

7th Annual Tribal State Court Consortium

“An Intersection of courts and MMIWG”

SUNDAY, SEPTEMBER 22, 2019

12:00 PM – 1:30 PM

HEATHMAN LODGE, VANCOUVER, WA

Meeting Minutes

Welcome and Introductions

*Judge Lori K. Smith and Judge Cindy Smith,
Co-chairs of the Tribal State Court Consortium*

- Thank you Judge Lorintha Umtuch for starting the meeting with a blessing.
- The Co-Chairs of the TSCC welcomed attendees and thanked them for attending.
- Attendees introduced themselves, the courts they represented, and provided information about their relationships with tribal courts and interest in the TSCC. In total, 34 people participated with 15 tribal courts judges attending.

Workgroup Updates

Justice Barbara Madsen, Judge Lori K Smith, Judge Cindy Smith

- Justice Madsen shared the amendment to Court Rule 82.5 passed and will be effective in late September when published in the next Washington Reports. A copy was distributed and is also available online in meeting materials. It will be important to report back at future meetings how the implementation is going.
- The co-chairs recognized this past year’s participants and encouraged people to sign up for this coming year’s workgroups,
 - Regional Meeting Workgroup
 - DV PO Enforcement Project
 - Branding/Messaging about TSCC
 - Joint Jurisdiction Pilot
 - ICWA Bench Card
 - ICWA Court
- As the sign-up sheets went around, all the workgroups had 3 – 8 people signed up. Please contact Kathryn Akeah (Kathryn.akeah@courts.wa.gov or 360-705-5321) to sign up.
- Written workgroup updates are available online in meeting materials.

Presentations: What can Courts do about MMIWG?

*Annita Lucchesi, Executive Director, Sovereign Bodies Institute
Sheldon Spotted Elk, Casey Family Programs, ICWA Program*

- Annita Lucchesi shared with the group the work that Sovereign Bodies Institute is doing to build a comprehensive, indigenous led and informed database of missing and murdered indigenous women.
- In addition to data about the crime, SBI also tracks family connections, community response metrics and the justice system response.

- From the database, key statistics shared about Washington include that almost half of the cases where victim age is known are girls 18 and under and that 29% of cases are misclassified. SBI especially focuses on the fact that girls go missing multiple times.
- Especially impactful was when Ms., Lucchesi shared her own story as a survivor of domestic violence and sexual violence as well as trafficking.
- Sheldon Spotted Elk shared his work with courts in Washington and across the nation to stand up ICWA Courts. Native children are entering foster care at high rates and after years of decline the overall number of children entering foster care is rising.
- The Indian Child Welfare Act is the gold standard of foster care as it centers the child in relation to relatives and the community.
- ICWA Court model include five key components: judicial leadership, ICWA data collection, stakeholder collaboration, proximity/cultural humility, and ICWA training.
- While the group ran out of time to have a long discussion, people were encouraged to join the ICWA Courts workgroup to discuss issues this year.
- Presentation slides and presenter bios are posted on the TSCC website.

Moving Forward & Wrap Up

Judge Lori K. Smith and Judge Cindy Smith,

Next Regional Meeting

- 2020 Spring Regional Meeting tentatively set for Monday, March 30 or Friday, May 15th. Plans are still being finalized with Nisqually. If Nisqually can host, the morning would be at the State Supreme Court in Olympia and the afternoon at Nisqually Tribal Court.
- The co-chairs asked the group to consider who can host the Spring 2021 Regional meeting. Please let Kathryn Akeah know if that is something your Tribe would like to do.

Scholarship Reminder

- Grant funds from the Gender and Justice Commission have provided scholarships for tribal court judicial officers and court staff to attend conferences. Three scholarships have been awarded so far.
- Opportunities for 2019 still include:
 - National Tribal Judicial and Court Personnel Conference –October 15 – 18 in MN.
 - Enhancing Judicial Skills in DV Cases Workshop – December 8 -11, TX