Project on the "Nation Building Model" that show that strengthening tribal sovereignty, tribal tradition and institutions is a key to tribal community success. See Seelau, Ryan, The Kids Aren't

Alright: An Argument to Use the Nation Building Model in the Development of Native Juvenile Justice Systems to Combat the Effects of Failed Assimilative Policies, 17 Berkeley J. Crim. L. 97 (Spring 2012).

The continued and improved exposure to tribal traditions is more likely if tribal courts continue to have authority over the individuals ordered into the mental health facility. It is also less likely to alienate youth families from their tribal community and tribal customs. Further, reducing jurisdictional conflicts between tribal state courts should be more effective as the court action follow the people or acts that are subject to the order. Social problems, from mental health to drug addiction, do respect jurisdictional boundaries. We would do much better in using our collective, but scarce, judicial financial resources more effectively if we promote the type of cooperation and collaboration the proposed orders are intending to accomplish.



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The second goal seeks to find a partial resolution of the conundrum regarding whether tribal court orders receive comity or full faith and credit in state courts. Initially, New Mexico held that tribal court judgments were within the scope of the federal full faith and credit statute, 28 USC §1738. See *Jim v. CIT Financial Serv. Corp.*, 1975-NMSC-019, 87 N.M. 362 (“Navajo Nation is a ‘territory’ within the meaning of that statute” and therefore obtains full faith and credit). The New Mexico Court of Appeals reinforced the decision. See e.g., *Halwood v. Cowboy Auto Sales, Inc.*, 1997-NMCA-098, 124 N.M. 77. However, there has been debate over that legal conclusion. See *Garcia v. Gutierrez*, 2009-NMSC-044, 147 N.M. 105. It is no longer certain whether tribal court decisions receive full faith and credit or comity. While the *Garcia* court did not explicitly overrule *Jim*, it did not provide full faith and credit for the tribal court in regards to the child custody decision. Instead, it urged the tribal and state courts to work together.

The model orders are intended to foster the cooperation that *Garcia* encouraged. The model orders also borrow from Congress’ approach of providing recognition of tribal court orders when those orders meet certain requirements. Under the Violence Against Women’s Act (VAWA), Congress required states and tribes to give full faith and credit to each jurisdiction’s protection orders if certain due process requirements are met. See 18 U.S.C. §2265. This approach allows for better protection against domestic violence by enhancing victim safety, allowing a properly executed protection order to follow the victim and be enforceable regardless of the issuing jurisdiction. In spite of VAWA some victims continued to have problems getting protection orders enforced, particularly those issued by tribal courts. So, in New Mexico we took it a step further than Project Passport. Under New Mexico Supreme Court oversight and approval we developed a uniform cover sheet for protection orders so that all domestic abuse protection orders – tribal or state, would be recognized and enforced in the other’s jurisdiction. Moreover, the cover sheet is part of the order and sets out minimum requirements needed for this recognition.

Our effort is similar to Project Passport. We want a common order that sets forth the minimum requirements needed for an involuntary commitment. New Mexico has already endorsed this



approach for juveniles. Pursuant to NMSA 1978, Section 32A-1-8(E)(2009), a tribal court order pertaining to an Indian child in an action under the Children's Code shall be recognized and enforced by the district court for the judicial district in which the tribal court is located. In addition, pursuant to NMSA 1978, Section 32A-6A-29(2007) Native American juveniles are to have the same rights as other children of the State for inpatient and outpatient care. Unfortunately, there is a lack of state legal authority for Native American adults in need of state services.

The proposed model orders attempt to set forth the requirements for involuntary commitments--- NMSA 1978, Section 32A-6A-22 (2007) for juveniles and Sections 43-1-11 and -13 (2009) for adults. In the spirit of Garcia, we would like to use this approach as the groundwork for gaining recognition of tribal court orders for other state services for Native American youth and adults. The fundamental benefit of this collective approach is the continuing cooperation and collaboration between tribal and state courts for the benefit of the citizens of New Mexico.

