

2023 Tribal Healing to Wellness Court Enhancement Training

Celebrating 25 Years of Tribal Healing to Wellness Courts

September 12–14, 2023

Renaissance Palm Springs Hotel

Agua Caliente Band of Cahuilla Indians Reservation

This training is approved by the U.S. Department of Justice.

Tuesday, September 12, 2023

7:00am – 8:00am	Registration / Check-In	Ballroom Foyer
8:30am – 8:45am	Opening	Catalina / Madera/ Pasadena
	<ul style="list-style-type: none"> • Welcome Remarks from the Tribal Law and Policy Institute 	
8:45am – 9:45am	Plenary	Catalina / Madera/ Pasadena
	Twenty-Five Years of Tribal Healing to Wellness Courts	
	<ul style="list-style-type: none"> • <i>Joseph Flies-Away, CAB Member, Community and Nation Building Facilitator</i> <p>Plenary Description: Healing to Wellness Courts have been operating in Tribal Nations for more than 25 years. Healing to Wellness Courts stem from drug courts, which were first funded in 1995 by the Department of Justice’s Bureau of Justice Assistance – Drug Court Program Office. In these 25+ years, Tribal Nations have developed Adult, Juvenile, Family, and Veteran’s Healing to Wellness Courts, many times giving them their own Tribal name. As each Nation is different, each Healing to Wellness Court is unique and culturally accordant with the people and communities who designed it. This session will highlight this development. Conference attendees will hear stories from Wellness Court pioneers and practitioners and collectively envision what the next 25 years will bring.</p>	
9:45am – 10:00am	Break (On your own. No government-provided meals or break food or beverages.)	
10:00am – 11:15am	1st Breakout – Session A	

A1 - Adult Healing to Wellness Courts	Putting the Wellness Court into Code	Catalina / Madera/ Pasadena
	<ul style="list-style-type: none"> • <i>Lauren van Schilfgaarde, Assistant Professor of Law, UCLA School of Law</i> <p>Session Description: This session will discuss the recent TLPI publication: <i>Tribal Healing to Wellness Courts: Formalizing Healing to Wellness Courts in Tribal Law</i> (2022), which tracks ways in Tribes have drafted Wellness Courts into Tribal law. Tribal Healing to Wellness Courts are restorative justice components of the Tribal Court. To the extent they operate a docket, adjudicate cases, and, most critically, heal and restore members and the community, some Tribes have noted their existence in the Tribal code. Because each Tribe is structurally and culturally unique, there is no one correct way to promulgate a Wellness Court into Tribal law, or if that exercise is even necessary. This session will identify the considerations for code drafting, identify variations, and push Tribes to contemplate how the Wellness Court operates in relation to other parts of the Tribal judiciary and Tribal law.</p>	
11:15am – 11:30am	Break (On your own. No government-provided meals or break food or beverages.)	
11:30 am – 12:45pm	2nd Breakout – Session B	
B1 - Adult Healing to Wellness Courts	Incorporating Culture and Teachings into Your Healing to Wellness Program/Reconnecting to Our Roots	Catalina / Madera/ Pasadena
	<ul style="list-style-type: none"> • <i>Mandi Moon, Community Resource Navigator, Port Gamble S’Klallam Tribe</i> • <i>Valarie Jones, Re-entry Case Manager, Port Gamble S’Klallam Tribe</i> <p>Session Description: When someone is lost in addiction, they lose their values, teachings, sense of culture, and trust within their family as well as the community. As a way to reconnect to those things, interviewing an elder or cultural leader can be helpful in many ways. It helps establish or rebuild a relationship, potentially build a support person, help build trust within the community, and helps the participant learn or reconnect with the Tribe, culture, and traditions. During this session you will learn how to set up a similar component that is suitable for your program.</p>	
12:45pm – 2:15pm	Lunch (On your own. No government-provided meals or break food or beverages.)	
2:15pm – 3:30pm	3rd Breakout – Session C	
C1 - Adult Healing to Wellness Courts	Piloting the Tribal Court Risk Need Resilience and Responsivity Tool	Catalina / Madera/ Pasadena

