

THE NATIONAL INDIAN JUSTICE CENTER



ASSESSING TRIBAL COURTS

SEPTEMBER 17-19, 2008
RENO, NEVADA

Presented by:

Hon. William Johnson, Chief Judge of the Umatilla Tribal Court
Joseph Myers, Executive Director, NIJC

Self-Determination Through Improved Tribal Courts!

This training session is designed for those who are developing new tribal courts and for those administering existing tribal courts. This session provides the information and skills development necessary to conduct an internal evaluation of a tribal court system and an analysis of what a court system needs to administer fair and equal justice in Indian country. We will analyze the purpose and function of a tribal court, baseline standards of measurement, the efficiency of operation, resolution of employee disputes and enforcement of ethical requirements. Participants will receive a comprehensive training manual and a certificate of achievement.

This Training Session Will Examine:

- ▶ The Source of Tribal Judicial Authority
- ▶ Tribal Civil and Criminal Jurisdiction
- ▶ ICRA: Due Process, Equal Protection
- ▶ Tribal Law: Constitution, Codes, Resolutions, Regulations and Case Law
- ▶ Goals of the Tribal Court System
- ▶ Common Problems in Tribal Court Systems
- ▶ Measuring the Performance of a Tribal Justice System
- ▶ Evaluating Interagency Communication and Cooperation
- ▶ Employee Performance Reports, Ethics
- ▶ Reporting the Findings of Court Evaluations
- ▶ Developing Citizen Commissions

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LODGING

This conference will be conducted at the **Atlantis Casino Resort Spa, Reno, Nevada**. All individuals are responsible for their own lodging. The Atlantis Casino Resort Spa is holding a block of rooms at a rate of \$89.00 (single/double), plus tax (12%) and an energy surcharge per room night, for participants. **This special rate will be available until August 17th**. To reserve a room at the Atlantis Casino Resort Spa, please call the Hotel and state that you are with the **National Indian Justice Center**.

Atlantis Casino Resort Spa
3800 South Virginia Street
Reno, NV 89502
Ph: (800) 723 - 6500
Fax: (775) 825 - 1170

TUITION

The tuition fee to attend this training session is **\$485** per person. The deadline for registration is Friday, **September 12th**. Please complete the registration form and return by mail or fax to:

NIJC
5250 Aero Drive
Santa Rosa, CA, 95403
Ph: (707) 579-5507
Fax: (707) 579-9019
E-mail: nijc@aol.com




REGISTRATION FORM: Assessing Tribal Courts

Mr. _____ Ms. _____ Name: _____ Your Tribe: _____

Title: _____ Employer: _____

Address: _____
Street or P.O. Box City State Zip

Phone: _____ Fax: _____ E-mail: _____

Credit Card:    Card#: _____ Exp. Date: _____
Please check one

Name as it appears on the Card: _____

Signature: _____ Billing Zip Code _____

Return completed form to NIJC at 5250 Aero Dr., Santa Rosa, CA 95403 or fax to (707) 579-9019



NATIONAL INDIAN JUSTICE CENTER

5250 Aero Drive
Santa Rosa, California 95403
A non-profit corporation

Phone; (707) 579-5507
Fax: (707) 579-9019
E-mail: nijc@aol.com
Web: www.nijc.org

Joseph A. Myers, Executive Director

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AGENDA

Wednesday - September 17, 2008

- 8:30 a.m. - 9:00 a.m. **Registration and Distribution of Training Materials**
- 9:00 a.m. - 9:30 a.m. **Introduction, Overview and Icebreaker**
- 9:30 a.m. - 10:30 a.m. **Fundamental Concepts in Evaluating Tribal Court Systems**
- Tribal Sovereignty
 - Tribal Jurisdiction
 - Civil and Criminal Case Law, Federal Statutes
- 10:30 a.m. - 10:45 a.m. **BREAK**
- 10:45 a.m. - 12:00 p.m. **Fundamental Concepts in Evaluating Tribal Court Systems (continued)**
- Indian Civil Rights Act
 - Tribal Sovereign Immunity
 - Separation of Powers
- 12:00 p.m. - 1:00 p.m. **LUNCH**
- 1:00 p.m. - 2:00 p.m. **Tribal Law: Constitution, Codes, Resolutions, Regulations and Case Law**
- Indian Reorganization Act and boilerplate constitutions
 - "Living Documents"
- 2:00 p.m. - 2:15 p.m. **BREAK**
- 2:15 p.m. - 4:00 p.m. **Understanding your Judicial Institution:**
- Roles within the Tribal court system: Judges, Administrators, Clerks, Bailiff, Process Server, Prosecutor, Defender, Attorney-Advocates v. Lay Advocates
 - Job Descriptions, Organization Charts, and Performance Evaluations

Thursday - September 18, 2008

- 9:00 a.m. - 10:30 a.m. **Basic Requirements for an Efficient Tribal Court System**
- Case Management Filing System
 - Docket System
 - Tickler System
 - Calendaring System
- 10:30 a.m. - 10:45 a.m. **BREAK**
- 10:45 a.m. - 12:00 p.m. **Basic Requirements for an Efficient Tribal Court System (continued)**
- Accounting of Fines
 - Computer System
 - Collecting Court Statistics
 - Library or on-line service such as Westlaw

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- 12:00 p.m. - 1:00 p.m. **LUNCH**
- 1:00 p.m. - 2:30 p.m. **Gathering Information about your Tribal Justice System**
- Identify the caseload carried by the court
 - Review the tribal constitution, tribal codes
 - Conduct interviews with key personnel from agencies that interact with the court
 - Conduct public hearings
- 2:30 p.m. - 2:45 p.m. **BREAK**
- 2:45 p.m. - 4:00 p.m. **Evaluating the Interaction between the Court and Other Agencies: Tribal Council, Social Services, Law Enforcement, Prosecutor**
- Separation of Powers
 - Assessing the quality of communication
 - Assessing the quality of interaction

Friday - September 19, 2008

- 9:00 a.m. - 10:30 a.m. **Common Problems in Tribal Court Systems**
- Lack of necessary code provisions
 - Lack of basic training and education
 - Nepotism: What to do when there are too many relatives working in the system (tribal court, law enforcement, council, etc.)
 - Grievances and disputes among staff
 - Anger Management
 - Building Trust and Loyalty After Disputes
- 10:30 a.m. - 10:45 a.m. **BREAK**
- 10:45 a.m. - 12:00 a.m. **Strategic Planning for Tribal Court Systems**
- Goals or Mission of the Tribal Court System
 - Basic Overview of the purpose of the evaluation: to identify strengths and weaknesses in the tribal court system
 - Strategic Planning principles for addressing areas of weakness
- 12:00 p.m. - 1:00 p.m. **LUNCH**
- 1:00 p.m. - 2:15 p.m. **Recommended Tools for Enhancing Tribal Court Performance**
- Leadership and Team Building
 - What to do when you inherit your team?
 - Employee Performance Reports
 - Codes of Ethics
 - Case Reporters
- 2:15 p.m. - 2:30 p.m. **BREAK**
- 2:30 p.m. - 3:15 p.m. **Public Outreach and Community Education**
- 3:15 p.m. - 4:00 p.m. **Reporting the findings of the Evaluation**
- The report as a tool for improving the system
 - Limited circulation of the report
 - Periodic review of the recommendations and achievements