

Cheyenne and Arapaho Tribal Court Assessment

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Cheyenne & Arapaho Tribes
TRIBAL COURT ASSESSMENT



Cocohe, Oklahoma

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EXECUTIVE SUMMARY

This Cheyenne & Arapaho Tribes Tribal Court Assessment ("Assessment") was conducted using a modified model of the Tribal Court Performance Standards ("TCPS"), and was adapted to the needs of the Cheyenne & Arapaho Tribes ("Tribes") and the Cheyenne & Arapaho Tribes' Tribal Court ("Tribal Court"). The Assessment seeks to provide an overview of the Tribes' justice system, recognize areas that function well, and identify areas for improvement. The Assessment has been engineered to comply with the specific statutory mandates for tribal court surveys as articulated in 25 U.S.C. Section 3612(b).

The Assessment focuses on five distinct areas: (1) Access to Justice; (2) Expedition and Timeliness; (3) Equality, Fairness, and Integrity; (4) Independence and Accountability; and (5) Specific Findings and Needs of the Cheyenne & Arapaho Tribes Tribal Court. At the end, the Assessment provides a Summary of Recommendations and Strategic Plan, including suggestions regarding where the Tribe can pursue funding or other support to accomplish each recommendation.

INTRODUCTION

The Assessment for the Cheyenne & Arapaho Tribes Tribal Court ("Cheyenne & Arapaho Court") was conducted at the request of Governor Reggie Wassana. The Assessment Team met with members of the Court Staff, Tribal Officials and Tribal Employees. The information gathering tasks were conducted at the Cheyenne & Arapaho Tribes Tribal facility located in Cocohe, Oklahoma on May 23, Aug. 3 - 4, & Aug. 8, 2022.

ACCESS TO JUSTICE

Access to Justice assesses whether court users are provided easy and safe access to the judicial system and determines ways to eliminate unnecessary barriers for litigants. These obstacles can include economic, procedural, physical or geographic barriers.

The Assessment Team identified the following positive themes:

- The Tribal Court is housed in a large new building with ample parking, that is easily accessible on the Cheyenne and Arapaho tribal complex.
- There are three handicap spaces and wheelchair access to the facility on one side of the parking lot. There is one handicap ramp to the courthouse with multiple marked handicap spaces in front of the courthouse.
- The courtroom doors are large so that both can open and allow wheel-chair access.

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- The Tribal Court's protection officer is available to interpret for Spanish-speaking litigants, and while the need has not arisen for native speakers, there are tribal language resources available.
- The Tribal Court Clerk has several Pro Se forms available upon request on the Tribal Court webpage located on the Tribal website and at the Court Clerk's office upon request.

The Assessment Team identified the following areas needing improvement:

- Tribal Court users do not currently have easy access, such as internet access, to Tribal Codes, the Constitution, or Court Rules.

EXPEDITION AND TIMELINESS

Expedition and timeliness are essential to the duties and responsibilities of courts and either positively or negatively affect the parties involved in court proceedings. Delays during court matters cause loss of the public's trust and jeopardizes the court's overall appearance.

The Assessment Team identified the following positive themes:

- The Tribal Court has a number of dockets per month, and have recently increased their district judges to three. Tribal prosecutors have been conducting reviews of cases to make sure there are no stale matters.
- There are a number of statutory provisions regarding court personnel duties, as well as a tribal court procedural manual, and a court clerk's manual.

The Assessment Team identified the following areas that need improvement:

- Code revision, enhancement, and publication is needed in a number of areas.
- A new case management system is desired to assist the Court in expeditiously handling its matters.

EQUALITY, FAIRNESS, AND INTEGRITY

A judicial system should provide equality and fairness to all who have business before it to the extent permitted by law. The court demonstrates equality, fairness, and integrity, and the Judges maintains the same and is committed to the court.

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The Assessment Team identified the following positive themes:

- The Tribal Constitution and codes provide a number of guarantees of impartiality and protection of civil rights to litigants.
- The Tribal Court has a reputation in the community of treating litigants fairly.
- The judges take time with litigants, particularly pro se litigants, to make sure that they understand their rights.

