

2nd Annual Tribal State Court Consortium
Monday, September 22, 2014
Spokane, Washington
Davenport Hotel

Elizabethan Meeting Room

Agenda

- 5:30 – 5:40 pm **Buffet Dinner**
Buffet dinner will be available at the start of the meeting so attendees can get food before the welcome and invocation.
- 5:40 – 5:50 pm **Welcome and Invocation**
Chief Justice Barbara A. Madsen, Washington State Supreme Court
Honorable Tom Tremaine, Kalispel Tribal Court
Francis Cullooyah, Tribal Elder and Director of the Kalispel Tribal Culture Program
- 5:50 – 6:00 pm **Introductions and Meeting Overview**
Honorable Patricia Clark (Ret.), King County Superior Court
Honorable Theresa M. Pouley, Tulalip and Colville Tribal Court of Appeals
- 6:00 – 7:00 pm **Tribal & State Courts Conflicts and Cooperation: ICWA and FFC**
Honorable Theresa M. Pouley
Commissioner Michelle L. Ressa, Spokane County Superior Court
The federal Indian Child Welfare Act (ICWA) of 1978 and the Washington State Indian Child Welfare Act (WSICWA) of 2011 each recognize the roles and authority state and tribal sovereigns have in protecting the rights and interests of the child, parent, and tribe when an Indian child is involved in child custody proceedings. Thus, the ICWA and WSICWA provide an excellent context for confronting conflicts and discussing opportunities for cooperation between different court systems that often share jurisdiction.

This session will focus on four key elements:

1. Exclusive tribal court jurisdiction;
2. Concurrent state and tribal court jurisdiction;
3. Transfer of jurisdiction from one court system to the other; and
4. Disproportionality rates of American Indian/Alaska Native children in the child welfare system.

At the end of this session, judicial officers will have a clearer understanding of ICWA's "dual jurisdictional scheme," how to decide requests for transfer of jurisdiction, and strategies for helping to assure that questions about jurisdiction do not distract, delay, or detract from efforts to protect children or heal families. Time permitting, attendees will segue into another issue identified at last year's meeting – Full Faith and Credit of tribal orders.

7:00 – 8:00 pm

Consortium Structure & Specific Next Steps

Honorable Patricia Clark (Ret.) and Honorable Theresa M. Pouley

8:00 pm

Adjourn