### Plans for 2017 and Beyond:

Our next steps and other committee projects include:

- Developing model orders for other services
- Examine laws of other states that provide procedures for recognizing tribal court orders under comity and/or full faith and credit
- Develop standards for lay counsel or lay advocate program to increase representation in tribes, working with CASA to assist in training GALs
- Improving notification by state of tribal youth in state custody
- Provide index and/or online directory for state services



### Full Faith and Credit

The Full Faith and Credit Committee works on educating and training state and tribal judges. One of the more critical topics is in understanding and implementing the constitutional concept of Full Faith and Credit provided in the US Constitution between each of the states and the federal court. Unfortunately, there is a question whether this principle applies between the state and tribal judiciary. This is a critical issue for states, like New Mexico, that have tribal courts. Ideally, both courts should recognize each other's orders when presented.

New Mexico leads the Nation in recognizing the tribal court orders by both statutes and case opinions. The two cases on FFC in New Mexico are *Halwood v. Cowboy Auto Sales*, 1997-NMCA-098, 124 N.M. 77, 946 P.2d 1088 and *Jim v. CIT Financial Servs. Corp.*, 1975-NMSC-019, 87 N.M. 362, 533 P.2d 751 (S. Ct. 1975). These cases held that tribal court orders that provide minimum due process are entitled to Full Faith and Credit. Additionally, NM Uniform Interstate Enforcement of Domestic Violence Protection Orders 40-13A-1 specifically mandates that tribal court orders regarding protective orders shall be honored by state courts. The New Mexico State

Legislature is to be commended for their recognition of this order. There remains a need for the State Legislature to enact similar legislation on a number of topics.

Many of the challenges concern the general lack of knowledge about the current law among the state and tribal judges. For example, the Indian Child Welfare Act mandates Full Faith and Credit in child custody issues and the Consortium has made great strides in teaching state judges on how best to implement the ICWA in their courts. There are other federal laws that mandate FFC and these are taken up by the FCC Consortium Committee. (See Gutierrez Case) Of these, perhaps the Violence Against Women Act is of most importance. The federal Act requires each jurisdiction to give Full Faith and Credit to protective orders issued by the respective state or tribal court. (See Uniform Interstate Enforcement of Domestic Violence Protection Orders 40-13A-1.) Both jurisdictions' law enforcement agencies play a vital role in the enforcement of these orders. Without enforcement, victims of domestic violence have no protection. Project Passport is a nation-wide effort to address this issue by designing a "front page" that provide sufficient information to allow a law enforcement officer to recognize and enforce the protective order. In addition, 18 USC §2265e allows tribes to exclude non-Indians from their jurisdiction who violate a state or federal protective order.

### **Plans for 2017 and beyond:**

As set out above, the FFC Committee has much work to address:

- Continue to provide updates and awareness training to both state and tribal judges. This is the primary mandate of the Consortium and specifically, FFC.
- Local CYFD management needs to keep in communication of tribal social service workers and vice versa. The Consortium will foster their communication by addressing their specific needs to share resources.
- Whenever possible or whenever invited, member judges of the Consortium should present on FFC and other topics of interest to state judges and special service providers at conferences in order to increase awareness and foster communication.
- A University of New Mexico law student extern has offered to research Full Faith and Credit as well as Comity and draft a position paper. A brief will be completed on recent court cases, which affect full faith and credit. A cover sheet for full faith and credit will also be generated and sent to the Supreme Court Rules Committee for review.
- The Committee will also work with both State and Tribal judges to set up regional meetings to provide information and conduct listening tours to identify needs and concerns.

## ICWA/Title IV-E



On February 25, 2016, the Committee discussed the draft document ‘*Tribal Rights Under ICWA*’ as a tool for judges, tribal officials and families impacted by child welfare. Work continued on updates to the ICWA Bench Card to include references to the 2015 BIA Guidelines for State Courts and Agencies.

In April 2016, Judge Romero participated in the Tribal Judicial Leadership Group meeting in Cherokee, NC. The meeting, sponsored by the National Council of Juvenile and Family Court Judges, Department of Justice and Office of Violence Against Women, addressed numerous issues, including utilizing a more trauma-responsive approach to child welfare, juvenile justice and family court proceedings in both tribal and state courts.

In June 2016, Judge Romero attended the 29th Sovereignty Symposium in Oklahoma City and presented on ICWA and Preventing Sex Trafficking and Strengthening Families Act (P.L.113-183). Ideas were exchanged on the proposed Department of the Interior, Bureau of Indian Affairs Final Rule impacting full implementation of ICWA in state courts. Also in June 2016, BIA announced the release of the Final Rule that added a new subpart to the Department of the Interior regulations implementing ICWA. A purpose of the new regulations is to promote the uniform application of ICWA in all jurisdictions. The effective date for implementation of the Final Rule is December 12, 2016.

