



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

VETERANS' OUTREACH AND LEGAL ASSISTANCE ROUNDTABLE OUTCOMES

**2023 Tribal Healing to Wellness Court
Enhancement Training**

S e p t e m b e r 1 2 , 2 0 2 3

Agua Caliente Band of Cahuilla Indians Reservation



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

PRESENTERS:



Elton Naswood
Program Coordinator
National American Indian Court
Judges Association



Andrea Seielstad
Tribal Law Consultant, NAICJA
Professor of Law & Director of Clinical
Programs, University of Dayton School of Law



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

TRIBAL CIVIL AND CRIMINAL LEGAL ASSISTANCE

The Bureau of Justice Assistance (BJA), through the National American Indian Court Judges Association (NAICJA) offers Training and Technical Assistance (TTA) to Tribal Civil and Criminal Legal Assistance (TCCLA) grantees and subgrantees. The TCCLA program seeks to increase and improve access to legal assistance for Native Americans and Alaska Natives by providing TTA for the development and enhancement of tribal justice systems. Further, TCCLA will assist in strengthening the capacity and the quality of indigent criminal defense services and defense strategies for tribal justice systems.

This project was supported by Grant No. 2018-AL-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 for 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.



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

COORDINATING LEGAL SERVICES TO SUPPORT AMERICAN INDIAN AND ALASKA NATIVE VETERANS

This project seeks to enhance and provide delivery of legal services to American Indian and Alaska Native (AI / AN) veterans.

- Webinars
- Legal Clinics
- Online Resources



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

PROPOSED DEVELOPMENT OF TRIBAL VETERANS' LEGAL CLINICS

- A tribal legal clinic model will focus on and address the needs of AI / AN veterans
- A variety of models may be considered, depending on the organizational capacities of those already in a geographical area and available legal resources
- These may include:
 - Medical-legal partnerships to address legal services issues in conjunction with treatment for health, substance abuse, and trauma
 - Legal services programs and collaborations with VA staff, law school clinical programs and other organizations set up to provide legal assistance
 - Pro bono staff and attorneys to provide legal counsel and advice
 - Community education and pro se litigation
 - In person clinics and those utilizing remote and technology-based tools to connect with veterans in rural places (or hybrids)



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

COORDINATING LEGAL SERVICES TO SUPPORT AMERICAN INDIAN AND ALASKA NATIVE VETERANS

This project seeks to enhance and provide delivery of legal services to American Indian and Alaska Native (AI / AN) veterans.

- Webinars
- Legal Clinics
- Online Resources



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

NATIVE VETERANS ROUNDTABLE DISCUSSIONS



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

ROUNDTABLE METHODOLOGY

- Research and webinars on models and needs.
- Preliminary feedback at last year's healing to wellness discussion groups
- Advisory groups to help plan and identify participants.
- Selected participants with experience and expertise; primarily veterans with some legal and healing to wellness court experts.
- Delivered short presentations; then presented discussion questions in small groups.
- In person plus some remote participation.
- Recorded input.



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

WHAT IS USEFUL ABOUT ROUNDTABLES?

- Roundtables, like focus groups, are a kind of participatory discussion with stakeholders and experts, not empirical survey.
- Evaluate and react to presented models and ideas.
- Gathering information on other models and approaches.
- Empower/invigorate constituent/veterans' leaders to advance advocacy and work on veterans' initiatives within their own communities and professional spheres.
- Enable advancement of more particularized collaborations, like a pilot project with those present.