The Assessment Team identified the following areas that need improvement:

- Consistent, regular training for all Tribal Court Personnel should be provided to maintain the reputation of the Tribal Court.
- A new case management system is needed.
- There are some deficiencies in the existing tribal code.

INDEPENDENCE AND ACCOUNTABILITY

Judicial independence, trust and confidence are essential to the effectiveness of the court. The Court should assert and maintain its distinct character as an independent judiciary, separate from other Tribal functions, and that is capable of unbiased court decisions. A court possessing institutional independence and accountability protects judges from unwarranted pressures and maintains equality, fairness and integrity of the Court.

The Assessment Team identified the following positive themes:

- There is separation of powers provisions within the Tribal Constitution and codes, and officials seemed to be cognizant of the need for judicial independence.
- Judges are selected by a statutory process and can only be removed for cause.
- The Supreme Court hires and supervises court personnel.
- The Court has its own procedural manual.

The Assessment Team identified the following areas that need improvement:

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- Interviewees expressed the desire for more training for Tribal Court Personnel and staff to maintain professionalism and best practices.
- Periodic reports to Tribal officials and citizenry would increase the transparency of the Court.

SPECIFIC FINDINGS AND NEEDS OF THE CHEYENNE & ARAPAHO TRIBES TRIBAL COURT

The Assessment Team identified the following specific findings and needs:

- The Tribal Code needs amendments and new provisions. The code needs to be consistent with numbering and titling. It should be kept current and published online in an easily accessible format.
- A new case management system is needed.
- Additional personnel would be beneficial in assisting the Court in handling all of its responsibilities and services.

SUMMARY OF RECOMMENDATIONS

While specific findings and recommendations are identified throughout the report and are summarized in the recommendations and strategic action plan, certain themes emerged during the Assessment and are listed below.

- Additional personnel, such as another armed bailiff, as well as more staff in some of the Court's services, are needed.
- A new case management system is desired.
- Code revision and publication is needed.

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Disclaimer

Tribal court assessments are conducted by an independent non-Federal entity ("Assessment Team") pursuant to 25 U.S.C. § 3612. The assessment is a snapshot of a tribal court in that particular moment and time. An assessment report is for informational purposes only and intended for the use of the respective Tribe and its Court.

The Findings and Recommendations of the Assessment Team, a non-Federal entity, are designed to formulate a strategic action plan for a Tribal Court; and do not bind the Federal Government. One-time funding requests are dependent upon availability of budget.

I. Introduction

The Cheyenne & Arapaho Tribes' Governor, Reggie Wassana, requested a Tribal Court Assessment on March 14, 2022. At the meeting and assessment with the Tribes, the Assessment Team included Diane Hammons, Kianee Wind-Hammingsbird and Trevor Hammons. All of the information contained in this Assessment was obtained directly from Tribal sources and stakeholders, unless otherwise cited.

II. Mandate and Methodology

In 1993, Congress enacted the Indian Tribal Justice Act ("Act") and created within the Bureau of Indian Affairs, Office of Justice Services, the Tribal Justice Support Directorate (TJS) to "further the development, operation, and enhancement of tribal justice systems. . . ." TJS must, through independent non-Federal entities, conduct a survey of "conditions of tribal justice systems . . . to determine the resources and funding, including base support funding, needed to provide the expeditious and effective administration of justice."¹

The Assessment must document the local conditions of each Tribe, including:

- (1) the geographic area and population served;
- (2) the levels of functioning and capacity of the tribal justice system;
- (3) the volume and complexity of the caseload;
- (4) the facilities, including detention facilities, and program resources available;
- (5) funding levels and personnel staffing requirements for the tribal justice system; and
- (6) the training and technical assistance needs of the tribal justice system.⁴

As discussed further below, TJS has determined that the Tribal Court Performance Standards ("TCPS") as adapted to the needs of tribal courts fulfill the statutory survey requirements of the Act. The TCPS are an effective mechanism to measure the six factors listed in Subsection (b) of the Act. Once complete, the Assessment is a tool to assist the Tribe and TJS to determine tribal justice resources, identify funding needs to provide expeditious and effective administration of justice, and to facilitate annual updates to the information and findings. Tribes are active participants in the Assessment process and have the opportunity to review and make recommendations regarding the findings.