At the October 2016 Quarterly Meeting of the Consortium, the Committee proposed that efforts be made to promote greater awareness and education for state and tribal judges and tribal governments on the full implementation of ICWA pursuant to the new ICWA Regulations. As a result, Utah Court of Appeals Judge William Thorne (Ret.) was contacted and agreed to make a presentation on the new ICWA Regulations and Guidelines at the 2017 Judicial Conclave.

Finally, on October 26, 2016, numerous Consortium and ICWA/IV-E Committee representatives participated in the ICWA Conference: The New Regulations, hosted by the Pueblo of Pojoaque. The conference provided a collaborative opportunity for discussion and education on how we will move forward in New Mexico as the new ICWA Regulations take effect.

## Drug & Wellness Courts

Over the last year, the Drug and Wellness Courts Committee has been working to increase collaboration and consultations within the state between Drug Courts and Tribal Healing to Wellness Courts. Both offer an approximate year of intensive, structured outpatient treatment and

court supervision that follow the national best practices standards and have proven successful alternatives to jail for non-violent criminal offenders who are struggling with substance abuse. Healing to Wellness Courts are similar to Drug Courts in that they are both aimed at assisting non-violent addicted criminal offenders to get clean and maintain sobriety. In addition, Wellness Courts utilize the unique strengths and resources of each tribe to offer a culturally relevant program for the participant to succeed in rejoining their tribe as a healthy and contributing member. By diverting native criminal defendants from the state criminal justice system into these “specialty courts” probationers are required to follow all conditions of their probation and successfully complete a culturally based and stringent outpatient treatment program that typically takes a year to complete.



Recently, a Memorandum of Understanding (MOU) was signed between the Taos Pueblo Tribal Court and the Taos County Magistrate Court, which perfectly realizes one major goal of the committee. The main idea behind the MOU is “that enrolled tribal members of Taos Pueblo or other Indian tribes convicted of misdemeanors in the Taos County Magistrate Court who are in need

of addiction treatment services shall have the option of requesting the Magistrate Court to participate in the Taos Pueblo Wellness Court as a condition of their Magistrate Court probation. Judge Timothy Eisenberg of the Taos Pueblo Tribal Court and Taos Magistrate Judges Ernest Ortega and Jeff Shannon collaborated to author and finalize the MOU. This historic MOU is the first of its kind in New Mexico and part of only a handful of other similar Tribal and State Court collaborations nationwide.

In addition to his other impressive accomplishments, Judge Timothy Eisenberg also represents the Consortium by attending and participating in the New Mexico Association for Drug Court Professionals (NMADCP).

### **Plans for 2017 and beyond:**

The Committee will continue to work on the following:

- Identify and publish grant and foundation funding sources to the Consortium to support Drug Courts and Healing to Wellness Courts.
- The committee will continue to work on developing model forms to encourage jurisdictional transfers of individuals between Drug Courts and Healing to Wellness Courts. Currently these types of transfers occur around the state but only with certain judges and in certain jurisdictions. The goal is to have more structured collaborative processes in place as is currently being done by the Taos Pueblo Court and the Taos Magistrate Court.
- A memorandum in support of Drug Courts and Healing to Wellness Courts for proposed adoption by the Consortium. This will include a review of procedures and proposed adoption of uniform standards, recommendations regarding state/tribal collaboration to allow transfer of criminal defendants to courts based on their residence location, and statistics showing the success of Drug Courts and Healing to Wellness Courts.



## Juvenile Detention Alternative Initiative (JDAI)

The Statewide Leadership Team consists of statewide juvenile justice stakeholders invested in expanding the Juvenile Detention Alternatives Initiative (JDAI) statewide. In 2013, it was decided that while JDAI had been established in a few counties, it was necessary to put a plan in place to expand it throughout the state. The stakeholders include representatives from the New Mexico Supreme Court, Court of Appeals, and District Court, Children Youth and Families Department, New Mexico Association of Counties, Annie E. Casey Foundation, Burns Institute, and Juvenile Justice Advisory Committee. This team meets on a quarterly basis and have entered into a memorandum of understanding outlining each of their responsibilities.