- *Adelle Fontanet-Torres, Director, Tribal Justice Exchange, Center for Justice Innovation*

Session Description: The Center for Justice Innovation, in collaboration with staff from the Confederated Salish and Kootenai Tribes, has developed a Tribal-specific risk-need responsivity (RNR) tool for use with Tribal Courts. This Tribal RNR tool has been designed with the unique characteristics of Native populations in mind and focuses on highlighting individual resilience, as well as identifying needs and opportunities for engagement with services. The center is now in the process of working with several Tribal Courts to pilot the tool. This presentation will discuss the design of the tool and will walk through the types of information the tool will be collecting. This presentation will also explain how the tool is unique in addressing the needs of Native populations and will highlight how the information gathered can be used to support individuals through case management.

3:30pm – 3:45pm Break (On your own. No government-provided meals or break food or beverages.)

3:45pm – 5:00pm 4th Breakout – Session D

D1 - Juvenile/Family Healing to Wellness Courts **Impacts and Implication of McGirt Ruling on Oklahoma Juvenile Healing to Wellness Courts** **Catalina / Madera/ Pasadena**

- *Patti Buhl, Director, Department of Juvenile Justice, Cherokee Nation*
- *Leah Hitcher, Coordinator Juvenile Healing to Wellness, Cherokee Nation*
- *Alisha Edelen, Director, Community Services, Choctaw Nation*
- *Amber Loftis, Program Manager, Juvenile Services, Choctaw Nation*
- *Britney Bush, Program Coordinator, Juvenile Healing to Wellness, Choctaw Nation*
- *Pat Sekaquaptewa, Juvenile Healing to Wellness Courts Training and Technical Assistance Manager, Tribal Youth Resource Center, Tribal Law and Policy Institute (Moderator)*

Session Description: Due to the 2020 Supreme Court ruling *McGirt v. Oklahoma*, both the Cherokee Nation and the Choctaw Nation were afforded the right to prosecute crimes within their reservation boundaries. The impacts of the ruling provided each Tribe the ability to creatively work with Indigenous youth in a restorative capacity. While the ruling posed many challenges for both Tribes, the Tribes were able to rely on their resilience and develop preventative programs to keep Indigenous youth out of the justice system. With the incorporation of cultural healing and assisting the youth and families in gaining an understanding of the impacts of historical trauma, Tribes in Oklahoma are able to use a restorative approach in the juvenile justice system.

This session will highlight how the Choctaw Nation and the Cherokee Nation were able to rise to the challenge of having jurisdiction of all Tribal members within their reservation boundaries. In addition, we will discuss how both the Cherokee Nation and Choctaw Nation are taking a multigenerational approach and working with the family systems as a whole.

Wednesday, September 13, 2023

7:00am – 8:00am	Registration / Check-In	Ballroom Foyer
8:30am – 8:45am	Opening	Catalina / Madera/ Pasadena
	<ul style="list-style-type: none"> • Welcome Remarks from the Tribal Law and Policy Institute 	
8:45am – 9:45am	Plenary	
	Safety Considerations in Celebrating 25 Years of Tribal Healing to Wellness	Catalina / Madera/ Pasadena
	<ul style="list-style-type: none"> • <i>Tanya Grassel-Krietlow, South Dakota Network FAST Grant Manager, FAST Tribal Sexual Assault Initiative</i> • <i>Gayle Thom, Retired Federal Bureau of Investigation</i> 	
	<p>Plenary Description: As we celebrate 25 years of Healing to Wellness, what is more central to enhancing the capacity of healing and wellness than the safety of Wellness Court professionals and other service providers? Planning for victims’ and survivors’ freedom from violence is a critical component for service providers. However, the safety of adults, juveniles, family, veterans, and DUI/DWI Healing to Wellness Court professionals is also a vital part of overall safety planning. Yet personal safety can be a complex matter. Training, research, and evaluation often focus solely on the safety of victims and survivors we are privileged to serve. Without addressing personal safety of all Tribal justice professional/other service providers, are we missing the true impact of striving to build a deeper and more comprehensively resilient perspective of safety for all involved in the justice realm? Simple steps will be presented that all court and service providers can use in their everyday lives. These are not meant to be all-encompassing—simply thought-provoking to help promote conversation and understanding of what additional training might be helpful. Our goal is to provide hope and inspiration by offering these simple steps attendees can use in their everyday lives. Informal and formal research is included in the presentation regarding safety considerations; as well as information from the Sexual Assault Forensic-Medical and Advocacy Services for the Tribes initiative that is funded by the Office on Violence Against Women.</p>	
9:45am – 10:00am	Break (On your own. No government-provided meals or break food or beverages.)	
10:00am – 11:15am	1st Breakout – Session E	