¹ 25 U.S.C. § 3601.
² *Id.* at § 3611(a).
³ *Id.* at § 3612(a).
⁴ *Id.* at § 3612(b).

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A. Performance Standards

The Tribal Court Performance Standards, originally developed for state trial courts, define optimal court performance and are viewed nationally as a blueprint for improving the administration of justice by focusing on performance, self-assessment, and self-improvement. An increasing number of tribal and state courts across the country have utilized the TCPS to improve the quality of justice in their courts. The TCPS are based on four related guiding principles and civil ideals:

- Courts are, first and foremost, accountable for their performance, for the benefits they achieve, not just the ways and means they use to achieve them.
- The focus of court accountability is the result or outcome of their programs and services for the participants in the programs or recipients of the services—the citizens.
- Courts are complex public organizations, not simply judges hearing cases, settling disputes, and issuing orders.
- Courts are crucial to the governance of the communities and the citizens in their jurisdiction.

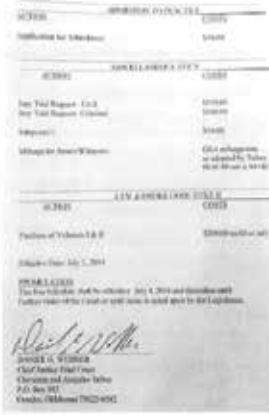
The TCPS provide an outcome-oriented conceptual framework of performance areas, standards, and measures. It allows courts to assess their performance and to gauge the community perception of the court's performance as reflected in the breadth and depth of public trust and confidence in the courts. Utilizing the TCPS model enables courts to identify areas where the court is performing well and areas that need improvement. The TCPS can be a guide for setting performance targets, monitoring performance, evaluating performance, and using the feedback to improve or develop court practices and policies. Implementation of the TCPS leads to customer-based organization responsive to the community it serves. The TCPS provide a structure for defining the effectiveness of trial courts by focusing on performance, self-assessment, and self-improvement. The TCPS utilize 22 standards to establish goals for effective court performance in five areas: access to justice; expedition and timeliness; equality, fairness and integrity; independence and accountability; and public trust and confidence.

The development of the TCPS was a joint effort of the National Center for State Courts and the Bureau of Justice Assistance. Additionally, an advisory group, the Commission on Tribal Court Performance Standards, composed of trial judges, court managers, and academic scholars worked on court-related issues.

The Team incorporates these areas, with modifications specific to tribal courts in general and to unique circumstances of the Tribe and its Court system. The TCPS standards originally have six performance areas, after input and feedback from non-Federal contractors utilizing the standards, TJS has consolidated some areas and measures to better adapt to Tribal Courts and avoid

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Driftnet Fee Schedule

The fee schedule was last updated on July 1, 2014. Title II, Law and Order Code Subpart A, Section 304 (C) of the Cheyenne and Arapaho Tribes judicial code states:

The Court Clerk shall have the following powers and duties:

- (c) to collect all fines, fees, and costs authorized or required by law to be paid to the Courts, to receipt therefor, and to deliver them to the Tribal Treasurer for deposit in the Court fund.

Recommendation: - The Tribal Court should consider updating its fee schedule based upon the needs of the Tribes and its patrons. The Tribal Court should consider posting the fees on its website. The fees cannot be found anywhere except for a physical list at the courthouse, making it hard for someone to know what fees to expect without coming to the Tribal Court. Some people like to know what they are expected to pay before making a trip to the Tribal Court, so they can be prepared.

Measure 1.54 Complexity of Court Procedures

Finding: The Assessment Team observed both Civil and Criminal proceedings. The court sessions that were observed were relatively simple in nature and seemed to be understood by the participants. The Trial Judge took pains to make sure that pro se litigants understood the nature

of the proceedings and all consequences of different actions. The Judge also ensured that proper service of process had been obtained on the parties before hearing the various matters. The Tribal Court acted to ensure that all people, regardless of education or experience, felt comfortable and understood the proceedings.

