

CALIFORNIA TRIBAL COURT/STATE COURT FORUM

ANNOUNCEMENTS

On December 11, 2012, the Department of Justice released the **FY 2013 Coordinated Tribal Assistance Solicitation**. This solicitation will remain open until March 19, 2013. On January 3, 2013 at 1:00pm and 3:00pm EST, the Department of Justice (DOJ) will be hosting the first two of a series of FY 2013 CTAS Application Guidance webinars that will feature representatives from:

- Office of Community Oriented Policing Services (COPS)
- Bureau of Justice Assistance (BJA)
- Office on Violence Against Women (OVW)
- Office for Victims of Crime (OVC)
- Office of Juvenile Justice and Delinquency Prevention (OJJDP)

CTAS FY 2013 Overview Webinar: Thursday, January 3, 2013

1:00 PM - 2:45 PM EST

REGISTRATION: <https://www1.gotomeeting.com/register/462864296>

CTAS FY 2013 Budget Webinar: Thursday, January 3, 2013

3:00 PM - 4:45 PM EST

REGISTRATION: <https://www1.gotomeeting.com/register/166367824>

In addition to the January 3rd webinars, there will be CTAS purpose area-specific webinars and Q&A teleconferences hosted by each Justice Department office during the application period. The CTAS team will be posting dates, times, and registration information for these events to the Training and Technical Assistance section of the www.justice.gov/tribal webpage shortly.

Please contact Jenny Walter at 415-865-7687 or Jennifer.walter@jud.ca.gov, if your tribal court would like a letter of support for its CTAS grant application.

U.S. Supreme Court hears Indian Child Welfare Act case, Adoptive Couple v. Baby Girl (filed 1/4/13, case number 12-399). The Supreme Court granted certiorari to resolve the split between states as to (1) whether a voluntary adoption initiated by a non-Indian parent under state law may be blocked by ICWA § 1912(f) when the Indian parent did not have prior custody; and (2) whether ICWA's definition of "parent" includes a biological father without legal status as a parent under state law.

Link to the U.S. Supreme Court docket for this case:

<http://www.supremecourt.gov/Search.aspx?FileName=/docketfiles/12-399.htm>

Link to the Cert Petition: http://www.saveveronica.org/scotus_petition.pdf. Link to the amicus brief filed by the California State Association of Counties and the California Child Welfare Directors Association in support of the Appellant adoptive parents' cert application: <http://sblog.s3.amazonaws.com/wp-content/uploads/2012/11/12-399-CA-27187-pdf-Frawley.pdf>

Forum E-Update

JANUARY 2013

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HON. DENNIS M. PERLUSS
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JUDICIAL COUNCIL ADMINISTRATIVE OFFICE OF THE COURTS

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Tribal/State Programs

Link:

<http://www.courts.ca.gov/programs-tribal.htm>

Legislative Proposal: Tribal Court Civil Judgment Act

Judicial Council is seeking a legislative sponsor for this proposal, the result of the joint efforts of the Tribal Court/State Court Forum and the Civil and Small Claims Advisory Committee of the Judicial Council. Please see the [proposal](#) and [factsheet](#) describing the proposal.

New tribal courts established in California

1. Trinidad Rancheria Tribal Court

The Cher-Ae Heights Indian Community of the Trinidad Rancheria is a federally recognized tribe with ancestral ties to the Yurok, Wiyot, and Tolowa peoples. While they share similar cultural and historical traditions, each tribal group has a distinct heritage. The Rancheria is within the ancestral territory of the Yurok peoples and is located in an area of great cultural significance to the Trinidad Rancheria and other local Tribal entities. The core land holdings of the Rancheria is located on a coastal bluff east of U.S. Highway 101 just southeast of the town of Trinidad, which is about 25 miles north of Eureka. The Tribe has established a tribal court and recently hired Judge Sarah Works.