E1 - Adult Healing to Wellness Courts	Opioid Responses for Courts in Tribal and Rural Areas	Catalina / Madera/ Pasadena
	<ul style="list-style-type: none"> • <i>Melanie P. Fritzsche, Senior Program Manager, Tribal Justice Exchange, Center for Justice Innovation</i> • <i>Alejandra Garcia, Associate Director, Treatment Courts Technical Assistance, Center for Justice Innovation</i> <p>Session Description: Treatment courts across the country have been tasked with responding to the opioid crisis through rapidly linking participants at risk for overdose to evidence-based treatment, intensive case management, and frequent supervision. Though these approaches are being integrated in some state courts, Tribal justice systems face unique obstacles in addressing the opioid epidemic that have made responding to this crisis even more challenging. Additionally, Native Americans are disproportionately affected by high addiction and overdose rates, which creates greater urgency to develop Tribal-specific responses to this epidemic. Center for Justice Innovation staff will discuss how the opioid epidemic has impacted Tribal nations and will share examples of how Tribes are responding with culturally relevant opportunities and services to meet the needs of their communities. Additionally, center staff will discuss themes and lessons learned from opioid courts in New York that could be integrated in Healing to Wellness Courts to help address the opioid epidemic.</p>	
11:15am – 11:30am	Break (On your own. No government-provided meals or break food or beverages.)	
11:30 am – 12:45pm	2nd Breakout – Session F	
F1 - Adult Healing to Wellness Courts	The Henu Community Wellness Court	Catalina / Madera/ Pasadena
	<ul style="list-style-type: none"> • <i>Hon. Evelyn Dolchok, Chief Tribal Judge, Kenaitze Indian Tribe</i> <p>Session Description: Henu Community Wellness Court is a joint-jurisdictional therapeutic court operated by the Kenaitze Indian Tribe and the State of Alaska Court system. The court serves adults who face legal trouble stemming from substance use (focusing on drug and alcohol offenders) including those in families with children in need of aid. The court aims to get to the root of substance use issues, offering participants resources to pursue sobriety rather than sending them directly to jail. This session will include dialogue about the joint Tribal and state court and what it takes for the participants to succeed.</p>	
F3	BJA Feedback Session: Treatment Court Enrollment	Mojave
	<ul style="list-style-type: none"> • <i>Carolyn Hardin, Chief of Training and Research, All Rise</i> 	

This project was supported by Grant No. 2019-DC-BX-K001 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office of Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

- *Laura Hunter, Research Associate, NPC Research*

Session Description: All Rise and NPC Research are hosting Feedback Sessions with support from the Bureau of Justice Assistance (BJA). In this session, participants will be asked to share their perspectives on enrollment concerns and challenges, strategies for increasing enrollment, enhancing the referral and entry process, and resources that would help boost enrollment. Results will be shared in a report that will identify major concerns and challenges, potential solutions, and promising practices, as well as shape future funding and training opportunities. Participants can be practitioners from any Adult Treatment Court type and from all disciplines (e.g., judges, coordinators, prosecutors, defense counsel, community supervision, law enforcement, and treatment providers, among other roles). We ask all participants to keep the discussions confidential. Any information you provide will not be presented in a way that could be identified with you.