Recommendation: The Tribal Court should continue to treat all Tribal Court users with the same dignity and respect and ensure that everyone understands their rights. The Tribal Court should consider installing a Kiosk to provide forms which allows for free and easy access to the public.

Performance Area 2 - Expedition and Timeliness

"Unnecessary delay causes injustice and hardship. It is a primary cause of diminished public trust and confidence in a court."

Courts are entrusted with many duties and responsibilities that affect individuals and organizations involved with the judicial system, including litigants, jurors, attorneys, witnesses, criminal justice agencies, social service agencies, and members of the public subject to the tribal court's jurisdiction. The repercussions from untimely court actions in any of these involvements can have serious consequences for the persons directly concerned, the court, allied agencies, and the community at large.

Standard 2.1 Case Processing A tribal court should establish and comply with recognized guidelines for timely case processing, while at the same time keeping current with its incoming caseload.

Measure 2.1.1 Time from Filing to Disposition

Finding: The following random files were reviewed:

- CIV-2021-0118. Custody. Petition filed 12/17/21. Temp. Order - 1/5/22. Ct. min. - 4/16/22, case to be reset on only application if needed.
CIV-2021-0015. Name change. Petition filed 3/16/21. Order changing name - 5/5/21 (after publication).
CIV-2021-0058. Prot. Ord. Petition filed 6/24/21. Notices sent. Prot. Ord. entered 10/20/21.
TRF-2022-0006. No DL. Complaint filed 5/24/22. Guilty plea entered 6/2/22, \$100 fine + costs.
CRM-2021-0042. Arrest 9/23/21, complaint filed 9/28/21. (still open) Defendant has been working on evaluations.
CRM-2021-0059. Ticket 12/8/21, complaint filed 12/9/21 (still open). Discovery ongoing.

All of the cases reviewed were from the past two years, and two were still open. No other cases were observed during court observations, nor during the case review. As mentioned in Measure 2.1.3, below, the tribal prosecutors periodically review cases to make sure that they are being timely prosecuted.

Recommendation: The Court is to be commended on making regular case reviews to make sure that matters are steadily progressing. The Model Time Standards (below) may be used as a guideline in considering how long cases should typically remain open. The Model Time Standards set a 180-day time standard in which to dispose of 98% of the misdemeanor criminal cases filed. The Tribal Court should seek to meet or exceed the guidelines set by the Model Time Standards insofar as date of filing until date of adjudication is concerned. In civil cases, 75% of the cases should reach disposition within 180 days and 90% within 365 days. In cases involving family and juvenile matters, the timeline is accelerated. Due to the complex nature of family and juvenile cases, speedy case disposition is of utmost importance.

The Model Time Standards establish disposition guidelines in family cases of 75% within 120 days and 90% within 180 days. A 98% rate of family case disposition should be accomplished within 365 days. The swiftest rate of disposition is applied to juvenile cases. For youth in detention, 75% of the cases should be disposed of within 30 days, 90% within 45 days and 98% within 90 days. The disposition rate is delayed slightly for youth not in detention. In those matters, disposition rates are 75% within 60 days, 90% within 90 days, and 98% within 150 days.

TABLE OF MODEL TIME STANDARDS FOR STATE TRIAL COURTS. Table with columns: Case Category, Case Type, CONCA Standard, MIA Standard, Model Standard. Rows include Criminal (Felony, Misdemeanor), Juvenile (Delinquency and Status Offense), Family (Divorce/Dissolution, Allocation of Parental Responsibility, Post-judgment Orders, Protection Orders), and Juvenile (Delinquency & Status Offense).

Table with columns: For youth not in detention, Neglect and Abuse, Termination of Parental Rights, PROBATE - Administration of Estates, Guardianship/Conservatorship of Incapacitated Adults, Child Custody. Rows show percentages for various metrics like Adjudication Hearing, Prosecutor Hearing, etc.

