



JUDICIAL COUNCIL  
OF CALIFORNIA

TRIBAL COURT-STATE COURT FORUM

[www.courts.ca.gov/forum.htm](http://www.courts.ca.gov/forum.htm)  
[forum@jud.ca.gov](mailto:forum@jud.ca.gov)

TRIBAL COURT-STATE COURT FORUM

OPEN MEETING AGENDA

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1))

THIS MEETING IS BEING CONDUCTED BY ELECTRONIC MEANS

THIS MEETING IS BEING RECORDED

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**Date:** December 15, 2016  
**Time:** 12:15–1:15 p.m.  
**Location:** Conference Call  
**Public Call-In Number** 1-877-820-7831 and enter Listen Only Passcode: 4133250

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Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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**I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))**

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**Call to Order and Roll Call**

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**II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))**

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**Public Comment**

This meeting will be conducted by teleconference. As such, the public may only submit written comments for this meeting.

**Written Comment**

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [forum@jud.ca.gov](mailto:forum@jud.ca.gov) or mailed or delivered to 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Jennifer Walter. Only written comments received by 12:15 p.m. on December 14, 2016 will be provided to advisory body members.

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**III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 1-8)**

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**Item 1**

**Approval of Minutes for October 6, 2016**

**Item 2**

**Cochairs Report**

- Update on ICWA Roundtables
- Job Aid: New Federal Regulations on ICWA
- Truth and Reconciliation
- Next Forum Meeting: February 16, 2017, 9:30 a.m.–4:30 p.m. in San Francisco

**Item 3**

**Update on Information Bulletin re Enforcement of Tribal Court Protection Orders**

*Presenter: Mr. Olin Jones*

**Item 4**

**Tribal Representation in ICWA Cases and Pro Hac Fees**

- Proposed Court Rule in Michigan to Waive Pro Hac Fees and Other Limits for Out of State Tribal ICWA Attorneys by Kate Forte
- CA State Bar FAQs Pro Hac
- CA Court Rule 9.40 Pro Hac

*Presenter: Judge Abinanti*

**Item 5**

**Protecting Children and Tribal Access to Child Abuse Central Index**

*Presenter: Jenny Walter*

**Item 6**

**Rule and Form Proposals**

- Revise California Rule of Court, rule 5.552 to conform to the requirements of subparagraph (f) of section 827 of the Welfare and Institutions Code which was added effective January 1, 2015 to clarify the right of an Indian child's tribe to have access to the juvenile court file of a case involving that child. At that time, no changes were made to California Rules of Court rule 5.552 which implements section 827 of the Welfare and Institutions Code. Contrary to section 827 as amended, rule 5.552 continues to require that representatives of an Indian child's tribe petition the juvenile court if the tribe wants access to the juvenile court file. This inconsistency has created confusion.

*Presenter: Ann Gilmour*

- Revise California Rule of Court, rule 5.372 that was first adopted by the Judicial Council effective January 1, 2014 to implement in California the requirements of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 authorizing federally recognized tribes to develop their own tribal title IV-D child

support programs when the Yurok Tribe became the first California tribe to begin accepting child support cases. Since initial implementation, the need for revisions to streamline and improve the process have been identified and should be undertaken in light of additional tribal title IV-D programs commencing operations in California. This proposal grew out of the cross-court educational exchanges.

*Presenters: Judge Abby Abinanti  
Judge Christopher Wilson*

- Concept Proposal: Judge to Judge Communications  
*Presenter: Judge Joseph Wiseman*

**Item 7 (as time permits)  
ICWA Legislation- Strategy Discussion**

*Presenters: Judge Leonard P. Edwards, Ret.  
Judge Patricia Lenzi*

**Item 8 (as time permits)  
Recognition and Enforcement of NonMoney Judgments- Banishment, Other?**

[Note: SB 406 survey respondents recommended the following case types: probate case, trespass cases, conservatorship cases, contract cases, and family law cases.]

*Presenters: Judge Lester Marston  
Judge Mark Radoff*

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**IV. ADJOURNMENT**

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**Adjourn**