The first county selected to establish a JDAI program was San Juan County because of its large Native American population. In April, Justice Barbara Vigil and Judge Monica Zamora met with President Russell Begaye of Navajo Nation to introduce him to JDAI and invite him and his respective stakeholders to participate in this expansion. President Begaye was very receptive to the idea and identified key stakeholders who could assist the project.

Former Judge Renee Torres of Isleta Pueblo suggested that the Consortium look to the Isleta Tribal Court as a smaller jurisdiction to start a JDAI pilot project. The surrounding counties, Valencia and Bernalillo who have established JDAI programs, agreed to participate. The W. Haywood Burns Institute (BI) offered its services in guiding Isleta through the process.



BI is in pursuit of establishing equitable and excellent youth justice systems that are used sparingly and appropriately. Every year, an estimated 300,000 young people are admitted to detention facilities nationwide and nearly 55,000 are held in detention on any given night. There is ample research about the dangers of detention and the profound and lifelong negative consequences and how they impact youth and families. The BI believes that the combined wisdom and influence of justice professionals, engaged communities and families afford the best opportunity to implement a system that is restorative, humane and accountable for public safety. This child well-being framework asserts the fundamental rights of all young people, regardless of their race, ethnicity, place of origin, or gender orientation. The BI works towards realizing a justice system that acknowledges normal adolescent development for children in trouble with the law while responding with fairness and equity.

In the 2013 report, *A Roadmap for Making Native America Safer, Report to the President and Congress of the United States*, the Indian Law and Order Commission noted that Tribal youth who live on reservations are under the authority of one of several jurisdictional arrangements; they may be subject to many different regimes: Federal, Tribal-Federal, State, or State-Tribal.

Native youth may become part of state juvenile justice systems if they commit an offense outside of tribal land or in a Tribal community where State criminal jurisdiction extends to Indian Country under federal law. In state juvenile systems, there is generally no requirement that a child's tribe be contacted when they are taken into custody. While the State of New Mexico does have a

notification requirement, its breadth, ambiguities and interpretation have resulted in its limited effectiveness. Thus, once Native youth are in the system, their unique circumstances are often overlooked and their outcomes are difficult to track. (*A Tangled Web of Justice: American Indian and Alaska Native Youth in Federal, State, and Tribal Justice Systems*, Neelum Arya and Addie Rolnick, at 20, Campaign for Youth Justice Policy Brief 2008.) The youth effectively “go missing” from the Tribe.

Many states working to implement the Juvenile Detention Alternatives Initiative, have significant Native youth within their systems. Despite data limitations, we know that Native American youth are overrepresented in the youth justice system. Based on a 2013 one day count of youth in detention facilities, Native American youth were nearly three times more likely to be securely detained than White youth. For every 100,000 White youth in the U.S., 29 were detained; for every 100,000 Native American youth, 75 were detained. Disparities are particularly acute in out of home placements. Based on the same one day count, Native American youth were nearly four times as likely as White youth to be in an out of home placement as the result of a court ordered disposition. For every 100,000 White youth in the U.S., there were 69 incarcerated out of home; for every 100,000 Native American youth, there were 254. Additionally, while out of home placement rates for White youth have decreased by more than 50% over the past fifteen years, the reduction for Native American youth lags behind with a 31% reduction.

In its report, *Ending Violence so Children Can Thrive*, the United States Attorney General’s Advisory Committee on American Indian/Alaska Native Children Exposed to Violence stated their support for substantial reform of the youth justice systems impacting American Indian/Alaska Native (AI/AN) youth. The committee’s findings and recommendations include that federal, tribal, and state justice systems should only use detention of AI/AN youth when the youth is a danger to themselves or the community. It should be close to the child’s community and provide trauma-informed, culturally appropriate, and individually tailored services, including reentry services. Alternatives to detention such as “safe houses” should be significantly developed in AI/AN urban and rural communities. The committee further noted that the use of secure detention is not effective as a deterrent to delinquent behavior, risky behavior, or truancy.

For over twenty years, the Annie E. Casey Foundation’s (AECF) Juvenile Detention Alternatives Initiative (JDAI) has worked in jurisdictions across the country to reduce the overreliance on secure detention and to create a fairer, equitable, more efficient and effective youth justice system. At the end of 2013, JDAI reached over one-fourth of the total U.S. population and was operating in more than 250 counties and 1 tribe (the Mississippi Band of Choctaw Indians) spread across 39 states and the District of Columbia.



