

**Tribal Court-State Court Forum
Annual Agenda¹—2022**

Approved by Executive and Planning Committee: March 10, 2022

I. COMMITTEE INFORMATION

Chair:	Hon. Abby Abinanti, Chief Judge, Yurok Tribal Court Hon. Suzanne N. Kingsbury, Presiding Judge, Superior Court of California, County of El Dorado (Ret.)
Lead Staff:	Ms. Ann Gilmour, Attorney, Center for Families, Children & the Courts
Committee’s Charge/Membership: <p>Rule 10.60 of the California Rules of Court states the charge of the Tribal Court–State Court Forum (Forum), which is to make recommendations to the Judicial Council for improving the administration of justice in all proceedings in which the authority to exercise jurisdiction by the state judicial branch and the tribal justice systems overlap.</p> <p>Additional duties set forth in rule 10.60 (b) are:</p> <ol style="list-style-type: none">1. Identify issues of mutual importance to tribal and state justice systems, including those concerning the working relationship between tribal and state courts in California;2. Make recommendations relating to the recognition and enforcement of court orders that cross jurisdictional lines, the determination of jurisdiction for cases that might appear in either court system, and the sharing of services between jurisdictions;3. Identify, develop, and share with tribal and state courts local rules of court, protocols, standing orders, and other agreements that promote tribal court-state court coordination and cooperation, the use of concurrent jurisdiction, and the transfer of cases between jurisdictions;4. Recommend appropriate activities needed to support local tribal court-state court collaborations; and5. Make proposals to the Governing Committee of the Center for Judicial Education and Research on educational publications and programming for judges and judicial support staff. <p>Rule 10.60(c) sets forth the membership position of the forum. The Forum currently has 30 members, with one vacancy for the California Department of Social Services’ Director of the Office of Tribal Affairs.</p> <ul style="list-style-type: none">• Fourteen tribal court judges (nominated by their tribal leadership, representing 21 of the 27 tribal courts currently operating in California; these courts serve approximately 35 tribes;• Five trial court judges from counties in which a tribal court is located;	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

- One appellate justice;
- Seven chairs or their designees of the following Judicial Council advisory committees:
 - Advisory Committee on Providing Access and Fairness
 - Center for Judicial Education and Research Advisory Committee
 - Civil and Small Claims Advisory Committee
 - Criminal Law Advisory Committee
 - Family and Juvenile Law Advisory Committee
 - Probate and Mental Health Advisory Committee
 - Traffic Advisory Committee
- Two executive branch officials responsible for tribal-related work: The Governor’s Tribal Advisor and the Director of the Attorney General’s Office of Native American Affairs; and
- One retired judge (advisory).

The current [roster](#) is available on the committee’s web page.

Subcommittees/Working Groups²:

1. Ad Hoc Working Group on Options for Recognition and Enforcement of Tribal Court Child Custody Orders (*New*)
2. Ad Hoc Working Group on Options to Create Uniform Standards for Discretionary Tribal Participation in Cases not Governed by ICWA (*New*)
3. Ad Hoc Working Group on Options to Provide for Recognition and Enforcement of Tribal Court Orders Excluding Individuals from Tribal Lands (*New*)

Meetings Planned for 2022³ (Advisory body and all subcommittees and working groups)

Date/Time/Location or Teleconference:

1. Webinars in lieu of in person meeting: TBD
2. Remote Meetings: February 10, April 14, June 9, August 11, October 13, and December 8, 2022.
3. Ad hoc meetings as required.

Check here if exception to policy is granted by Executive Office or rule of court

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

³ Refer to [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ⁴	
1.	Project Title: Prepare Recommendations for Rules and Forms to Implement AB 627 Recognition of Tribal Court Orders: Rights in Retirement Plans or Deferred Compensation	Priority⁵ 1(c) & (d) Strategic Plan Goal⁶ I, IV
<p>Project Summary⁷: AB 627 was Judicial Council-sponsored legislation to facilitate the recognition of tribal court domestic relations orders that would divide the rights in retirement plans or other similar kinds of deferred compensation plans where state or federal law limits the division of those assets in a manner that affects the tribal court’s ability to divide those assets. The legislation requires the Judicial Council to create implementing forms section 1733.1(a) & (e) and section 1735(a).</p> <p>Status/Timeline: For development during the Spring 2022 rules and forms cycle.</p> <p>Fiscal Impact/Resources: To be completed with existing Center for Families, Children & the Court (CFCC) staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Tribal stakeholders and Family law bar.</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee.</p>		

⁴ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁵ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁶ Indicate which goal number of [The Strategic Plan for California’s Judicial Branch](#) the project most closely aligns.

