

## [Tribal Court State Court Forum \(TCSCF\)](#)

### Quarterly Meeting Summary

9/20/2024

Hosted by Leech Lake Band of Ojibwe  
Cedar Lakes Casino and Event Center, Cass Lake, MN

The purpose of the Tribal Court State Court Forum is to enhance tribal court and state court relationships, provide an opportunity to address issues arising from the courts' concurrent jurisdictions, collaborate on development and delivery of judicial education and training, recommend revisions to Minnesota's procedural rules of court, and work on issues that cross jurisdictional boundaries.

**Tribal Court Co-Chairs: Hon. Vanya Hogen and Hon. Phillip Brodeen**

**State Court Co-Chairs: Hon Sarah Wheelock and Hon. Korey Wahwassuck**

[Click to see agendas and minutes from past meetings](#)

#### 1. Welcome, Blessing, and Introductions:

Retired Judge Paul Day began with a blessing.

Judge Wahwassuck introduced Judge Sarah Wheelock from the Minnesota Court of Appeals. Judge Wheelock is assuming the co-chair position vacated by Justice Gaitas when she was appointed to the Minnesota Supreme Court.

Judge Wheelock introduced herself and shared her enthusiasm and interest in the forum.

Judge Wahwassuck announced she will be retiring as a district court judge in January 2025.

There was discussion about forum meetings and whether the forum would like to revisit increasing state court membership. Additional discussion included:

1. Do we want to return to on fully remote meeting each year?

2. Another suggestion was as follows: December at the AJC, March fully remote, June TBD, September perhaps at the MN District Judges Association conference. Judge Brodeen also suggested one could be done in coordination with the MN American Indian Bar Association conference. The thought was if they are held at already occurring events attendance may improve.

3. Members asked for a list of Tribal Court Administrators – Judy will get this

4. There was discussion of developing a strategic form for the forum

5. There was discussion of the development of a state statute regarding tribal court orders

6. Consideration of using Branching Out or The Source as a means of sharing information from the forum.

## 2. Agenda and Meeting Summary:

The Forum approved the meeting summary for the June 20 meeting.

## 3. Overview and History of the Tribal Court State Court Forum:

Judge Treuer presented on the history of the Tribal Court State Court Forum. Judge Treuer noted it has been 27 years since its establishment and credited her mother, Judge Margaret Treuer, for being an integral member and historian of the Forum.

Between 1996-1997 Justice Sandra Gardebring worked with Tribal Judges Small and Jacobson to establish the Forum. Primary issues at the time included giving full faith and credit to tribal court orders, legal questions arising from the two court systems, the implementation of ICWA, and child support enforcement.

The initial meeting of the forum occurred at Prairie Island Indian Community on July 18, 1997. In addition to tribal judges and other tribal officials, 35 state court judges attended this first meeting. Minnesota was just the 4<sup>th</sup> state to establish such a forum.

Judge Treuer shared numerous achievements that have happened since then, including the ongoing development of tribal courts, and the notable case of the State vs. Stone decision. After several attempts, the Minnesota Supreme Court adopted the first version of “Rule 10” on December 11, 2003. The most recent version of Rule 10 took effect on September 1, 2018.

Those in attendance appreciated Judge Treuer’s presentation and discussed having her repeat this at a future meeting where there may be better attendance. We will put this presentation on the Tribal Court State Court Forum page on the Judicial Branch website.



History of the Tribal  
State Judges Forum

## Part II – Discussion on Forum membership, attendance, and development:

Discussion included the following:

- Would attendance (primarily state court) improve if more than one judge from each district was a member and/or could come to meetings.
- A formal request to the Chief Justice to expand state court membership was contemplated but tabled in 2023. There was agreement that this issue should be addressed again.
- Hybrid meetings continue to be challenged by technology. Considerations for both technology and attendance were to consider holding 2 of the 4 meetings at the MN District Judge Association conference each September and the Annual Judges Conference in December. It was suggested perhaps the March meeting could be fully remote, leaving just the June meeting for determining a location. People did express a

desire to continue with tribal court locations. Consideration could also be give for a meeting happening in conjunction with the MN American Indian Bar Association conference in May.

- There was a request to get a list of all tribal court administrators and include them on forum invitations and communications.
- Judge Wheelock inquired about strategic planning for the Forum to map out its long term goals. There was interest from the group and discussion about whether the AJC was the best time to do this, or if it should be at a different future meeting.
- Judge Treuer brought re-addressed the idea of developing state statute regarding tribal court orders.
- Discussion was held on how to make the Forum more visible. Suggestions included recurring articles and links to the webpage in the state court communications Branching out, and The Source.

#### 4. Bamemim Anishinaabeg “Care for the People”

Judges McConkey-Greene and Wahwassuck gave a presentation on this program which is a collaboration with numerous Leech Lake departments along with non-tribal representatives from the four counties that border the Leech Lake Reservation.

The goal of the committee was to identify gaps in community services available for the Band and decide which programs would be most beneficial to the community. The full power point is included here.



BA Presentation for  
Tribal Court State C

#### 5. Red Lake Nation Grant Updates

Judge Ringhand gave an update on the Red Lake grant and other work:

- \* Adult services offering mental health and commitment groups
- \* School – truancy circles with parents
- \* Smart class – circle with kids and parents developed because of increased marijuana use when the dispensary opened
- \*Healing pathways for more violent offenders
- \*Children healing and wellness
- \*Their treatment and domestic violence programs still coming fully back from the pandemic

Their struggles continue to be service – both for hearings and jury duty

They are always working to improve their codes.

The next meeting will take place at the Annual Judges Conference in December – date and time will be determined in conjunction with SCAO Judicial Education division.