The Annie E. Casey Foundation's most recent data showed that among local JDAI sites, the total average daily population was 43 percent lower in 2011 than in the year before joining JDAI. Thirty-four percent of the reporting sites had reduced their average daily population by more than half since implementing JDAI. The data also showed that reporting sites admitted 59,000 fewer youth to detention in 2012 than in the year prior to launching JDAI, a drop of 39 percent. Moreover, the average daily population of youth of color fell by 40 percent across all JDAI sites nationwide, nearly the same decline seen for white youth, even though youth of color have risen significantly as a share of the total youth population. JDAI jurisdictions detained 2,268 fewer youth of color per day in 2011 than they did prior to beginning JDAI.

New Mexico has 291,512 Indian citizens, which comprise nearly 10.5% of the state's entire population. There are 22 Indian tribes in New Mexico – 19 Pueblos, two Apache tribes and the Navajo Nation. Each tribe is a sovereign nation with its own government, life-ways, traditions, and cultures. Each tribe has a unique relationship with the federal and state governments.

The Pueblo of Isleta (POI), is a Native American tribe that sits within the jurisdiction of a JDAI site, Bernalillo County, New Mexico. The POI does not run its own juvenile detention center; rather the POI relies on the use of detention beds from county run facilities. In reality, the POI are but one of many Pueblos, Tribes or Nations that are similarly situated in JDAI sites across the country which historically have not been included in JDAI local or state scale efforts. As part of the POI's inclusion in New Mexico's JDAI state scale efforts, the POI will be contributing to advancing the JDAI national networks to include all Native Pueblos, Tribes, and Nations in local and state scale reform efforts. State jurisdictions can benefit from the values and principles of Native peoples. For example, for the POI, the use of detention is not a culturally or historically acceptable response to youthful misbehaviors or low-level offenses. The POI are a strong and proud people who carry and value their youth and give true meaning to the least restrictive alternative.

The partnership with the POI has the potential to inform JDAI sites across the country on best practices to improve life outcomes for Native American youth impacted by the youth justice system in their jurisdiction. Moreover, it should help to bring Native Americans out from the other side of the mirror.

Results to date include:

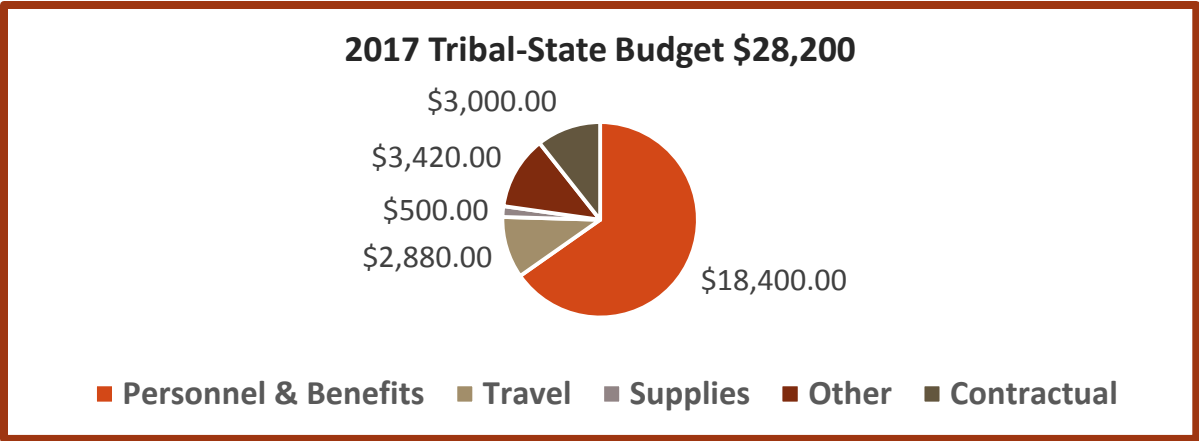
- Sustained communications and relationships with the New Mexico Tribal-State Judges Consortium as we worked to establish relationships and initial knowledge transfer regarding JDAI.
- Established relationships with elders, Lt. Governor, court personnel, child-serving agency representatives (i.e., behavior health and social services), school and community-based organization representatives.
- Assist in establishing the Pueblo of Isleta as a JDAI site including a contractual relationship between the Isleta and the Annie E. Casey Foundation (AECF). AECF will be providing the Isleta with a grant to assist in the implementation of JDAI.
- Learned about the New Mexico Children Youth and Family Department's data capacities and the type of data collected relative to Isleta youth being processed and detained in state detention facilities. This was a necessary step towards the development of a detention utilization study for the Isleta. Note: the Isleta do not have their own detention facility. Isleta youth processed through the Isleta court and/or the state courts are detained in state detention facilities.
- Conducted a JDAI 101 with Isleta child serving agency representatives (behavior health and social services), court personnel, Lt. Governor, law enforcement, school representatives, and representatives from community based organizations. Representatives from Bernalillo County (JDAI model site) and the New Mexico Children Youth and Family Department participated as faculty to describe their role in New Mexico's JDAI state scale efforts and their role in the Isleta's future JDAI efforts.
- Participated in a model site visit to Bernalillo County with the Mississippi Band of Choctaw Indians to learn more about local reform efforts taking place. Pueblo of Isleta representatives had the opportunity to learn how JDAI is applied within tribal communities.
- Participated in a site visit, along with representatives from the Annie E. Casey Foundation (AECF) that included a tour of the Pueblo and stops at Behavioral Health and Social Services. The site visit culminated with an Isleta community luncheon attended by: AECF representatives, BI TA providers, Isleta elders, the Isleta Governor, two Lt. Governors, all but one of the Isleta Tribal Council members, court personnel, child-serving agency representatives, Isleta Chief of Police, school representatives, and representatives from community based organizations. The program included an introduction to the AECF representatives and their work and a brief overview of JDAI. The next steps in implementing the initiative are conducting a system assessment and developing a report on detention utilization. The purpose of a system assessment as well as the roles of those to be interviewed were discussed with the Isleta community at length. Isleta values and principles that align with JDAI were shared and there was substantive engagement by the stakeholders participating in the community meeting.
- A delegation of POI stakeholders attended the 2015 JDAI National Inter-site Conference. The conference was attended by over 900 participant peers from JDAI sites throughout the country. The day and a half conference proved helpful to the POI delegation in gaining further understanding of and envisioning JDAI's applicability to the POI.
- Conducted a system assessment to: 1) better understand the workings of the Isleta's youth justice system; 2) acquire an understanding of how Isleta youth are processed in the tribal

and/or state courts; and, 3) to inform the development of a year 1 work plan. BI TA providers spent two days conducting a qualitative assessment. Multiple stakeholders, along with parents and grandparents, a representative from the New Mexico Children’s Youth and Family Department and co-chair of the New Mexico Tribal-State Judges Consortium were interviewed during the course of the system assessment.

- A debrief of the system assessment was conducted with relevant POI stakeholders including the Judges. The debrief was well received and very productive; governing structure and coordination were deliberated and decided. The technical assistant team plans to make a site visit in January 2017 to commence the development of a work plan.

### Tribal-State Consortium Funding

The Tribal-State Consortium received \$28,200 in State General Funds, which also serve as the match for the Federal CIP Grant, supporting Children’s Court Improvement Commission.



### Summary

The New Mexico Tribal-State Judicial Consortium has been recognized locally and nationally for its revolutionary work as the state and tribal judges continue to focus on initiatives that seek continuous quality improvement. We are proud of our efforts and accomplishments as we continue to grow and cultivate the relationships and collaboration between the two judicial systems for the benefit of all New Mexico citizens.



## Committee members

### Rapport/Communications

M. Monica Zamora, Court of Appeals (*Co-Chair*)  
 William “Bluehouse” Johnson, Acoma Pueblo (*Co-Chair*)  
 Justice Barbara Vigil, NM Supreme Court  
 James Wechsler, Court of Appeals  
 Kim McGinnis, Pojoaque Pueblo  
 John F. Davis, 13th District Court  
 William X. Parnall, 2<sup>nd</sup> District Court  
 John Romero, 2<sup>nd</sup> District Court

### State Services

Randy Collins, Pueblo of Acoma (*Chair*)  
 Geoffrey Tager, Ohkay Owingeh  
 Justice Barbara J. Vigil, Supreme Court  
 Abigail Aragon, 4<sup>th</sup> Judicial District  
 William Johnson, Pueblo of Acoma  
 Kim McGinnis, Pueblo of Pojoaque  
 Bill Parnall, 2<sup>nd</sup> Judicial District  
 John J. Romero, 2<sup>nd</sup> Judicial District  
 Rene Torres, Zia Pueblo  
 Stephanie Taylor Marshall, CYFD