⁷ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	New or One-Time Projects⁴	
2.	Project Title: Indian Child Welfare Act Forms	Priority⁵ 2(a) & (b)
		Strategic Plan Goal⁶ IV
<p>Project Summary⁷: Develop and recommend to the Judicial Council a new form to implement tribal right to remote appearances in cases governed by the Indian Child Welfare Act under Welfare and Institutions Code section 224.2(k). During a previous comment cycle, a recommendation was made to adopt a form, which the committee agreed was desirable, but decided the form should circulate for public comment. In addition to adopting a new form, amend the existing ICWA-030 <i>Notice of Child Custody Proceeding for Indian Child</i> form to include further information of assistance to tribes wishing to participate in cases involving their tribal children.</p> <p>Status/Timeline: To be completed during the Spring 2023 rules cycle.</p> <p>Fiscal Impact/Resources: To be accomplished with existing CFCC staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Tribal advocates and child welfare agencies.</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee; Probate and Mental Health Advisory Committee.</p>		
3.	Project Title: Explore Options for Recognition and Enforcement of Tribal Court Child Custody Orders	Priority⁵ 2(a) & (b)
		Strategic Plan Goal⁶ IV
<p>Project Summary⁷: Tribal court orders that involve the custody of a child are entitled to full faith and credit under 1911(d) of the <i>Indian Child Welfare Act</i> and recognition and enforcement under the Uniform Child Custody Jurisdiction and Enforcement Act as specifically set out in Family Code sections 3402(p) and 3404. Currently, however, there is no mechanism to have tribal court child custody orders recognized and enforced within the state court system. This is causing confusion and resulting in difficulties having tribal court custody orders recognized and enforced.</p> <p>Status/Timeline: Investigation and planning to take place during 2022 with a view to proposing a legislative or rules and forms solution during the Spring 2023 invitation to comment cycle.</p> <p>Fiscal Impact/Resources: To be accomplished with existing CFCC staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p>		

#	New or One-Time Projects⁴	
	<p><i>Internal/External Stakeholders:</i> Tribal courts.</p> <p><i>AC Collaboration:</i> Family and Juvenile Law Advisory Committee.</p>	
4.	<p>Project Title: Explore Options to Create Uniform Standards for Discretionary Tribal Participation in Cases not Governed by ICWA</p>	<p>Priority⁵ 2(a) & (b)</p> <p>Strategic Plan Goal⁶ IV</p>
	<p>Project Summary⁷: The <i>Indian Child Welfare Act</i> (ICWA) and corresponding state law do not apply in every juvenile case involving a tribal child. ICWA has limited application in delinquency cases. Not every child affiliated with a tribe comes within the definition of “Indian child” found in federal and state law. Section 306.6 of the Welfare and Institutions Code recognizes the discretion of the court to allow tribes that do not have federal recognition to participate in cases involving children affiliated with the tribe. Section 16001.9 of the Welfare and Institutions Code recognizes certain rights of all Indian children in foster care and all children who identify as Native American to maintain their cultural ties and traditions.</p> <p>Status/Timeline: During 2022 the Forum will explore various options with a view to potential legislation or rules and forms during the Spring 2023 cycle.</p> <p>Fiscal Impact/Resources: To be accomplished with existing CFCC staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: TBD.</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee.</p>	
5.	<p>Project Title: Explore Options to Provide for Recognition and Enforcement of Tribal Court Orders Excluding Individuals from Tribal Lands</p>	<p>Priority⁵ 2(a) & (b)</p> <p>Strategic Plan Goal⁶ IV</p>
	<p>Project Summary⁷: Tribes in California report an inability to remove unwanted individuals from within the exterior boundaries of their reservations. Tribal courts do not have criminal jurisdiction over non-Indians and in California, tribal courts are generally not exercising criminal jurisdiction at all. In 1997, the California Office of the Attorney General issued an opinion (80 OpsCal.Atty.Gen.46) concluding that violation of a tribal exclusion order did not constitute a misdemeanor under the terms of Penal Code Section 602 and that a county sheriff would not be required to take any action to enforce an exclusion order issued by a tribe. Tribal judges report that as a result, they</p>	