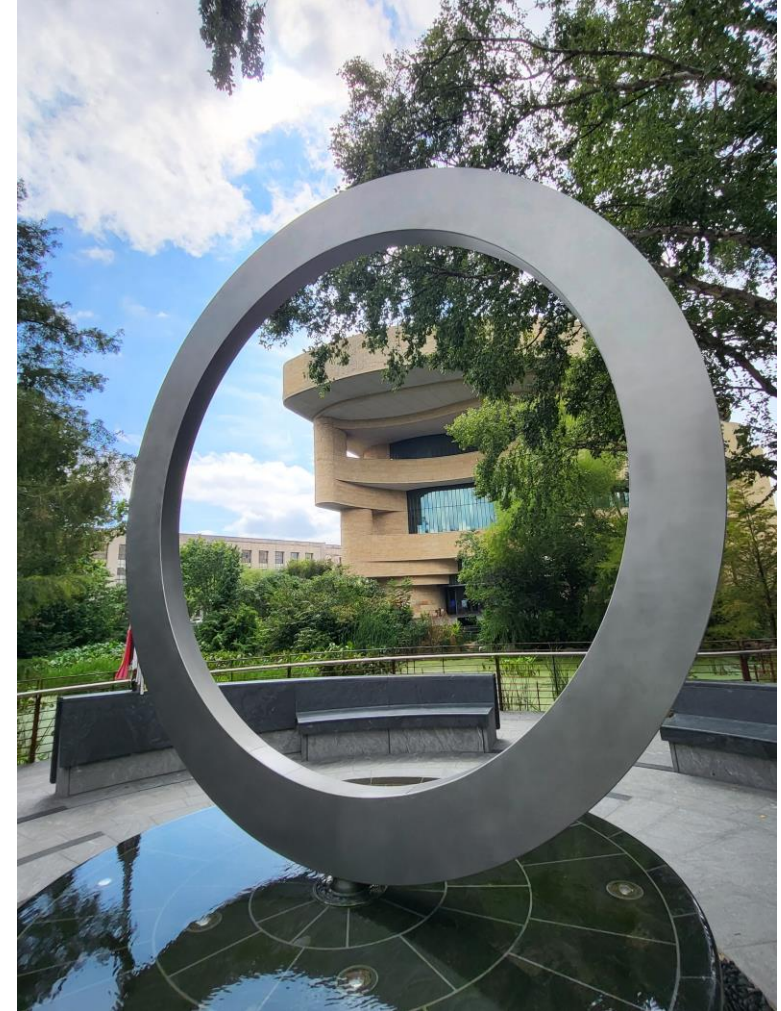
NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

ROUNDTABLE DISCUSSIONS

**HTWC Enhancement Training
September 27, 2022 – Isleta Pueblo, NM**

**Native Veterans Roundtable
June 19 - 2023 – Albuquerque, NM**

**Alaska Native Veterans Roundtable (Planned)
September 2023 - Anchorage, AK**





NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

COMPARING MODELS FOR LEGAL REPRESENTATION

- Direct representation (legal services, university law clinics and private practice)
- Pro bono clinics
- Medical Legal Partnerships
- Partnerships: Veterans' Administration, tribal and state wellness or veterans' courts; tribal organizations
- Community Education / collaborative work focused on systemic issues



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

MODELS AND APPROACHES QUESTIONS

- What programs exist already?
- What are the barriers and challenges that currently exist to continue to improve upon and develop veterans' focused legal services?
- What challenges are there in coordinating service providers?
- What are the necessary services a veterans' focused legal assistance program should have?
- In your opinion, which services rank high as necessary?



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

LEGAL ISSUES AND SUPPORT FOR NATIVE VETERANS

- Many Native veterans have been impacted by their military experience and trauma (and traumas from other life experience) to a degree that causes them to avoid seeking even benefits.
- Effective outreach and assistance in connecting veterans to important sources of benefits relief and legal assistance is limited.
- Legal services programs cannot cover all civil issues (limited by resources, staffing, geographical scope, and priorities).
- Veterans' treatment and wellness courts, or ones focused on AI / AN are just emerging (and tend to focus more on matters connected to criminal charges).
- Legal deserts; Insufficient availability of lawyers qualified to work on veterans' benefits work.
- Methods of outreach may not effectively meet the needs of AI / AN veterans.
- Key points in developing legal services include Tribal-Sponsored Programs and connecting with Native Veterans
- Working with veterans organizations in Navajo Indian country to develop veterans treatment courts.



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

MODELS AND APPROACHES QUESTIONS:

1. What legal issues may be of highest need (and least available or ease of accessing legal help) – i.e., general civil legal services; guardianship, decision-making, power of attorney and estate planning or probate; land, water, government leases; consumer and debt management; expungement and employment matters; veterans' benefits advocacy; administrative review of military discharge classification (“bad papers”) status? Anything we can rule out by way of priority?
2. Which models and approaches would work best for AI / AN veterans located in (1) rural areas and (2) urban areas? To what extent does this depend on the proximity to healthcare programs with the Veterans Administration, Indian Health Service, or tribally-operated health clinics?
3. What further information should be gathered and assessed (and from whom) to settle upon the most suitable models? What methodologies for gathering it? [this could be asked in other discussion groups as well]



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

DISCUSSIONS #1: MODELS AND APPROACHES

- Legal Issues
- Driving Under the Influence (DUI)
- Domestic Violence (DV)
- Employment
- Veterans support groups and/or mentors
- Mental and physical health
- Specific women Veterans focused programming – unique challenge & issues



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

COLLABORATIVE MODELS AND PARTNERSHIPS:

CONNECTING PRO BONO ATTORNEYS TO NATIVE AMERICAN AND ALASKA NATIVE VETERANS

- Berkeley law Veterans Law Practicum: LOVE—Legal Obstacles Veterans Encounter
- Medical-Legal Partnerships (MLPs) are an interdisciplinary model of care that recognizes many health problems cannot be solved without legal assistance.
- Behavioral Health-Legal Partnerships - Form of MLP where legal arm partners with a mental health provider, e.g., psychiatric hospital, mental health clinic, inpatient psychiatric facility within larger hospital.
- U.S. Department of Veterans Affairs MLP Task Force - composed of lawyers, social workers, and staff supporting justice-involved veterans. The goal to have legal services available at every VA hospital.





NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

COLLABORATIVE MODELS AND PARTNERSHIPS QUESTIONS:

1. In addition to those presented, are you aware of other collaborative models that effectively linked AI/AN veterans to pro bono attorneys and veterans' benefits advocates in private practice, law school clinics, V.A. accredited VSO or claims agents, legal services programs? Are there others who we should consult about finding different examples?
2. What do you see as particularly effective (or ineffective) ways of creating collaborative programs for outreach and legal services delivery to veterans?
3. What might be essential to include by way of training or in negotiation processes that create such collaborations?



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

DISCUSSION #2: COLLABORATIVE MODELS AND PARTNERSHIPS

- Three (3) models of Medical Legal Partnerships – General Population Model; Special Population Model; Alternative Legal Services Model.
- State/County/Tribal collaborations – State-Tribal Consortiums
- Behavioral Health Model - Trauma-informed models to assist with Veterans challenges and issues
 - Utilizing a Peer Recovery Support Specialist
- Veterans Service Organizations (VSO) should be community based and veteran-to-veteran support services
- Develop and utilize MOUs/MOAs with Native agencies and IHS. Ex: New Mexico Legal Services (NMLS) and First Nations Community HealthSource (FNCH)
- Provide trainings to legal and clinical staff with the “Healing the Returning Warrior,” a six module curriculum.



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

ADVOCACY PROGRAMS AND COLLABORATIONS

TRIBAL VETERANS HEALING TO WELLNESS COURTS

- The Healing to Wellness Court Model
 - Justice System Process
 - Substance Use Treatment
 - Community Resources
 - Culture & Tradition
- Individual & Community Healing Focus
- Multi-Disciplinary Team
- Healing to Wellness Court Planning





NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

ADVOCACY PROGRAMS AND COLLABORATIONS QUESTIONS:

1. How might tribal (or state) healing to wellness courts (or veterans courts/dockets, where they exist) assist in linking AI /AN veterans to legal services and/or identifying legal issues faced by veterans? Any particular examples or contacts with expertise?
2. Where are some of the well-known, well-established veterans' organizations?
3. How may Native Veteran advocacy and action groups play a role in linking veterans to legal services and identifying legal needs? Who would best initiate such a process and how might it be initiated?
4. What role might tribal courts, veterans' affairs departments or other tribal governmental programs or offices play?



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

DISCUSSION #3: ADVOCACY PROGRAMS AND COLLABORATIONS

- Assess the needs for a HTWC for Veterans participants – California Veterans courts are the same as wellness court models.
- VSOs established on the Pueblo of Laguna, Pueblo of Acoma, Navajo Nation. Ex. To'hajiilee Veterans group
- Provide Veterans preference to include for veterans program's staff and personnel.
- Update and utilize forms to include veterans and veterans status as a preference.
- Provide court staff and personnel "Veterans 101" trainings by Veterans and cultural trainings.
- Hold virtual clinics for Veterans – ensure the broadband access is available and individuals know how to use apps and social media. Ex. Facebook and Messenger
- Access to Electronic Records
- Commitment for legal providers



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

IDENTIFYING RESOURCES QUESTIONS:

1. What resources are necessary to offer a virtual, multi-jurisdictional clinic or program that would focus on a particular legal need, say, administrative review of military discharge status?
2. What about an on-the-ground/in person program that linked with an existing law clinic, legal services program or other sources of legal assistance within a certain geographical area? What types of models might work in convincing an existing program to offer a focus on AI/AN veterans advocacy or expand opportunities?
3. Ideas for next steps in gathering information about available grant programs and other resources.



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

DISCUSSION #4: IDENTIFYING RESOURCES

- Establish a Mobile Crisis Team to give information to people and outreach
- National Center of MLPs – grant funding available
- Need of Grant Writing and capacity to write grants. Ex. Ute Mountain Tribe does grant writing
- Veterans Administration funding opportunities - VA employees usually review grants
- Veterans no longer have to pay co-pay for services as reimbursements are available.
- CLIS utilizes California State Bar funding as a source for Discharge cases.



NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

QUESTION AND ANSWER SESSION





NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION

THANK YOU!

NAICJA CONTACT INFORMATION

Phone: 303-449-4112

Address: 1942 Broadway
Ste. 510
Boulder, CO 80302

Website: www.naicja.org



ELTON NASWOOD
elton@naicja.org



ANDREA SEIELSTAD
andrea@naicja.org