### Full Faith & Credit

Vincent Knight, Isleta Pueblo (*Chair*)  
 William “Bluehouse” Johnson, Acoma Pueblo  
 Geoffrey Tager, Ohkay Owingeh  
 Patricia Galindo, Administrative Office of the Courts  
 M. Monica Zamora, Court of Appeals  
 Kim McGinnis, Pojoaque Pueblo  
 Justice Barbara J. Vigil, NM Supreme Court

### ICWA/Title IV-E

John Romero, 2<sup>nd</sup> District Court (*Chair*)  
 Michelle Brown-Yazzie, Tesuque Pueblo  
 Beth Gillia, Corinne Wolfe Children’s Law Center (UNM)  
 Vincent Knight, Isleta Pueblo  
 William “Bluehouse” Johnson  
 David Adams, U.S. Attorney’s Office  
 M. Monica Zamora, Court of Appeals

### JDAI

M. Monica Zamora, Court of Appeals (*Chair*)  
 Justice Barbara J. Vigil, NM Supreme Court  
 Rene Torres (Zia Pueblo, Metropolitan Court)  
 Michelle Brown Yazzie (Tesuque Pueblo)

### Drug Court

Bruce Fox of Laguna Pueblo (*Chair*)  
 Maria Dominguez of Bernalillo County Metropolitan Court  
 Timothy Eisenberg, Taos Pueblo Tribal Court  
 Kim McGinnis of Pojoaque Tribal Court







# Tribal-State Judicial Consortium

## Strategic Plan Update

2017-2020

## Executive Summary

Following the successful implementation of goals derived from a 3-year strategic plan, the Tribal-State Judicial Consortium (Tribal-State Consortium) planned to come together to do a comprehensive review of the previous years' committee work. In gathering for a full day, the Tribal-State Consortium sought to take inventory of committee progress as it related to the existing strategic plan and to develop a series of new goals that each of the standing committees could define, prioritize, plan in detail and get energized to implement.

On June 23, 2017, the Tribal-State Consortium convened to engage in a planning session at the Buffalo Thunder Resort in Santa Fe, New Mexico. The event was attended by the members of the consortium, which allowed for planning, strategic discussion and some immediate scheduling of events throughout the remainder of the 2017 annual calendar.

In addition, the Consortium members were able to clarify committee reorganization, confirm committee membership and determine the course of action and implementation for each of the committees for the coming three years.

This document is representative of the planning that committees made to develop their new committee action plans. Taken in sum, these plans constitute and update to the existing Tribal Consortium Strategic Plan. On the following pages are the Action and Implementation Plans that have been developed by each of the committees, as they are now constituted. And while there is an adequate amount of detail currently represented in the actions to take and timeframes to meet prioritized goals, it is the expectation that each committee will use these plans as guides to help them engage their work and take inventory of their progress as they move along making all of the necessary adjustments as they progress.



## Action & Implementation Matrices

### Drug Court Committee

(Judge Bruce Fox, Judge Joseph Little, Judge Kim McGinnis, Judge M. Monica Zamora, Judge Maria Dominguez, Judge T. David Eisenberg, Judge Renee Torres)

Goal	Objectives	Actions to Take	Who's Responsible	Time Frame (By When)
<u>Promote</u> Tribal-state HTW/recovery court as an alternative to incarceration	Create pamphlet promoting recovery courts by 10/1/17	Fox to send prior memo to comm., by 6/30/17  Comm. responsible by 7/14/17  Fox incorporate change by August 1 <sup>st</sup>  Put into pamphlet format by September 15 <sup>th</sup>	Fox handles email exchange  Committee via email  Pamphlet format (Joe Little)  <u>Bruce Fox</u> Team	October 1 <sup>st</sup> 2017
<u>Encourage</u> Collaboration among state/tribal and state/federal drug court programs/HTW	Develop Master list of tribal, state, mag, fed and DWI/Drug Court/HTW programs with contact info plus whether they accept referrals by 10/1/17  Arrange a meeting with tribal, state, magistrate and federal Judges to discuss consortium objectives at the September meeting	Judge little to contact TLPI to have time at the September conference Drug Court.	Pamphlet format (Joe Little)	By July 15 <sup>th</sup>
Identify a general referral/transfer progress	Develop draft process and a revision as needed	Bruce Fox to email team regarding: input process  Revise draft process as needed	<u>Bruce Fox</u> Team	December 31 <sup>st</sup>