#	New or One-Time Projects⁴	
	<p>have no effective recourse against individuals who, for example, dump hazardous waste on the reservation, and this creates a public safety concern.</p> <p>Status/Timeline: During 2022, the Forum will explore various options with a view to potential legislation or rules and forms for the Spring 2023 cycle.</p> <p>Fiscal Impact/Resources: To be accomplished with existing CFCC staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: TBD.</p> <p>AC Collaboration: Criminal Law Advisory Committee.</p>	
6.	Project Title: Projects Assigned by the Ad-Hoc Workgroup on Post-Pandemic Initiatives (P3)	Priority⁵ TBD
	<p>Strategic Plan Goal⁶ TBD</p> <p>Project Summary⁷: The Ad Hoc Workgroup on Post-Pandemic Initiatives (P3) is currently working to identify successful court practices that emerged during the COVID-19 pandemic. P3 recommendations may be referred to specific advisory bodies for development and/or implementation.</p> <p>Status/Timeline: TBD.</p> <p>Fiscal Impact/Resources: To be accomplished with existing CFCC staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: TBD.</p> <p>AC Collaboration: TBD.</p>	

#	New or One-Time Projects ⁸	
7.	Project Title: Implement Improvements in Addressing Domestic Violence and Related Issues in Tribal Communities	Priority⁵ 2 Strategic Plan Goal⁶ I, IV
<p>Project Summary⁷: Coordinate with Judicial Council staff, other advisory committees, the attorney general’s office, the Commercially Sexually Exploited Children (CSEC) action team of the Child Welfare Council, tribal courts and other stakeholders on developing and implementing recommendations to improve the justice systems response to the issues of domestic violence and related issues in tribal communities. This includes collaborating in the implementation of AB-3099 “Department of Justice: law enforcement assistance with tribal issues: study” (Stats. 2020, ch 170) which mandates a study regarding resources for reporting and identifying missing Native Americans in California. The Forum has historically focused on issues related to domestic violence and victimization in tribal communities much in the way it has focused on issues related to the Indian Child Welfare Act. Issues of domestic violence, trafficking, and exploitation of individuals in tribal communities is an issue of increasing importance and activity in California and it is important for the judicial branch to be part of these initiatives.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: To be completed with existing CFCC resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: TBD.</p> <p>AC Collaboration: TBD.</p>		

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#	Ongoing Projects and Activities⁴	
1.	Project Title: Updates to the Bench Handbook: The Indian Child Welfare Act	Priority⁵ 2 Strategic Plan Goal⁶ IV, V
<p>Project Summary⁷: The Bench Handbook on the Indian Child Welfare Act is an important resource for judicial officers published by the Center for Judicial Education and Research (CJER). It was last updated in 2013. There have been significant developments in the law since that last update, including enactment of comprehensive federal regulations governing the Indian Child Welfare Act (ICWA) in 2016 and changes to California statutes implementing the Act and corresponding changes to the California Rules of Court.</p> <p>Status/Timeline: Ongoing. In consultation with CJER staff, CFCC contracted an attorney with expertise in the Indian Child Welfare Act to perform an initial update of the bench handbook. Committee members reviewed much of the draft product during 2021 and will continue that review and work with CJER to finalize the updated bench handbook.</p> <p>Fiscal Impact/Resources: Work will be accomplished within existing CFCC staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: CJER.</p>		
2.	Project Title: Finalize and Publish the California Tribal Court–State Court Joint Jurisdiction Toolkit: A Resource Guide to Promote and Facilitate Cross-Jurisdictional Collaboration	Priority⁵ 2 Strategic Plan Goal⁶ IV, V
<p>Project Summary⁷: Promoting efficiency and economies of judicial resources and improving quality of justice to tribal communities through cross-jurisdictional collaboration has been a focus of the Forum since its inception and has been supported by the Judicial Council through innovation grants and other technical assistance. There are now at least three successful Tribal-State Joint Jurisdiction Courts operating in California and more across the country. This publication draws together the experiences, planning materials, policies, procedures, and other framework materials from these courts into a toolkit designed specifically for courts in California that may want to create their own joint jurisdiction arrangements.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: Work will be accomplished within existing CFCC staff resources.</p>		