2. Dry Creek Rancheria Tribal Court

The Dry Creek Rancheria Band of Pomo Indians is a federally recognized tribe with ancestral ties to the more than 20 independent communities that comprise the Pomo people. Ancestors of the Pomo people lived in the area of Sonoma, Mendocino and Lake counties thousands of years ago. Descendants of the early Pomo people continue as a Tribe in the Alexander Valley, and today are known as the Dry Creek Rancheria Band of Pomo Indians. The core land holdings of the Rancheria is located in the Alexander Valley, nestled along the Russian River between Healdsburg and Cloverdale in Sonoma County and covers only 75 acres of what was once an 86,400-acre territory. The Tribe has established a tribal court and recently hired Judge Joseph J. Wiseman.

These programs are supported with funds from the Office on Violence Against Women, U.S. Department of Justice that are administered through the California Emergency Management Agency (CalEMA), the U.S. Department of Health and Human Services, Court Improvement Program, and the California Department of Social Services.

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Webinars on Funding Available for Tribal Healing to Wellness Courts

There are currently two Department of Justice funding opportunities [Coordinated Tribal Assistance Solicitation (CTAS) and BJA Adult Drug Court Discretionary Grant Program Tribal Assistance Solicitation] available for Tribal Healing to Wellness Courts. [The Tribal Law and Policy Institute](http://www.tribal-institute.org) has scheduled two webinars in order to provide guidance and resources concerning these grants. During the webinars representatives from the applicable Department of Justice grant-making agencies will be available to answer questions concerning the application process. The webinars will be held **January 29, 2013, 11:00am PST** (covering both funding opportunities) and **February 20, 2013, 12:00pm PST** (covering CTAS only). For more info on Tribal Healing to Wellness Courts – refer to http://www.tribal-institute.org/lists/drug_court.htm



Forum members at the October 2012 Symposium at Shingle Springs, co-sponsored by the National Judicial College and the California Administrative Office of the Courts. (Over 50 tribal and state court judges attended the symposium.)

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Forum members in attendance at the 13th National Indian Nations Conference: Justice for Victims of Crime and the National Workgroup on Tribal and State Court Collaborations at Agua Caliente (December 5-8, 2012) shown here with tribal and state court judges from New York. (The workgroup included judges from Arizona, California, Idaho, New Mexico, New York, North Dakota, Wisconsin, and Washington.)

GRANT OPPORTUNITIES:

National Service Agency Announces AmeriCorps Funding Opportunities for Indian Tribes

Deadline: January 23, 2013

Indian Tribes and organizations that support Native American communities have been successfully drawing upon national service resources to meet family and community needs for more than 40 years. The Corporation for National and Community Service through its Senior Corps, AmeriCorps State and National, AmeriCorps VISTA, AmeriCorps National Civilian Community Corps (NCCC), and Learn and Serve America has a long-standing commitment to working with tribal nations on a government-to-government basis and is committed to enhancing the collaboration process across all programs to address critical issues affecting Native American communities. For more information see link:

http://www.nationalservice.gov/about/newsroom/releases_detail.asp?tbl_pr_id=2127

Tribal Equipment Assistance Program

Deadline: January 31, 2013

In May 2010, the U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) released the Fiscal Year 2010 (FY 2010) Homeland Security Grant Program (HSGP) Guidance and Application Kit. In that document, DHS/FEMA strongly urges States to work with Tribal Nations to achieve homeland security goals and objectives. To that end, the California Emergency Management Agency (Cal EMA) is

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announcing the application process for the FY 2010 Tribal Equipment Assistance (TEA) Program. The TEA Program is a continuing initiative under the FY 2010 HSGP intended to build on the prevention, protection, response, and recovery capabilities within California tribal nations. The FY 2010 TEA Program will provide a total of **\$200,000** for equipment to interested California Tribal Nations. For more information, see the document attached "*TEA FY10 Guidance GMM Final_Final*".