Measure 2.1.2 Ratio of Case Dispositions to Case Filings

Finding: The Court keeps track of the number and type of open cases on an annual basis (see "Tribal Court Statistics," above), but it does not track the ratio of open cases to closed cases.

Recommendation: In the future the Court might want to track the ratio of case closings to case filings. This statistic could be useful in determining funding and personnel decisions.

Measure 2.1.3 Age of Pending Caseload

Finding: Interviews related that the prosecutor's office has engaged in three comprehensive file reviews in the last two years, checking older files to see if they're still prosecutable, and to determine if there are any statute of limitation issues. Lesser crimes, that are non-prosecutable, are dismissed. While it was noticed that there was one seven-year-old criminal case on the docket, most case proceed through the system expeditiously, and all court personnel seem dedicated to making sure that there are no lingering or stale cases.

Recommendation: The Court should continue to conduct regular reviews on open cases to make sure that none are dormant. Periodic disposition dockets can assist in closing out older cases.

Measure 2.1.4 Certainty of Motion Docket & Trial Dates; Continuance Rules

Finding: The following provisions are from the "Civil Procedure Act:"

Section 218 Motion Day

Unless conditions make it impractical, the Tribal Court shall establish regular times and places, at intervals sufficiently frequent for the prompt dispatch of business, at which motions requiring notice and hearing may be heard and disposed of; but the Judge at any time or place, and on such notice, if any, as he considers reasonable, may make orders for the advancement, conduct, and hearing of actions, or, the Court may make provision by rule or order for the submission and determination of motions without oral hearing upon brief written statements of reasons in support and opposition.

Section 716 Continuance

The trial of an action shall not be continued upon the stipulation of the parties alone, but may be continued upon order of the Court.

Recommendation: The Court should continue to abide by its statutory and regulatory duties regarding motion practice and the use of continuances.

Standard 2.2 Fulfillment of Fiduciary Duties of the Court A tribal court should disburse funds promptly, provide reports and information according to required schedules, and respond to requests for information and other services on an established schedule that assures effective use.

Measure 2.2.1 Court's Prompt Payment of Entrusted Monies; Handling of Payments

Finding: There are specific statutes regarding the handling of entrusted monies. One such section, found in the "Courts" title is:

Section 808 Conserving Moneys Obtained for Minors or Incompetent Persons

Moneys recovered in any Court proceeding by a next friend or guardian ad litem for or on behalf of a person who is less than eighteen (18) years of age or incompetent in excess of Five Hundred Dollars (\$500.00) over sums sufficient for paying costs and expenses including medical bills and attorney's fees shall, by order of the Court, be deposited in a banking or savings and loan institution, approved by the Court. Until the person becomes eighteen (18) years of age or competent to again handle his affairs, withdrawals of moneys from such account or accounts shall be solely pursuant to order of the Court made in the case in which recovery was had. When an application for the order is made by a person who is not represented by an attorney, the Judge of the Court shall prepare the order. This section shall not apply in cases where a legal guardian has been

appointed by the Court for the estate of the minor or incompetent person with adequate bond to secure any money released. In such cases, such money, or any portion thereof as the Court may direct, may be paid over to the guardian to be used exclusively for the support and education of such minor or incompetent person, subject to such restrictions and accounting as the Court shall direct.

And, in the "Civil Procedure Act," the following provision is found:

Section 803 Deposit in Court

In an action in which any part of the relief sought is a judgment for a sum of money or the disposition of a sum of money or the disposition of any other thing capable of delivery, a party, upon notice to every other party, and by leave of Court, may deposit with the Court all or any part of such sum or thing. Money paid into Court under this section shall be deposited and withdrawn in accordance with Tribal law detailing accounting procedures for the Court Clerk's Office, and if there be none, then in accordance with the Tribal procedure for the administration and accounting of federal grant moneys, upon order of the Court.

The case management system records payments and makes receipt on all payments.

Recommendation: If a bench book is created, it might be beneficial to include some provisions regarding procedures for accounting for all monies. If the clerk's manual is updated, then money handling procedures and accounting should be included. When a new case management system is installed, it should be utilized to track all payments and monies owing.

