

**Meeting Summary**  
**Tribal Court State Court (TCSC) Forum**  
Friday, July 24, 2020  
Hosted by: State Court (via WebEx)

*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.*

[Link to TCSC Forum website](#)

**Tribal Court Co-Chairs: Hon. Chris Anderson and Hon. Vanya Hogen**  
**State Court Co-Chairs: Hon. Lucinda Jesson and Hon. Sally Tarnowski**

### **Blessing and Welcome**

The meeting began with a blessing from Judge Paul Day and was followed by a welcome from TCSC Forum State Court Co-Chairs, Judges Lucinda ("Cindy") Jesson and Sally Tarnowski. Introductions were made by forum members as well as from special guests who were in attendance.

### **Review and approve March 6, 2020 Meeting Summary**

Approved without change.

### **Sentencing Guidelines Commission Probation Revocation Reports – Disproportionality Regarding American Indians**



MSGC Presentation

Sentencing Guidelines Commission (SGC) Executive Director, Nathaniel Reitz, and Chair, Kelly Mitchell, presented an overview of the findings from the following two reports:

- April 2018 Report [Offenders Sentenced 2001-2015 and Revoked to Prison through 2016](#) and
- February 2020 Report [2018 Probation Revocations: Offenders Sentenced 2003-2017 and Revoked to Prison through 2018](#)

As part of their presentation, they indicated that the reason for the revocation is not something available to the SGC. Perhaps it is available to the Department of Corrections (DOC). The SGC is trying to get some information regarding that from the DOC. Additionally, there is no data on cases involving pleas and judge discretion and how that influences things or not. 2019 numbers will be available soon. Becca will send a link to the 2019 Report to Forum members and interested parties when it becomes available.

The steps the 9<sup>th</sup> Judicial District is taking to do deep dives into data was mentioned as part of the discussion following the presentation. There was consensus that having someone from

the 9<sup>th</sup> District come and provide an update on this would be helpful to have on a future meeting agenda.

### **Research Project: Rural Tribal and State Court Judges**



Statz Project  
Description

Professor Michele Statz from the University of Minnesota – Duluth provided an overview of the attached proposed research project. Forum members discussed it and then voted, without opposition, to support the research project. A handful of tribal and state court judges expressed interest in collaborating with Professor Statz on the research project itself.

### **Minnesota Missing and Murdered Indigenous Women Task Force**



MN Missing &  
Murdered Indigenous

Link to [news article](#)

Patina Park, Director of Tribal State Relations Implementation at the Governor’s Office presented an overview of the Minnesota Missing and Murdered Indigenous Women Task Force. As part of her presentation, she noted, among other things, that the Task Force has an advising role, not an investigating one. As such, it serves in an advisory role to the Commissioner of Public Safety.

Its purpose is also to report to the Legislature on recommendations to reduce and end violence against indigenous women and girls in Minnesota, and serve as a liaison between the Commissioner, agencies, and organizations that provide legal, social, and other community services.

There was some discussion about how the Task Force is similar and different from [Operation Lady Justice](#), the Presidential Task Force on Missing and Murdered American Indians and Alaska Natives. Ms. Park mentioned the MN Task Force’s final report is due in June of 2021 and one of the recommendations will probably be that tribes have increased jurisdiction because of the significant jurisdictional issues and need for resources on the “front end.”

**Lunch** (time to get your lunch and return to the meeting)

### **MN Judicial Branch Committee for Equality and Justice (CEJ)**



2019 MJB Diversity  
& Inclusion Annual Re

Justice Chutich from the MN Supreme Court and Judge Schluchter from Beltrami County District Court presented an overview of the [2019 Minnesota Judicial Branch Diversity and Inclusion Annual Report](#), including demographic variations, especially regarding American

Indians, revealed in the scores in the report. As part of the discussion following this presentation, some ideas came up about training for new state court judges on tribal issues. Judge Schluchter indicated that she would follow-up with Susan Love, the state court judicial education manager, on that point.

### **ICWA Courts Summit and CJI ICWA Subcommittee**

Justice McKeig provided an update from the ICWA Subcommittee of the CJI Advisory Committee. She shared about the ICWA Courts Summit scheduled for September 4<sup>th</sup> and tried to share a [video](#) with the group that was made in preparation for that. Due to technical difficulties, the video couldn't be played. The link to the video was circulated among the group and members were encouraged to watch it when they could.

### **ICWA Case Transfer from State Court to Tribal Court**



Kulick - In re the  
Guardianship of Gal

Judge Kulick from Mille Lacs County District Court shared a recent example of a collaborative effort between state and tribal social services agencies and courts that resulted in a good outcome for the child and family when their case was transferred from state court to tribal court.

### **Future Topics & Next Steps**

- In response to the Sentencing Guidelines Commission Report, the group decided to invite someone from the 9<sup>th</sup> Judicial District back to give an update on the deep dives they're taking into their probation revocation data.
- The group decided to keep a presentation from Jack DeWalt in mind for a future meeting. Mr. DeWalt could speak on Minnesota's Chapter of the Association of Family and Conciliation Courts (AFCC). He could also talk about the current management team he is serving on, which focuses on domestic violence and Hennepin County Family Court.
- The group decided to continue discussing training proposals that could be made for judge conferences.

### **Future Meeting Dates**

- **Friday, October 9, 2020** – Tribal Court Host: Fond du Lac Tribal Court – Judges Townsend and Treuer
- **December 2020** – State Court Host: Annual Conference of Judges Breakfast Meeting (date TBD)

### **Trainings, Conferences, Other Outreach**

- [CJI CWA Trainings](#) (temporarily postponed due to COVID-19):
  - Minneapolis (date TBD)
  - St. Paul (date TBD)
  - Duluth (date TBD)
  - Bemidji (date TBD)

- National Indian Child Welfare Association (NICWA) events:
  - [Positive Indian Parenting](#): August 31-Sept. 3, Sept. 15-17, and Sept. 22-24 (online events)
  - [Positive Indian Parenting; In Home Services](#): February 9-11, 2021 (Palm Springs, CA)
  - [Positive Indian Parenting; Understanding ICWA](#): April 14-16, 2021 (Seattle, WA)

**Meeting Adjourned**