#	Ongoing Projects and Activities⁴	
	<p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>	
3.	Project Title: Indian Child Welfare Act Compliance and Implementation Improvements (Implementation Project)	Priority ⁵ 2 Strategic Plan Goal⁶ I, IV, V
	<p>Project Summary⁷: Improvements to California’s implementation of the <i>Indian Child Welfare Act</i> is a primary focus of the work of the Forum. In recent years, the Forum ICWA work has included rules to implement AB 3176 <i>Indian Children</i>, (Waldron; Stats. 2018, ch. 833) which amended provisions of the Welfare and Institutions Code to conform California law to the requirements of the federal Indian Child Welfare Act Regulations and Guidelines adopted in 2016 and other statutory developments, responding to comments and concerns from judicial officers, tribal leaders, tribal advocates and justice partners such as the California Department of Social Services, child welfare agencies and county counsel’s offices, and responding to the recommendations in the California ICWA Compliance Task Force report presented to California Attorney General Xavier Becerra in March of 2017. The report includes issues and recommendations related to compliance with the Indian Child Welfare Act in California. Several of the findings and recommendations relate to the work of the judicial branch. These recommendations include:</p> <ul style="list-style-type: none"> • Mandating increased ICWA training for bench officers, attorneys, and Court Appointed Special Advocates (see recommendations 6 and 7 of the task force report); • Support the development and implementation of consolidated ICWA courts or calendars and joint jurisdiction courts (see recommendations 16 and 17 of the task force report); • Facilitate remote appearances by tribes in ICWA cases; • Addressing challenges of out-of-state tribes and their members located in California in ICWA cases; • Seek funding for appointed counsel for tribes in ICWA cases; and • Ensure that tribes get access to all paperwork, pleadings and minutes on the same basis as other parties. <p>This project was approved on the committee’s 2018 annual agenda.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: Work will be accomplished with existing CFCC staffing resources.</p>	

#	Ongoing Projects and Activities⁴	
	<p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: May involve collaboration with CJER staff on updating education resources.</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee and Probate and Mental Health Advisory Committee with respect to recommendations that impact the work of those bodies.</p>	
4.	Project Title: Policy Recommendations: Ethics (Implementation Project)	Priority⁵ 2
	<p>Strategic Plan Goal⁶ I, IV</p> <p>Project Summary⁷: State and tribal court judges may sit on each other’s benches and hear cases in the other jurisdiction through a joint-jurisdiction court or on an ad hoc or ongoing basis. The Forum will continue to work with the California Supreme Court’s Advisory Committee on the Code of Judicial Ethics and make recommendations and request advisory opinions or amendments to the canons as appropriate and necessary to facilitate such collaborations.</p> <p>This project was approved on the committee’s 2018 annual agenda.</p> <p>Status/Timeline: Ongoing. Generally, new work under this item will continue to be deferred.</p> <p>Fiscal Impact/Resources: Work will be accomplished by existing CFCC staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: Advisory Committee on the Code of Judicial Ethics.</p>	

