

**MEETING SUMMARY**  
**Tribal Court State Court Forum**  
**Thursday, December 6, 2018**

**Annual Conference of Judges**  
Radisson Blu Hotel, Mall of America

**Attendees**

**Forum Members:**

Hon. Amber Ahola	Hon. Stoney Hiljus	Hon. Mike Rousu
Hon. Chris Allery	Hon. Lucinda Jesson	Hon. Jessica Ryan
Hon. Henry Buffalo	Hon. Gail Kulick	Hon. Lenor Scheffler
Hon. Peter Cahill	Hon. Anne McKeig	Hon. Dwayne Knutson
Hon. Paul Day	Hon. Ann Offermann	Hon. George Soule
Hon. Karen Duncan	Hon. Mary Ringhand	Hon. Megan Treuer
Hon. Leonard Fineday	Hon. Patrick Rohland	Hon. Renee Worke
Hon. David Harrington		

**Guests:**

Hon. Jana Austad	Hon. Karin McCarthy
Hon. Robert Blaeser	Hon. Doug Meslow
Hon. Amy Brosnahan	Jodie Metcalf, State Court Administration
Hon. Annie Claesson-Huseby	Hon. David Minge
Katie Engler, BCA	Jan Nelson
Melia Garza, State Court Administration	Peter Rademacher, Hogan Adams
Karen Jaszewski, State Court Administration	Hon. Anne Rasmusson
Gary Kalstabakken, BCA	Hon. Jeff Remick
Hon. David Lillehaug	Hon. Robert Tiffany
Melissa Lorentz	Hon. Korey Wahwassuck

**Presentation from BCA about Order for Protection Direct Entry Requirements**

Katie Engler and Gary Kalstabakken from the Bureau of Criminal Apprehension (BCA) walked through the document outlining the BCA requirements for direct entry of tribal court Orders for Protection (OFPs) into Minnesota Hot Files and National Crime Information Center (NCIC). Currently, OFPs issued by tribal courts can be provided to a Minnesota state court location to be entered into the Minnesota Court Information System (MNCIS) and passed to Hot Files and NCIC.

Discussion/Questions:

- *Would it be beneficial for tribal courts to talk with BCA about what types of systems could integrate with BCA?*

BCA believes they can work with most, if not all, systems. There could be efficiency, in terms of resources, if multiple tribal courts chose to use the same system, but that is not required.

▪ *Can tribal court orders still be provided to state courts for entry?*

Yes, this option remains and is consistent with Minn. Stat. §518B.01 subd. \_\_\_\_\_. There are a few challenges with this process, however.

- If the tribal court order is updated, the systems become out of sync unless and until the update is provided to state courts for updating in MNCIS. For example, if an order is dismissed, the order will continue to show as active in MNCIS, Hot Files, and NCIC until that update is provided to a Minnesota state court location.
- If the language of the tribal court order states the order is only effective upon a certain condition, such as service on the respondent, as opposed to upon signature, Minnesota state courts cannot enter that order prior to that condition being met. Orders cannot be entered unless they are active.

▪ *Is there value in establishing a single state court location for all tribal courts to send their orders for entry into MNCIS?*

A tribal court representative said a potential downfall of this approach is that tribal courts like to build and continually strengthen relationships with their local state court.

▪ *Who is the primary contact for tribal courts if they have additional questions or wish to further discuss establishing direct entry of their orders into Hot Files?*

Gary Kalstabakken, BCA Product Manager, is the best contact. Gary can be reached at [gary.kalstabakken@state.mn.us](mailto:gary.kalstabakken@state.mn.us) or 651-793-2736.

## **General Announcements**

- Justice McKeig announced that Judge Harrington will be retiring and thanked him for his contributions.
- Judge Cahill gave update on ICWA case handling in Hennepin.
- Justice McKeig spoke about tribal flags presented to Hennepin County.
- Judge Kulick provided update about new agreement in place between Mille Lacs Band and Mille Lacs County law enforcement.
- Judge Scheffler thanked Justice Lillehaug for his contributions to the Forum. Justice McKeig will now attend on behalf of the Supreme Court.
- Judge Wahwassuck- will be doing child sex trafficking conference as follow up to conference
- There is a webpage devoted to the Tribal Court State Court Forum. Direct link: <http://mncourts.gov/Help-Topics/TCSCF.aspx>
- Judge Ryan shared update about Judy Nord.