**ICWA Committee***(Judge Kim McGinnis, Judge M. Monica Zamora)*

<b>Goals</b>	<b>Objectives</b>	<b>Actions to Take</b>	<b>Who's Responsible</b>	<b>Time Frame (By When)</b>
Bench Card/Folder	Enter into contract with Beth Gillia by September 1 <sup>st</sup>	Sign contract	AOC and Beth	July 1 <sup>st</sup> , 2018
Guardianship Bench Card	Explore possibility of adding to bench card →	Explore possibility of adding to bench card	AOC, Beth Gillia	TBD
New Rules	Write the rules	Keep in contact with Children's Court Rules Committee	Judge Zamora and Beth	Long term-December 2018 Short term-rules in process drafting
Tribal Motion to Intervene (Form)	Develop best practices	Discussions between Tribal and State judges	Committee	Long term-December 2018

**JDAI Committee***(Judge M. Monica Zamora, Judge Kim McGinnis, Justice Barbara Vigil, Judge Marita Robinson)*

<b>Goals</b>	<b>Objectives</b>	<b>Actions to Take</b>	<b>Who's Responsible</b>	<b>Time Frame (By When)</b>
Isleta Progress	Quarterly contact with Pueblo	Email pueblo and Burns Institute	Judge Zamora	Short term- 1 year Long term- 2 years
State to Scale	Stay involved	Keep attending meetings	Judge Zamora, Justice Vigil, and Judge Robinson	TBD
Native Project (New) Empower the nation to Identify needs	Identify resources, October 1 <sup>st</sup> 2017 Gather data	Contact with resources already identified, Community progress meetings	Judge Zamora	Short term- 1 year (Identify resources, data collection in process) Long term-2 years

**State Services/Full Faith & Credit Committee**

*(Justice Barbara Vigil, Judge Randy Collins, Judge Geoffrey Tager, Judge William Johnson, Judge William Parnall, Judge Allan Toledo, Patricia Galindo, Judge Vincent Knight, Jr.)*

<b>Goal</b>	<b>Objectives</b>	<b>Actions to Take</b>	<b>Who's Responsible</b>	<b>Time Frame (By When)</b>
<b>I.</b> Tribal orders of protection entered into NCIC	<b>I.</b> Determine grant funding by October 1 <sup>st</sup> , 2017	<b>IA.</b> Training and education of tribal stakeholders <b>IB.</b> Buy-in by tribes	<b>I.</b> Patricia Galindo	<b>I.</b> Grant – October 1 <sup>st</sup> , 2017
<b>II.</b> Recognition of tribal mental health, involuntary commitment orders by state	<b>II.</b> Obtain recommendations from comm. to Supreme court	<b>II.</b> Monitor status at mental health rules committee	<b>II.</b> Justice Vigil Judge Tager Judge Collins	<b>II.</b> 12/2/17
<b>III.</b> Change in notification of delinquency petition to tribes	<b>III.</b> Identify which statutes rules should be change for prior notification	<b>IIIA.</b> Find sponsor for legislative changes <b>IIIB.</b> Obtain CYFD's support for legislative change	<b>IIIA.</b> Judge Parnall & Judge Knight <b>IIIB.</b> Justice Vigil	<b>IIIA.</b> 8/1/17 <b>IIIB.</b> 9/1/17
<b>IV.</b> To provide information and training on NICS firearms reporting	<b>IV.</b> Email and consensus on issues consortium members want to address related to NICS/firearms	<b>IV.</b> P. Galindo to email committee members	<b>IV.</b> Patricia Galindo	<b>IV.</b> 8/1/17
<b>V.</b> Research the recognition of tribal court orders in district court	<b>Va.</b> Identify issues, define scope of work and ask UNMSOL for commitment to locate law student extern/ court observation  <b>Vb.</b> Research and white paper completed	<b>V.</b> 8/15/17, send letter UNMSOL	<b>V.</b> Judge Knight, Judge Collins, and Justice Vigil	<b>V.</b> 2/1/18



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