#	Ongoing Projects and Activities⁴	
5.	Project Title Policy Recommendation: Technological Initiatives (Implementation Project)	Priority⁵ 2 Strategic Plan Goal⁶ I, V, VI
<p>Project Summary⁷: Serve as subject matter resource regarding integrating of tribes, tribal agencies and governments into technological initiatives such as remote appearances, remote filing, remote access, court case management systems, document assembly programs, e-noticing, and the California Courts Protective Order Registry.</p> <p>This project was approved on the committee’s 2018 annual agenda.</p> <p>Status/Timeline: Ongoing. Technological initiatives have been a fundamental part of court responses to the COVID-19 pandemic both in state and tribal justice systems. Generally, new work under this item will be deferred unless it is helpful in responding to the conditions created by the COVID-19 pandemic.</p> <p>Fiscal Impact/Resources: Existing CFCC, CJER, and Information Technology (IT) staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: External stakeholders include tribal courts.</p> <p>AC Collaboration: TBD.</p>		
6.	Project Title: Funding and Support for Innovative Practices and System Improvements (Implementation Project)	Priority⁵ 2 Strategic Plan Goal⁶ I, IV
<p>Project Summary⁷: The Forum seeks to support innovative practices and system improvements including seeking funding for such initiatives as a pilot program to facilitate tribal participation and improve outcomes in ICWA cases by providing appointed counsel for tribes in these cases.</p> <p>This project was approved on the committee’s 2018 annual agenda.</p> <p>Status/Timeline: Ongoing. In prior years the council has sought support for innovative practices and system improvements expansion of joint jurisdiction courts and other collaborative efforts. The Forum and Tribal/State Programs Unit staff will continue to seek out available funding. The goal of facilitating innovative practices and system improvements and seeking funding for this is to improve efficiencies in</p>		

#	Ongoing Projects and Activities⁴	
	<p>cases that span both jurisdictions or could be heard in either jurisdiction. This could potentially reduce workloads for state courts and improve access to justice for underserved and remote tribal communities. Generally, new work under this item will be deferred unless it is helpful in responding to the conditions created by the COVID-19 pandemic or as needed.</p> <p>Fiscal Impact/Resources: Existing CFCC staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>	
7.	<p>Project Title: Increase Tribal/State Partnerships: Sharing Resources and Communicating Information About Partnerships</p>	<p>Priority⁵ 2</p> <hr/> <p>Strategic Plan Goal⁶ I, IV</p>
	<p>Project Summary⁷: One of the guiding principles of the Forum is to improve access to justice by providing tribal and state courts access to resources for capacity building and collaboration on an equal basis, sharing resources, and seeking out additional resources.</p> <ol style="list-style-type: none"> 1. Identify Judicial Council and other resources that may be appropriate to share with tribal courts. 2. Identify tribal justice resources that may be appropriate to share with state courts. 3. Identify grants for tribal/state court collaboration. 4. Share resources and information about partnerships through Forum E-Update, a monthly electronic newsletter. 5. Publicize these partnerships at conferences, on the Innovation Knowledge Center (IKC), and at other in-person or online venues. 6. Disseminate information to tribal court judges and state court judges monthly through the Forum E-Update, a monthly electronic newsletter with information on the following: <ul style="list-style-type: none"> ○ Grant opportunities; ○ Publications; ○ News stories; and ○ Educational events. 7. Foster tribal court/state court partnerships, such as the Superior Court of Los Angeles County’s Indian Child Welfare Act Roundtable and the Bay Area Collaborative of American Indian Resources—court-coordinated community response to ICWA cases in urban areas and the providing technical assistance to the joint-jurisdiction collaborations between the Yurok Tribe and the Superior Court of California, County of Humboldt and the Shingle Springs Band of Miwok Indians and the Superior Court of California, County of El Dorado. 	

#	Ongoing Projects and Activities⁴	
	<p>Status/Timeline: Ongoing. During this year two tribal court systems were provided with access to unlocked Judicial Council Juvenile, Family, Probate, and Domestic Violence forms that the staff of the court systems adapted for their use. The goal of facilitating partnerships between state and tribal courts is to improve efficiencies in cases that span both jurisdictions or could be heard in either jurisdiction. This could potentially reduce workloads for state courts and improve access to justice for underserved and remote tribal communities. Generally, new work under this item will be deferred unless it is helpful in responding to the conditions created by the COVID-19 pandemic.</p> <p>Fiscal Impact/Resources: Work will be accomplished with existing CFCC staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>	
8.	<p>Project Title: Increase Tribal/State Partnerships: Tribal/State Collaborations that Increase Resources for Courts</p>	<p>Priority⁵ 2</p> <p>Strategic Plan Goal⁶ I, IV</p>
	<p>Project Summary⁷: A primary goal of the Forum is to improve relationships between state and tribal courts and foster collaboration between those courts. There are now at least three active joint-jurisdiction projects ongoing between Forum member state and tribal courts—the Superior Court of California, County of El Dorado collaborative with the Shingle Springs Band of Miwok Indians Tribal Court and the Superior Court of California, County of Humboldt collaboration with the Yurok Tribal Court. The Forum will explore ways to assist courts that wish to expand their joint-jurisdiction programs to include veteran’s programs or other specialized focus areas. The Forum will explore ways to support and increase the numbers of joint jurisdiction courts and other innovative models such as regional ICWA courts and dedicated ICWA courts or calendars, including providing education, developing tools and resources and seeking opportunities for additional grant funding to support such courts.</p> <p>Status/Timeline: Ongoing. This year the JCC staff are supporting these collaborations by sharing resources and agreements and offering technical assistance on collaborations. The goal of facilitating collaborations between state and tribal court judges is to improve efficiencies in cases that span both jurisdictions or could be heard in either jurisdiction. This could potentially reduce workloads for state courts and improve access to justice for underserved and remote tribal communities. Generally, new work under this item will be deferred unless it is helpful in responding to the conditions created by the COVID-19 pandemic.</p>	