Measure 2.2.2 Collection of Monies; Garnishment Rules and Practices

Finding: In the "Civil Procedure Act" title, the following subchapter is found, without any content:

SUBCHAPTER D: GARNISHMENT RESERVED FOR FUTURE PROVISIONS RELATING TO GARNISHMENT.

There are other post-judgment provisions (such as replevin) included, but not garnishment.

Recommendation: When code revision is undertaken, consideration should be given to whether to include specific garnishment statutes. Things that could be addressed are types of garnishment allowable, how much may be garnished, what notice is required, etc.

Measure 2.2.3 Deposit of Monies

Finding: The Tribe will only accept payments from the Court once per month. The Clerk's office does not take cash, only checks, money orders, and credit cards. They can also take

payments over the phone. In between monthly deposits to the Tribe, all payments are kept in a lockbox.

Recommendation: If the Tribe ever changes its policies, deposits should probably occur more frequently than monthly. Even though no cash is accepted, and procedures are followed, keeping payments for that length of time just increases the chance that something could be misplaced.

Measure 2.2.4 Timely Reporting to Tribal and Federal Officials; Regularity of Contacts with the Tribal Government

Finding: The Clerk of the Court has the following statutory duties, as to reporting:

Section 423 Clerk to Keep Court Records, Books and Papers Statistical and Other Information

The Clerk shall keep the records and books and papers appertaining to the Court and record its proceedings, and exercise the powers and perform the duties imposed upon him by Tribal statute, order of the Court, or Court rule. The Clerk is directed to furnish annually, or at such times as shall be requested, without cost to the Supreme Court, the Governor and the Legislature, such statistical and other information as the Supreme Court, the Governor or the Legislature may require, including, but without being limited to, the number and classification of cases: 1. Filed with the Court. 2. Disposed of by the Court, and the manner of such disposition. 3. The number of cases pending before the Court.

Although there are no regular formalized reporting times, the Supreme Court keeps some court statistics. Recommendation: The Court should follow its statutory duty for annual reporting, including the statistical information of number of cases filed with the Court, disposed of by the Court, and the number of open cases pending before the Court.

Standard 2.3 Prompt Implementation of Law and Procedure A tribal court should promptly implement changes in law and procedure.

Measure 2.3.1 Implementation of Changes in Constitutional, Substantive and Procedural Laws

Finding: Under the Constitution, the Legislative Branch is tasked with making the laws, and the formalized process is outlined. The following provisions articulate the legislative process:

Section 5. Powers.

(a) Legislative power shall be vested in the Legislature. The Legislature shall have the power to make laws and resolutions in accordance with the Constitution which are necessary and proper for the good of the Tribes. All actions by the Legislature shall be embodied in a written law or resolution. All actions by the Legislature shall be made by a majority vote of the Legislators present unless otherwise specifically indicated by this Constitution. The votes in the Legislature shall be decided by the Governor. Laws and resolutions which have been enacted shall remain valid until amended or repealed.

And,

Section 7. Legislative Process.

- (a) The Legislature shall adopt and follow a public legislative process for enacting all laws and resolutions which shall include the following: (i) All legislative proposals shall be formally introduced as written Bills. All Bills shall include a statement identifying the specific law, if any, to be superseded, repealed, or amended. (ii) All Bills shall be read into the Legislative Record. All Bills shall be published in a Legislative Calendar for at least thirty days prior to action on the Bill. All Bills shall be made the subject of a public legislative hearing prior to action on the Bill. (iii) All decisions of the Legislature shall be made by a majority vote of the Legislators present unless otherwise specified in this Constitution. The Legislature shall vote on each individual Bill separately by roll call vote. The names and votes of each Legislator shall be recorded and published. Proxy voting shall be prohibited. (iv) All Bills passed by the Legislature shall be presented to the Governor for signature or veto. All laws shall take effect thirty days after signature by the Governor or veto override by the Legislature unless any Member of the Tribes submits to the Coordinator of the Office of Tribal Council a petition signed by at least one hundred fifty Members of the Tribal Council seeking to repeal the law or resolution at the next

Measure 4.4.1 Court and Media Relations

Finding: All tribal court employees have to sign a non-disclosure agreement when they're hired. There is also a specific Tribal Court Personnel Policy & Procedures manual.