OJJDP FY 2013 Mentoring Best Practices Research

Deadline: February 19, 2013

This program seeks to enhance what is understood about mentoring as a prevention and intervention strategy for youth who are at risk of involvement or already involved in the juvenile justice system. While mentoring appears to be a promising intervention for youth, more evaluation work is needed to further highlight the characteristics and components of a mentoring program that are most effective. Research is also needed to demonstrate the specific components of mentoring programs that have a significant impact in reducing juvenile delinquency and offending. This solicitation will fund research studies that will inform the design and delivery of mentoring programs. OJJDP expects that the results of this effort will encourage a more effective utilization of resources and enhance the implementation of evidence-based best practices for juvenile mentoring. This program will be authorized by an Act appropriating FY 2013 funds for the Department of Justice.

<http://www.ojjdp.gov/grants/solicitations/FY2013/MentoringResearch.pdf>

Adult Drug Court Discretionary Grant Program FY 2013 Competitive Grant Announcement

Deadline: February 21, 2013

BJA is accepting applications for FY 2013 grants to establish new drug courts or enhance existing drug court services, coordination, and offender management and recovery support services. The purpose of the Adult Drug Court Discretionary Grant Program (42 U.S.C. 3797u et seq.) is to provide financial and technical assistance to states, state courts, local courts, units of local government, and Indian tribal governments to develop and implement drug courts that effectively integrate evidenced-based substance abuse treatment, mandatory drug testing, sanctions and incentives, and transitional services in a judicially supervised court setting with jurisdiction over substance-abusing offenders. (See page 6 for a definition of "evidence-based.") For more information follow this link: <https://www.bja.gov/Funding/13DrugCourtSol.pdf>

Medicaid Program and Children's Health Insurance Programs Grants

Deadline: February 21, 2013

This solicitation seeks applications for Connecting Kids to Coverage Outreach and Enrollment (Cycle III) grant funding, provided under the Section 2113 of the Social Security Act, as amended by section 10203(d)(2)(E)(i) of the Patient Protection and Affordable Care Act (ACA) (Pub. L. 111-148). A total of \$32 million is available for grants to states, local governments, community-based and non-profit organizations. Indian health care providers and tribal entities also are eligible to apply for grants under this FOA. In addition, the Center for Medicare & Medicaid Services (CMS) will be announcing a separate FOA exclusively for Indian health care providers and tribal entities, under

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which \$4 million will be made available for outreach and enrollment grants. Cycle III grants will support outreach strategies similar to those conducted in previous grant cycles, and also will fund activities designed to help families understand new application procedures and health coverage opportunities, including Medicaid, CHIP and insurance affordability programs under the ACA. http://www.insurekidsnow.gov/professionals/new_funding_opportunity_connecting_kids_to_coverage_outreach_and_enrollment_grants.pdf

OJJDP FY 2013 State Advisory Group Training and Technical Assistance Project

Deadline: February 25, 2013

The State Advisory Group Training and Technical Assistance Project will provide training and technical assistance to state advisory groups (SAGs) appointed under the Juvenile Justice and Delinquency Prevention Act (JJDP Act) of 1974, as amended. Title II Part B authorizes the OJJDP Administrator to provide training and technical assistance resources to states, U.S. territories, federally recognized tribal governments, and units of local government to support their justice systems response to juvenile delinquency. It is anticipated that this project will be authorized by an act appropriating funds for the Department of Justice and 42 U.S.C. Section 3796ee-10(b)(1)(B). For more information follow this link: <http://www.ojjdp.gov/grants/solicitations/FY2013/SAGTTA.pdf>

OVW FY 2013 Education, Training and Enhanced Services to End Violence Against and Abuse of Women with Disabilities Grant Program