#	Ongoing Projects and Activities⁴	
	<p>Fiscal Impact/Resources: Collaboration and joint-jurisdiction courts should provide fiscal savings by improving the sharing of resources across jurisdictions. CFCC staff will continue to provide support to this project.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: External stakeholders include superior courts and tribal courts.</p> <p>AC Collaboration: None.</p>	
9.	<p>Project Title: Increase Tribal/State Partnerships: Education and Technical Assistance to Promote Partnerships and Understanding of Tribal Justice Systems (Implementation Project)</p>	<p>Priority⁵ 2</p> <p>Strategic Plan Goal⁶ I, IV, V</p>
	<p>Project Summary⁷: The Forum will continue to develop educational events, resources and tools, and provide technical assistance to promote partnerships and understanding between state and tribal justice systems including:</p> <ol style="list-style-type: none"> 1. Make recommendation to Judicial Council staff to continue providing educational and technical assistance to local tribal and state courts to address domestic violence and child custody issues in Indian country. 2. Make recommendation to Judicial Council staff to provide technical assistance to evaluate the joint jurisdictional court and to courts wishing to replicate the model. 3. Make recommendation to the Judicial Council staff to continue developing civic learning opportunities for youth that exposes them to opportunities and careers in tribal and state courts. 4. Make recommendation to explore, at the option of tribes, opportunities for state and federal court judges to serve as a tribal court judge. 5. Collaborate with federal courts and federal justice partners on educational and other events related to justice and safety in tribal communities. 6. Develop and implement strategy to seek resources for tribal/state collaborations. 7. Continue to provide the State/Tribal Education, Partnerships, and Services (S.T.E.P.S.) to Justice—Domestic Violence and Child Welfare programs and provide local educational and technical assistance services. 8. Continue the first joint jurisdictional court in California. The Superior Court of El Dorado County, in partnership with the Shingle Springs Band of Miwok Indians, is operating a family wellness court and next year will provide technical assistance to evaluate the joint jurisdictional court. (See Court Manual). 9. Establish partnership between the Superior Court of Humboldt County and the Yurok Tribal Court to develop civics learning opportunity for youth in the region. 	

#	Ongoing Projects and Activities⁴	
	<p>This project was approved on the committee’s 2018 annual agenda.</p> <p>Status/Timeline: Ongoing. The goal of facilitating partnerships between state and tribal courts is to improve efficiencies in cases that span both jurisdictions or could be heard in either jurisdiction. This could potentially reduce workloads for state courts and improve access to justice for underserved and remote tribal communities. Generally, new work under this item will be deferred unless it is helpful in responding to the conditions created by the COVID-19 pandemic.</p> <p>Fiscal Impact/Resources: Work accomplished within existing CFCC and CJER staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>	
10.	Project Title: Education: Judicial Education	Priority⁵ 2
	<p>Strategic Plan Goal⁶ I, IV, V</p> <p>Project Summary⁷: CJER toolkits, located on the Judicial Resources Network, will be updated to include federal Indian law. Develop 10-minute educational video to be posted online and shared statewide with justice partners. In collaboration with the CJER Curriculum Committees, consult on and participate in making recommendations to revise the CJER online toolkits so that they integrate resources and educational materials from the forum’s online federal Indian law toolkit. Forum judges are working together with committee representatives from the following curriculum committees: (1) Access, Ethics, and Fairness, (2) Civil, (3) Criminal, (4) Family, (5) Juvenile Dependency and Delinquency, and (6) Probate.</p> <p>Status/Timeline: Ongoing. This past year Forum members and staff of the Tribal/State Programs Unit are collaborated with CJER to create a “Continuing the Dialogue” episode on the Indian Civil Rights Act of 1968 that was screened by CJER and is now available on the CJER and Tribal/State Programs webpages. In the upcoming year the focus will be on a toolkit on tribal issues in human trafficking cases. The goal the forum’s judicial education initiatives is to improve efficiencies in cases involving tribes and tribal people, and promote fair access to justice for tribal communities. Education about the impacts of COVID-19 in tribal communities, and ways tribal communities, tribal justice systems and tribal courts are addressing the challenges of COVID-19 may be of importance in the coming months. Generally, new work under this item will be deferred unless it is helpful in responding to the conditions created by the COVID-19 pandemic.</p>	

