

Shingle Springs Band of Miwok Indians  
and  
El Dorado County, California



*Family Wellness Court: Collaboration for Better Outcomes*

## GENERAL BACKGROUND

### The Joint Jurisdiction Project Concept

The Superior Court of El Dorado County and the Shingle Springs Band of Miwok Indians Tribal Court are working to establish a first-of-its-kind, joint-jurisdictional project that will create a collaborative court for juvenile and family cases across the two jurisdictions.

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### Shingle Springs Band of Miwok Indians

- Established in 1916 through land purchase by BIA.
- 409 Tribal Members.
- 120 residents on the reservation.
- Located within El Dorado County

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### Tribal Youth

- Historically, conflicts between Tribe and County.
- Created distrust of each others government systems.
- Tribal Youth getting lost in the system.
  - Charter School.
  - Juvenile Records.

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### Tribal Court State Court Forum

- The Tribal Court–State Court Forum (forum) is a coalition of tribal courts of Native American tribes situated in California and courts of the State of California, who come together as equal partners to address issues common to both relating to the recognition and enforcement of court orders that cross jurisdictional lines, the determination of jurisdiction for cases that might appear in either court system, and the sharing of services between jurisdictions.
- As an advisory committee to the California Judicial Council, the forum makes recommendations to the council for improving the administration of justice in all proceedings in which the authority to exercise jurisdiction by the state judicial branch and the tribal justice systems overlaps.

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## Leech Lake Band of Ojibwe-Cass County Wellness Court Model

- The Cass County/Leech Lake Band of Ojibwe Wellness Court (DWI Court) is designed to coordinate substance abuse intervention with judicial oversight through enhanced supervision and individual accountability.
- The need for a Wellness Court in Cass County and on the Leech Lake Reservation became clear as the number of DWI offenders increased over the years
- The Wellness Court is a post-sentencing DWI court admitting gross misdemeanor and felony driving impaired offenders.

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## Leech Lake Model Continued

- The Leech Lake Model has a Tribal and County Judge hearing cases together in the same courtroom.
- The Tribal Judge and County judge make rulings together which then become the order of the County Court.
- The model has been a success for the Leech Lake tribe and has grown to other counties in Minnesota as well.

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## Shared Jurisdiction

- Minnesota and California are both "PL-280 States"
- PL-280 Granted some states criminal and limited civil jurisdiction in Indian Country - on reservations.
- Concurrent jurisdiction over:
  - Criminal matters involving tribal members occurring on the reservation.
  - Juvenile matters involving tribal members
    - Please note this is a very simplified explanation of PL-280.

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## JOINT JURISDICTION PLANNING

## The Technical Assistance Grant

- Tribal Court and County Courts already working together.
- Informal, not a lot of structure.
- Both courts applied together for the Technical Assistance grant to develop a Joint Jurisdiction Court.
- Based on the Leech Lake Band of Ojibwe-Cass County Wellness Court Model
- We were honored to be selected!!!

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## Strengths of Our Application

- Tribal Leadership supports the concept.
- Robust Tribal Health and Wellness Center.
- El Dorado County has extensive experience and success with "specialty" court models.
- Strong relationship with El Dorado County Court since Tribal Court began.
- Collaboration on Truancy Cases.
  - Student Attendance Review Board (SARB)

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## The T.A. TEAM

- The Consulting T.E.A.M. (Together Everyone Achieves More) includes:
  - Judge Korey Wahwassuck – Minnesota District Court of Itasca County
  - Judge John Smith – Minnesota Court of Appeals
  - Attorney Jennifer Fahey – Jennifer Fahey Consulting, Boston, Massachusetts
  - Allison Leof, PhD – Oregon Health and Science University

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## The T.A. Grant

- TEAM funded by Bureau of Justice Assistance
- TEAM Provided assistance:
  - Facilitating meetings
  - Taking notes
  - Creating draft manuals
  - Organizing tasks and subcommittees
  - Tracking deadlines
- The Tribe provided meeting space and food for meetings

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## First Step - Key Players

- We identified the departments/agencies from the tribal and county sides that we needed in our planning process [see policy manual].
- We invited specific people from each of these to attend in-person planning meetings.
- Representatives from the following departments and agencies attended the planning meetings:

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## State/County/Local Representatives

- Judicial Council of California
- El Dorado County Board of Supervisors
- El Dorado County Superior Court
- El Dorado County Probation Department
- El Dorado County District Attorney's Office
- El Dorado County Public Defender's Office
- El Dorado County Sheriff's Office
- El Dorado County Counsel
- El Dorado County Health and Human Services
- El Dorado County Office of Education - SARB Chairperson
- El Dorado County Court Appointed Special Advocates (CASA)
- Court Appointed Counsel
- Placerville Police Department

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## Tribal Representatives

- Shingle Springs Band of Miwok Indians:
  - Tribal Council
  - Tribal Administration
  - Tribal Court
  - Legal Department
  - Health and Wellness Center – Behavioral Health
  - Tribal Police
  - Wellness Board

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## The Planning Process

- Project Team facilitated 3 meetings with all the players.
  - 2-3 days of consecutive meetings.
  - May, July, and October 2014
- Agreed upon ground rules to ensure everyone has a voice in our planning.
- Creating a manual to guide us as we implement our planning.

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## Ongoing Planning Process

- The T.A. Grant ended in November for 2014
- We have had 2 meetings since then to continue our work
- Sub-Committees have been working on tasks for larger group to finalize and approve
- We will continue to have Advisory committee meetings after the court is implemented
- The Court launch date is April 8, 2015

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An outline of the collaborative court

## FAMILY WELLNESS COURT

## Vision and Mission

- Collaboratively created a Vision and Mission:
- The Court's Vision: One safe, strong community of thriving families created through trust and healing.
- The Court's Mission: Joining together to provide justice through trust, respect, and love by empowering youth and families to create positive change.

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## Goals – Part 1

- Administer justice in a safe and supportive environment.
- Reduce incarceration.
- Reduce crime and prevent re-offenses.
- Improve public safety.
- Empower and support our youth and families.

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## Goals – Part 2

- Promote self-sufficiency through positive behavioral change.
- Promote community and family connections.
- Create more effective, cooperative interventions.
- Foster positive community relations.
- Celebrate cultural diversity and understanding.

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## Target Population

- We agreed as a team to include:
- Tribal members
- Juveniles and "transitional youth"
- Up to age 24.
- Not limited to drug offenses.
- No offense restrictions, but...

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## Screening

- Participants have to be screened and determined to be eligible.
- Ideally we would like to develop a multidisciplinary screening team.

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## Wrap-around

- We are planning to use a wrap around model to serve the whole family.
- Could mean having a youth who has a "dependency" case where we are providing services across several generations.

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## Division of Work

- We will be relying on county probation for supervision of this caseload.
- We will be relying on Tribal Health and Wellness Center for the majority of services.
- County DA and Public Defenders will play a role as well as Tribal Attorney.
- Plan to involve County CASA with special tribal recruitment and training.

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## Division of Work (2)

- Social Services from both sides.
- Law enforcement from both sides.
- Judges from both sides.
- Continued participation from the larger steering committee/advisory group regarding policies and procedures.

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We still have work to do but it will be done  
and we will be successful in our goals.

Questions?