12:45pm – 2:15pm Lunch (On your own. No government-provided meals or break food or beverages.)

2:15pm – 3:30pm 3rd Breakout – Session G

G1 - Adult Healing to Wellness Courts **Tribal Control of Alcohol—A Tool for Wellness** **Catalina / Madera/ Pasadena**

- *Juliet Lee, Senior Research Scientist, Study Director, Pacific Institute for Research and Evaluation*
- *Rachell Tenorio, Research Associate, Pacific Institute for Research and Evaluation*
- *Joseph Flies Away, CAB Member, Community and Nation Building Facilitator*

Session Description: Tribal Courts consider many cases in which alcohol use is a factor. Many individuals appearing in Adult Wellness Courts may be referred to alcohol and other drug treatment. Compared to treatment, alcohol problem prevention saves both money and suffering. Alcohol control policies are a critical tool for prevention. The Healthy Tribal Nations project is working with Tribes across twelve states to understand and evaluate how these Tribes and states are using law to control alcohol and alcohol-related problems. In this session, project staff will present the range of alcohol policies; review the most effective policies for the prevention of alcohol problems, including alcohol-involved violence and intoxicated driving; and consider how Tribes have been applying alcohol policies for prevention. In breakout sessions, participants can consider ideas for developing policies for your Tribal Nations.

G3 - Establishing Wellness Courts**BJA Feedback Session: BJA Grant Solicitation****Mojave**

- Carolyn Hardin, Chief of Training and Research, All Rise
- Laura Hunter, Research Associate, NPC Research

Session Description: All Rise and NPC Research are hosting Feedback Sessions with support from the Bureau of Justice Assistance (BJA). In this session, participants will be asked to share barriers to applying for grants, resources needed to help with the application process, and how the solicitation process can be improved. Results will be shared in a report that will identify strengths to continue or expand, as well as challenges and concerns to focus on for potential improvements in the process. The results may also be used to shape future training opportunities. Participants can be practitioners from any Adult Treatment Court type and from all disciplines (e.g., judges, coordinators, prosecutors, defense counsel, community supervision, law enforcement, and treatment providers, among other roles). We ask all participants to keep the discussions confidential. Any information you provide will not be presented in a way that could be identified with you.

3:30pm – 3:45pm

Break (On your own. No government-provided meals or break food or beverages.)

3:45pm – 5:00pm

4th Breakout – Session H

H1 - Adult Healing to Wellness Courts**Cannabis and Tribal Courts: The Changing Landscape****Catalina / Madera/ Pasadena**

- Hon. Eric Mehnert, Chief Judge, Penobscot Nation Tribal Courts; American Bar Association Region 1 Judicial Outreach Liaison
- Hon. Mary Kate Huffman, Judge, Second District Court of Appeals, Dayton Ohio; American Bar Association National Judicial Fellow

Session Description: Despite remaining strictly prohibited as a Schedule I drug at the federal level, a cascading series of state legislative actions and voter initiatives in the past ten years has resulted in recreational cannabis legalization in almost half the states and the availability of cannabis for medical use in at least forty-one states. These changing dynamics are coming to Indian country as well. The transitions in the perceptions and status of cannabis in many jurisdictions results in significant impact on courts, including Healing to Wellness dockets. The faculty will discuss a variety of topics important to the judicial and court staff development of an in-depth understanding public and legal perspectives on cannabis use, the psychoactive effect of cannabis use on the brain and the body, the impact of cannabis use on the developing adolescent brain, cannabis use disorder, treatment modalities, and the impact of cannabis on court supervision, including the effect on federally funded courts.