Recommendation: The internal court procedural manual should have provisions regarding court and media relations. Some items to be considered include who should respond to media inquiries, who can post what information to social media, etc.,

Measure 4.4.2 Community Outreach Efforts

Finding: The Tribe has a Facebook page which it uses for community outreach, posting such things as any closings or delays due to inclement weather. Court closings are included in the posts. There have also been recent community survey about needs for the Court.

Recommendation: The Court might consider having its own dedicated social media pages. It should be commended on the community survey and should continue to seek input from the community about needs for the Court.

Standard 4.5 Response to Change

A tribal court should anticipate new conditions and emergent events and adjust its operations as necessary.

Measure 4.5.1 Responsiveness to Past Issues; Past Court Assessments and Progress

Finding: There was a prior court assessment in 2019, which the Court has utilized in making some changes. It is apparent that there is an overall desire for continued improvement and development of the Court and its programs.

Recommendation: The Court should continue to seek input as to its operations and be responsive to recommendations.

Measure 4.5.2 Responsiveness to Emerging Issues

Finding: With its numerous services that it provides for the tribal community (Legal Aid, HTWC, etc.) it is apparent that the Tribe is committed to addressing issues that affect the population. The Court has also been having Zoom hearings in most cases, in order to help reduce the spikes in the COVID virus locally.

Recommendation: The Court should continue to be responsive to emerging issues and find ways to assist the community.

Performance Area 5 – Tribal Specific Findings

Standard 5.1 Overall Public Trust and Confidence

Finding: The Cheyenne and Arapaho District Court is well organized and dedicated to serving the citizens of the Tribes. The Court has adequate space and a beautiful new building which serves the Tribal Court, however additional designated parking spaces for handicap/Elder parking should be reserved. Tribal Personnel and Employees felt secure, however, additional Court personnel (bailiff) is needed to maintain secure entry to the Court and provide security in the Courtroom. The Court is considering switching case management software to replace its outdated system and is also considering replacing the Court's audio/visual recording software.

The Court should consider developing an Adult/Elder abuse code, as there is only a brief section in the Code on "incapacitated adults".

The Tribes' codes are well written and easy to follow and understand, however there are a few areas where Code revision would be appropriate (i.e. appointment of counsel, criminal and jury selection) and a general updating of the Codes would be beneficial as the Codes have not been updated for several years. The Code, current and complete, should be posted on the Tribes' website.

Recommendation: The Court should consider adding handicap/Elder parking spots. The Court should consider additional security personnel for hearing days. The Court should evaluate ease of use, cost, efficiency, meets the needs of the Court and Court users) case management software and then develop internal procedures regarding the use of the software.

The Tribe should consider amending the Code to develop vulnerable Adult/Elder Codes, updating jury selection procedures, updating criminal codes, and allowing for lay advocate standards to be developed.

The Court should perform an overall Code audit and then publish a current and complete code on the Tribes' website.

Summary of Recommendations/Strategic Action Plan

Categories	Recommendation	Measure No.
Activities	1. The Court's website could be utilized more, to provide more forms, appellate procedures, and a link to codes.	1.1,1.5.3, 2.3,2.5,4.6
Court Safety & Security	2. The Tribe's Emergency Management personnel should be consulted re: training for court personnel.	1.2.4
	3. An additional bailiff present, particularly during court days, may be beneficial.	1.2.2, 1.2.3.5.1
Equipment	4. An appropriate case management system should be identified and purchased.	2.2.1, 3.7,4.5.1
Infrastructure	5. More handicap parking spaces may be desirable.	1.1.1,1.2.1, 1.3,7.5.1
Personnel & Positions	6. More personnel are needed, including an additional bailiff, HTWC staff, and Legal Aid attorneys.	1.2.5,4.2.2, 5.1
Policies, Procedures & Code Development	7. Code revision, expansion, publication, and distribution is needed.	1.3.3,1.5.1, 2.2,2.2.3.4, 3.1.2,3.2.2, 3.4,4.5.1

Federal Funding Resources for Tribal Courts

The goal of this section is to collect and provide a list of federal funding resources to assist the Tribe in fulfilling those Recommendations it wishes to pursue. This list may not include all resources and is not a guarantee that funding will be available for all purposes or at a particular time.

