



Tribal State Court Consortium

2019

Annual Report



WASHINGTON
COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

About

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 TSCC provides an open, transparent forum where state and tribal court judicial officers can come together and discuss,

- Jurisdictional issues.
- Gaps in services.
- Ways to develop lasting partnerships.

The TSCC is focusing its efforts on domestic violence and sexual assault issues, dependency cases involving Indian children, and the disproportionate number of Indian youth in the juvenile justice system.

This report contains key accomplishments by members, leadership and staff in 2019.

2019 Key Accomplishments

- Created and revised an **amendment to Superior Court Civil Rule 82.5** to support better communication between state and tribal court judges. The changes were adopted in September 2019.
- **Hired a part time staff person** dedicated solely to TSCC in May 2019.
- **Thirteen Tribal Court Judges were reimbursed travel expenses** to attend the Washington State Annual Judicial Conference.
- The TSCC **co-sponsored a conferences session** on missing and murdered indigenous women and girls at the Washington State Annual Judicial Conference.
- **Three Tribal Court Personnel** were reimbursed travel expenses to **attend national trainings**.
- TSCC members signed up to start **six new workgroups** in late 2019.
- The TSCC Annual Meeting drew **35 participants**.



Tribal State Court Consortium Co-chairs Judge Lori K. Smith, Court of Appeals Div. 1, and Chief Judge Cindy Smith, Suquamish Tribal Court

Workgroup Updates

In 2019, TSCC workgroups included,

Superior Court Civil Rule 82.5

- This workgroup created and revised amendments to Superior Court Civil Rule 82.5 to increase communication between state and tribal court judges. The changes were adopted in September 2019.

Domestic Violence Protection Order Enforcement

- This work has spanned several years. This workgroup was started at the Annual Meeting in 2019 and will meet in early 2020. The first projects will be a survey of current court processes and creating a distribution plan for the 2018 AGO Opinion on full faith and credit for tribal protection orders.

Annual Spring Regional Meeting

- This workgroup started at the Annual Meeting and convened in November to begin planning the 2020 Spring Regional Meeting.

Branding & Messaging

- This workgroup kicked off their first meeting in December. The group refined messaging for 2020 to focus on Respect and Relationships and identified primary and general audiences for 2020.

ICWA Bench Card

- Paused in 2019, this workgroup was restarted at the Annual Meeting and the workgroup project will be supported by a contractor in 2020.

ICWA Courts & Joint Jurisdiction Pilot

- Both workgroups have interested TSCC members, but are currently paused. Members will be notified as soon as these projects can move forward.

Travel Scholarships

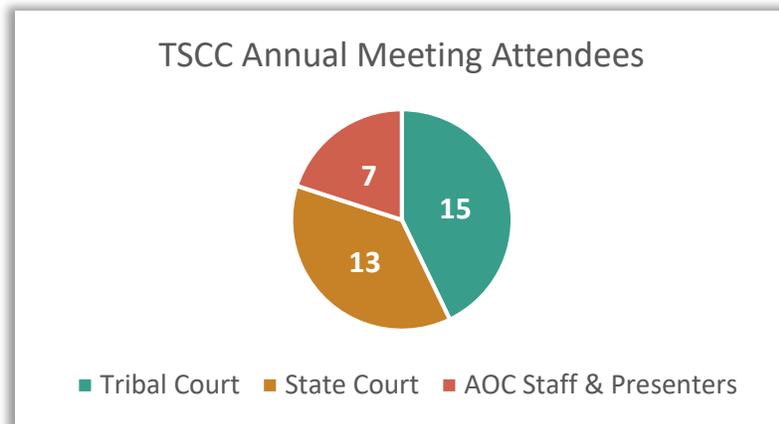
Travel reimbursements were made to three Tribal Court Staff to attend the following national trainings,

- NAICJA National Tribal Judicial and Court Personnel Conference
- National Victims of Crime Conference & Training Institute

TSCC Annual Meeting

Thirty-five participants came to the TSCC Annual Meeting, held right before the annual Washington Judicial Conference on September 22, 2019 in Vancouver, WA. The meeting covered workgroup updates, new workgroups, and featured two presenters; **Annita Lucchesi, Executive Director, Sovereign Bodies Institute** and **Sheldon Spotted Elk, Casey Family Programs, ICWA Program**.

Ms. Lucchesi and Mr. Spotted Elk shared insight and discoveries from their work on missing and murdered indigenous women and girls and girls in foster care. Sovereign Bodies Institute is building a comprehensive, indigenous led and informed database, and had information on cases specific to Washington. Casey Family Programs is supporting ICWA Courts across the country and sees ICWA as the gold standard for foster care.



Annual Judicial Conference Co-Sponsored Session

The Tribal State Court Consortium co-sponsored, with the Gender & Justice and Minority & Justice Commissions, a session at the Washington State Annual Judicial Conference on September 23, 2019 in Vancouver, WA. The 90 minute session focused on two important areas related to domestic violence and violence against women.

The first speaker was **Annita Lucchesi, Executive Director of Sovereign Bodies Institute**. Ms. Lucchesi presented on data currently available and tracking missing and murdered indigenous women both nationally and specifically in Washington. Most concerning were the number of cases that appear multiple times in the justice system and have strong correlations with victim in foster care. Ms. Lucchesi also talked firsthand about her experiences as a survivor and with the justice system.

The second speakers were **Sharon Jones Hayden, Prosecuting Attorney for Tulalip Tribes** and **Chief Judge Cindy Smith of the Suquamish Tribal Court**. The second presentation focused on Special Domestic Violence Criminal Jurisdiction as authorized by the Violence Against Women Act of 2013 and the implementation challenges and successes.