Thursday, September 14, 2023

8:30am – 8:45am	Opening	Catalina / Madera/ Pasadena
	<ul style="list-style-type: none"> • Welcome Remarks from the Tribal Law and Policy Institute 	
8:45am – 9:45am	Plenary	Catalina / Madera/ Pasadena
	<p>Celebrating 16 Years of Joint Jurisdiction Courts: “Where We Started, Where We Are, and Where We Are Going”</p> <ul style="list-style-type: none"> • <i>Hon. Korey Wahwassuck, Judge, Itasca County District Court</i> • <i>Hon. Evelyn Dolchok, Chief Tribal Judge, Kenaitze Indian Tribe</i> <p>Plenary Description: Tribal, state, federal, and local courts operate in a patchwork of overlapping jurisdictions, facing common challenges and limited resources. To address these concerns, a growing number of courts have come together in a joint jurisdictional model that acknowledges each other’s autonomy, while sharing resources for better outcomes for everyone. During this plenary session, two Joint Jurisdiction Court practitioners will tell the story of how joint jurisdiction courts began, discuss their implementation and development over the years, share lessons learned, and make recommendations for other jurisdictions considering a collaborative approach to heal their own communities and improve outcomes for the people they serve.</p>	
9:45am – 10:00am	Break (On your own. No government-provided meals or break food or beverages.)	
10:00am – 11:15am	1st Breakout – Session I	
I1 - Adult Healing to Wellness Courts	The Indian Child Welfare Act (ICWA) at the Supreme Court and Learning of Promising ICWA Practice through ICWA Courts	Catalina / Madera/ Pasadena
	<ul style="list-style-type: none"> • <i>Sheldon Spotted-Elk, Senior Director, Judicial National Engagement, Casey Family Programs</i> <p>Session Description: <i>Haaland v. Brackeen</i> was decided 7-2 at the Supreme Court upholding the constitutionality of the ICWA. During the buildup to the final decision, nearly 500 Tribes and twenty-plus states signed amicus briefs addressing the constitutionality and on-the-ground practice to support ICWA as the “gold standard of child welfare.” Attendees will learn about the decision and how through ICWA “Congress exercised that lawful authority to secure the right of Indian parents to raise their families as they please; the right of Indian</p>	

children to grow in their culture; and the right of Indian communities to resist fading into the twilight of history. All of that is in keeping with the Constitution’s original design.” Further learn about ICWA courts—20 specialty courts—throughout the country that are capturing both the black letter and the spirit of the ICWA to improve legal outcomes for Indigenous families.

11:15am – 11:30am Break (On your own. No government-provided meals or break food or beverages.)

11:30am – 12:45pm 2nd Breakout – Session J

J1 - Adult Healing to Wellness Courts **Development Considerations for Tribal Healing to Wellness Courts in Alaska** **Catalina / Madera/ Pasadena**

- *Pat Sekaquaptewa, Juvenile Healing to Wellness Courts Training and Technical Assistance Manager, Tribal Youth Resource Center, Tribal Law and Policy Institute*
- *Grace Carson, Skadden Fellow, Tribal Law and Policy Institute*

Session Description: Implementing a Healing to Wellness Court in Alaska is particularly complex because of a variety of issues, including limited Indian Country and privileged state jurisdiction in Alaska and unique challenges facing Tribes in rural Alaska. This session will explain those challenges and the solutions to them by setting out potential models and configurations for the design of Tribal Healing to Wellness Courts in Alaska. It will also discuss examples of memorandums of understanding and agreement between Tribal and state governments and organizations that would help to implement Healing to Wellness Courts in Alaska. This session will take directly from Tribal Law and Policy’s new publication, *Development Considerations for Tribal Healing to Wellness Courts in Alaska*, in which the intended purpose of the publication is to provide initial talking points for interprofessional (between law and treatment) and intergovernmental (between the Tribes and the state) dialogue and negotiations, as well as to provide a number of models with which to react. The authors hope to facilitate respectful good-faith discussions that will lead to the creation of something new and mutually beneficial, with adaptations and innovations that work for the Native communities served.

12:45pm – 1:15pm **Closing** **Catalina / Madera/ Pasadena**

This project was supported by Grant No. 2019-DC-BX-K001 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice’s Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justices, the Office of Juvenile Justice and Delinquency Prevention, the Office of Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.