


## What's New?

The TSCC is in the process of revitalizing work for TSCC workgroups and updating focus areas. There is intention in bringing to fruition a 2023 spring regional meeting.

If you are interested in the planning workgroup please feel free to reach out. 

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## November is Native American Heritage Month

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Here are a few ways to celebrate and pay tribute:

- Recognize what land you're on.
- Visit a local, tribal museum.
- Attend events centered around Native American storytelling.
- Purchase a book written by a Native American author.

## this issue

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## Welcome Back!

It has been some time since our last update and the TSCC is excited to be back with you. If you recall the first update was published in February 2020 and the goal of the update is to place an informational spotlight on tribal courts, TSCC workgroups, opportunities, and other relevant information. This information will be distributed directly through the listserv emails, if you haven't signed up yet and would like to subscribe please e-mail Mishani Jack-Gonzalez at [mishani.jack-gonzalez@courts.wa.gov](mailto:mishani.jack-gonzalez@courts.wa.gov).

## Let's hit the refresh button.

The Tribal State Court Consortium (TSCC) is a joint effort between state and tribal court judicial officers and other judicial branch members to expand communication and collaboration. The primary focus areas include domestic violence and sexual assault issues, dependency cases involving Indian children and the disproportionate number of Indian youths in the juvenile justice system.

These are all very important topics and we will continue monitoring and find working solutions to these areas. Likewise, integration of new programs such as ICWA courts, healing-to-wellness courts, and behavior health are newer moving parts that the TSCC would also like to explore. With that in mind, you may see these related topics in our newsletters and as upcoming agenda items for future TSCC meetings and workshops.

We look forward to working with you!

## Indigenous Podcast

### November Spotlight

Podcasts have been on the rise for the past few years- gaining popularity all over the world. They are an effective way to tell stories, stay updated on current news, and learn important content from a new perspective. If you have a few minutes on your morning commute, give this indigenous-led podcast a listen.



War Cry is a podcast created, hosted, and produced by an all Indigenous team.

All hosts are female, Yakama tribal members either residing on or near the Yakama reservation. They explore stories, issues, and historical connections about Missing and Murdered Indigenous Women, Men and LGBTQ 2-Spirit community members.

Their focus is centered around the Pacific Northwest. None of their stories are published without the permission of the families. The culture and protocols are paramount.

Find the podcast and more information here:

<https://www.warcrypodcast.com/>

## NOVEMBER'S ACTIVE ROLE SPOTLIGHT

### ICWA Court



### Clallam County Family Court

The Clallam County Superior Family Court is the 17<sup>th</sup> ICWA court established in the United States. The goal is to increase attention to these particular cases that move through the dependency process by creating a specific calendar each month where these cases will be heard.

Tribes have often voiced their concerns when it comes to applying ICWA standards in the court system and this is a step forward for indigenous children and families.

On October 21, 2022, Commissioner Brandon Mack and the Clallam County Dependency Court Improvement team were the recipients of the 2022 Innovating Justice Award for their collaborative work as they developed the ICWA and Infant-Toddler Dependency Courts.

The framework for this includes five principles that frame the “gold standard of child welfare,” according to the NCJFCJ. This includes:

- 1) Judicial leadership
- 2) ICWA data collection
- 3) ICWA training (spirit and letter of law)
- 4) Tribal stakeholder collaboration
- 5) Gold Standard lawyering and social work.

You can find more information and webinars at:

<https://www.ncjfcj.org/child-welfare-and-juvenile-law/icwa-courts/#section-resources>

# Keep an eye on it

SCOTUS docket:

## **Brackeen v. Haaland; Docket No. 21-376**

Argument: November 9, 2022

Opinion: TBD

Issues: (1) Whether the [Indian Child Welfare Act of 1978](#)'s placement preferences — which disfavor non-Indian adoptive families in child-placement proceedings involving an “Indian child” and thereby disadvantage those children — discriminate on the basis of race in violation of the U.S. Constitution; and (2) whether ICWA’s placement preferences exceed Congress’s Article I authority by invading the arena of child placement — the “virtually exclusive province of the States,” as stated in *Sosna v. Iowa* — and otherwise commandeering state courts and state agencies to carry out a federal child-placement program.

Find all information at: <https://www.supremecourt.gov/>

## Upcoming Event of Interest in Washington State

### 2022 MMIWP Task Force Annual Summit

December 13, 14, 15, 2022.

<https://www.atg.wa.gov/washington-state-missing-and-murdered-indigenous-women-and-people-task-force/summit>

About this Event:

As a result of the advocacy of community members, grassroots organizers, and legislators, the Washington State MMIW/P Task Force was established within the Attorney General’s Office in 2021. The Task Force builds on the work of impacted families, tribal leaders, and advocates to continue addressing the MMIWP crisis. (Report link located to the right)

At this first summit, the Task Force seeks to provide a platform to the Indigenous communities of Washington and the greater Pacific Northwest region to highlight the hard-won successes of this work, and to look toward future opportunities to address community needs.

Please contact [mmiwp@atg.wa.gov](mailto:mmiwp@atg.wa.gov) with any questions or requests for accommodations.

## Updated Reports

Reports and studies are a central part of improving the justice system. Here you will find updated links to updated reports distributed in Washington State.



Washington State Office of the Attorney General: Missing and Murdered Indigenous Women and People Task Force distributed the August 2022 Interim Report, find it here:

<https://www.atg.wa.gov/washington-state-missing-and-murdered-indigenous-women-and-people-task-force>

United States DOJ- Office on Violence Against Women distributed an update report (September 2022) on the status of tribal consultation recommendations from the 2021 consultation session.

<https://www.justice.gov/ovw/page/file/1529381/download>