Deadline: February 26, 2013

Recognizing the pressing need to focus on sexual assault, domestic violence, dating violence, and stalking against individuals with disabilities and Deaf individuals due to the proliferation of such crimes, Congress authorized the Education, Training and Enhanced Services to End Violence Against and Abuse of Women with Disabilities Grant Program (Disability Grant Program) in the Violence Against Women and the Department of Justice Reauthorization Act of 2005. The goal of the Disability Grant Program is to create sustainable change within and between organizations that result in accessible, safe and effective services for individuals with disabilities and Deaf individuals who are victims of sexual assault, domestic violence, dating violence, and stalking and accountability for perpetrators of such crimes. Disability Grant Program funds will be used to establish and strengthen multidisciplinary collaborative relationships; increase organizational capacity to provide accessible, safe, and effective services to individuals with disabilities and Deaf individuals who are victims of violence and abuse; and identify needs within the grantee's organization and/or service area, and develop a plan to address those identified needs that builds a strong foundation for future work. For additional information on the Disability Grant Program see this link: <http://muskie.usm.maine.edu/vawamei/disabilitymain.htm> .

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OVW FY 2013 Enhanced Training and Services to End Violence Against and Abuse of Women Later in Life Program

Deadline: February 28, 2013

The Enhanced Training and Services to End Violence Against and Abuse of Women Later in Life Program provides or enhances training and services to address elder abuse, neglect, and exploitation, including sexual assault, domestic violence, dating violence, or stalking, involving victims who are 50 years of age or older. For more information follow this link:

<http://www.ovw.usdoj.gov/docs/late-in-life-prog-fy13.pdf>

Byrne Criminal Justice Innovation Program

Deadline: March 4, 2013

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is seeking applications from local and tribal partners to plan, implement, and enhance place-based, community-oriented strategies to address neighborhood-level crime issues as a component of or a foundation to a broader neighborhood revitalization or redevelopment initiative. Byrne Criminal Justice Innovation (BCJI) resources will target locations where a significant proportion of crime occurs as compared to the overall jurisdiction. BCJI furthers the Department's mission by leading efforts to enhance the capacity of local and tribal communities to effectively target and address significant crime issues through collaborative cross-sector approaches that help advance broader neighborhood development goals. For more information follow this link:

<https://www.bja.gov/Funding/13BCJIsol.pdf>

Tribal Title IV-E Plan Development Grants

Deadline: March 8, 2013

The purpose of this funding opportunity announcement is to make one-time grants to Tribes, Tribal organizations, or Tribal consortia that are seeking to develop, and within 24 months of grant receipt, submit to the Department of Health and Human Services (HHS) a plan to implement a title IV-E foster care, adoption assistance and, at Tribal option, guardianship assistance program. Grant funds under this announcement may be used for the cost of developing a title IV-E plan under Section 471 of the Social Security Act (the Act) to carry out a program under Section 479B of the Act. The grant may be used for costs relating to the development of data collection systems, a cost allocation methodology, agency and Tribal court procedures necessary to meet the case review system requirements under Section 475(5) of the Act, or any other costs attributable to meeting any other requirement necessary for approval of a title IV-E plan. For more information, see link:

http://www.acf.hhs.gov/hhsgrantsforecast/index.cfm?switch=grant.view&gff_grants_forecastInfoID=64205

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BJA FY 13 Second Chance Act Technology Career Training Program for Incarcerated Adults and Juveniles

Deadline: March 11, 2013

The Second Chance Act of 2007 (Pub. L. 110-199) provides a comprehensive response to the increasing number of incarcerated adults and juveniles who are released from prison, jail, and juvenile residential facilities and returning to communities. There are currently over 2.3 million individuals serving time in our federal and state prisons, and millions of people cycling through local jails every year. Ninety-five percent of all offenders incarcerated today will eventually be released and will return to communities. The coordination of reentry services for members of Native American Tribes is even more complex given that they can return from Federal, Bureau of Indian Affairs (BIA), state, local, and tribal facilities. Programs funded under the Second Chance Act help ensure that the transition individuals make from prison and jail to the community is successful and promotes public safety. Securing employment can facilitate successful reentry for people leaving correctional facilities. However, there are many barriers people with criminal records encounter as they attempt to re-enter both the community and the workforce. Improving employment outcomes for this population can contribute to recidivism reductions and increased public safety. Section 115 of the Second Chance Act authorizes federal awards to states, units of local government, territories, and federally recognized Indian tribes to provide technology career training to persons confined in state prisons, local jails, and juvenile residential facilities. This program supports the education, training, mentoring, support services, and job placement for incarcerated/detained adults and juveniles in a technology field. For more information, see link: <http://www07.grants.gov/search/search.do?&mode=VIEW&oppld=214393>

Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhoods)

Deadline: March 11, 2013

Project Safe Neighborhoods (PSN) is designed to create safer neighborhoods through a sustained reduction in crime associated with gang and gun violence, and violent offenders. The program's effectiveness is based on the cooperation of local, state, and federal agencies engaged in a unified approach led by the U.S. Attorney (USA) in each district. The USA is responsible for establishing a collaborative PSN task force of federal, state, and local law enforcement and other community members to implement gang and gun crime enforcement, intervention and prevention initiatives within the district. Through the PSN task force, the USA will implement the five design features of PSN—partnerships, strategic planning, training, outreach, and accountability—to address specific gun and gang crime, and violent offenders, in the most violent neighborhoods. Details on the five design features (also referred to as core elements) can be found later in this grant announcement and online at www.ncjrs.gov/html/bja/205263/. The Department of Justice has transitioned the PSN program from a formula-based allocation of funding to a competitive-based program. In a competitive environment, “need” and use of more effective, intelligence- and data-driven strategies will be key factors for funding selections, in addition to performance results and other factors. Therefore, grant awards for FY 2013 will be made through a competitive process to encourage and focus funding in high-performing and evidence-based programs where the need is

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greatest and where the most violent neighborhoods, within districts, are being addressed. Funding for this initiative is anticipated through the FY 2013 appropriation. For more information, see link: <http://www07.grants.gov/search/search.do?&mode=VIEW&opId=214413>

U.S. Department of Justice Coordinated Tribal Assistance Solicitation

Deadline: March 19, 2013

In 2010, the U.S. Department of Justice (DOJ) launched its first-ever Coordinated Tribal Assistance Solicitation, or CTAS, combining DOJ's existing Tribal government-specific competitive solicitations into one, and thus requiring only one application from each Tribe or Tribal consortium. This approach provides federally-recognized Tribes and Tribal consortia the opportunity to develop a comprehensive approach to public safety and victimization issues. DOJ's Tribal government-specific competitive grant programs outlined in this solicitation are referred to as Purpose Areas. Applicants may apply for funding under the Purpose Area(s) that best addresses Tribes' concerns related to public safety, criminal and juvenile justice, and the needs of victims/survivors of domestic violence, sexual assault, and other forms of violence. For more information, see link: <http://www.justice.gov/tribal/ctas2013/solicitation-document.pdf>

Applied Research and Development in Forensic Science for Criminal Justice Purposes

Deadline: April 1, 2013

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [National Institute of Justice](#) (NIJ) is pleased to announce that it is seeking applications for funding to support applied research and development projects that will increase knowledge and understanding necessary to guide forensic science policy and practice or result in the production of useful materials, devices, systems, or methods that have the potential for forensic application. This program furthers the Department's mission by sponsoring research to provide objective, independent, evidence-based knowledge and tools to meet the challenges of crime and criminal justice, particularly at the State and local levels. For more information, see link: <https://ncjrs.gov/pdffiles1/nij/sl001059.pdf>

Basic Scientific Research to Support Forensic Science for Criminal Justice Purposes

Deadline: April 1, 2013

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [National Institute of Justice](#) (NIJ) is pleased to announce that it is seeking applications for funding to support basic scientific research that underlies the multidisciplinary field of forensic science. This program furthers the Department's mission by sponsoring research to provide objective, independent, evidence-based knowledge and tools to meet the challenges of crime and criminal justice, particularly at State and local levels. For more information, see link: <https://ncjrs.gov/pdffiles1/nij/sl001058.pdf>