#	Ongoing Projects and Activities ⁴	
	<p>Fiscal Impact/Resources: Work will be accomplished with existing CFCC and CJER staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: Center for Judicial Education and Research Advisory Committee.</p>	
11.	<p>Project Title: Education: Truth and Healing (Implementation Project)</p>	<p>Priority⁵ 2</p>
	<p>Project Summary⁷: Consider collaboration among the three branches of state government in partnership with tribal governments to promote a truth and healing project that acknowledges California’s history, as described in Professor Benjamin Madley’s book, <i>An American Genocide: The United States and the California Indian Catastrophe</i>, with respect to indigenous peoples, fosters an understanding of our shared history, and lays a foundation for healing, which promotes a call to action.</p> <p>This project was approved on the committee’s 2019 annual agenda.</p> <p>Status/Timeline: Ongoing. As a step towards the goal of Statewide Truth and Healing, the Forum continues to monitor the development of the Truth and Healing Council announced by Governor Gavin Newsom being organized by the Governor’s Tribal Advisor, a Forum member. At this time the focus is on relationships with the tribal community. Courts may be brought into the Truth and Healing process at a later time. Generally, new work under this item will continue to be deferred.</p> <p>Fiscal Impact/Resources: This work will be accomplished with existing CFCC staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Governor’s Tribal Advisor.</p> <p>AC Collaboration: None at this time.</p>	

#	Ongoing Projects and Activities ⁴	
12.	<p>Project Title: Legislation, Regulations, and Requests for Public Comment. Serve as Subject Matter Resource for the Judicial Council and Other Advisory Groups Regarding Tribal and Indian Law Issues to Avoid Duplication of Efforts and Contribute to the Development of Recommendations for Council Action (Implementation Project)</p>	<p>Priority⁵ 2</p> <hr/> <p>Strategic Plan Goal⁶ I, IV</p>
<p>Project Summary⁷: Review and recommend positions on legislation, regulations, proposals from other committees, and requests for public comment related to tribal courts, tribal justice systems, and the Indian Child Welfare Act.</p> <p>This project was approved on the committee’s 2020 annual agenda.</p> <p>Status/Timeline: Ongoing. From time to time the federal government publishes proposed regulations and requests for public comment that may impact state and tribal justice systems in California. This has been true throughout the COVID-19 pandemic. The Forum can help promote Judicial Branch goals and interests at a federal level by assisting in formulating responses to these. Generally, new work under this item will be deferred unless it is helpful in responding to the conditions created by the COVID-19 pandemic.</p> <p>Fiscal Impact/Resources: Accomplished with existing CFCC and Governmental Affairs staff resources.</p> <p><input type="checkbox"/> This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>		

III. LIST OF 2021 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	In collaboration with the Probate and Mental Health Advisory Committee developed and circulated a rules and forms proposal to implement the requirements of AB 3176 in Probate Guardianship and Conservatorship cases.
2.	Updated Indian Child Welfare Act Manual for Court-Appointed Special Advocates.
3.	Collaborated with staff of the Committee on Providing Access and Fairness to conduct a Native American Outreach session as part of the Judicial Council’s Pathways to Judicial Diversity initiative.