While TJS is unable to fund all the needs it knows every tribal court has—including some that have been identified in this Assessment—TJS can provide one-time funds for many items, listed below. All that is required is a communication from the Tribe confirming which of these Recommendations the Tribe wishes to pursue. The Tribe must submit a one-time funding request via letter or email to TJS briefly explaining the reason for the request (or referring to the justification already in this Assessment), listing all associated costs, and attaching invoices or other quotes to support the request.

Below is a listing of current federal funding resources for tribal courts, basic program details, and contact information.

- U.S. Department of the Interior, Bureau of Indian Affairs, Office of Justice Services, Tribal Justice Support Directorate (TJS)**
TJS can provide one-time funds for tribal court staff trainings (including travel, tuition, transportation, accommodations, and per diem); equipment (such as date stamps, computers, printers, cameras, court-recording systems, etc.); office furniture, electronic case-management systems; certain contract positions (such as bailiffs, temporary filing clerks, process servers, etc.); consulting services (such as fire courthouse security evaluations; code development; policies and procedures manuals; bench books; rules of procedure; or other materials); alcohol monitoring systems; and other qualifying items. In limited circumstances, TJS can also work with BJS tribes to increase base court funding levels. Tribes may submit one-time funding requests each year as qualifying needs arise. Contact (202) 208-5747 or email BIA_tribal_courts@BIA.gov to obtain more information.
- U.S. Department of Justice, Office on Violence Against Women (OVW) Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction**
The Tribal Jurisdiction Program is designed to assist Indian tribes in exercising SDVCL. Through this grant program, Indian tribes will receive support and technical assistance for planning, developing and implementing changes in their criminal justice systems necessary to exercise SDVCL. The program encourages collaborations among tribal leadership, tribal courts, tribal prosecutors, tribal attorneys, tribal defenders, law enforcement, probation, service providers, and other partners to ensure that non-Indians who commit crimes of domestic violence, dating violence, and violations of protection orders are held accountable. The Tribal Jurisdiction Program encourages the coordinated involvement of the entire tribal

criminal justice system and victim service providers to incorporate systemic change that ensures victims safety and offender accountability.

See <https://www.justice.gov/ovw/file/349836/download> for more information.

- U.S. Department of Justice – Coordinated Tribal Assistance Solicitation (CTAS)**
The Department of Justice launched its Coordinated Tribal Assistance Solicitation (CTAS) in Fiscal Year 2010 in direct response to concerns raised by tribal leaders about the Department's grant process that did not provide the flexibility tribes needed to address their criminal justice and public safety needs. The grants provide millions of dollars to enhance law enforcement practices and sustain crime prevention and intervention efforts in nine purpose areas including public safety and community policing; justice systems planning; alcohol and substance abuse; corrections and correctional alternatives; violence against women; juvenile justice, and tribal youth programs.

The collaborative efforts across many department components, bureaus and offices includes:

- Bureau of Justice Assistance (BJA);
- Executive Office for United States Attorneys (EOUSA);
- Office of Community Oriented Policing Services (COPS);
- Office of Intergovernmental and Public Liaison (OIPL);
- Office of Justice Programs (OJP);
- Office of Juvenile Justice and Delinquency Prevention (OJJDP);
- Office of Tribal Justice (OTJ);
- Office for Victims of Crime (OVC); and
- Office on Violence Against Women (OVW).

Contact information:

U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20530-0001

E-mail: tribalgrants@doj.gov
Website: <http://www.justice.gov/tribalgrants>

The CTAS solicitation usually comes out in **November** with grant applications **due 28 days thereafter** (approximately the following end of February or early March). Always check the actual solicitation for deadlines.

Online Guide: Preparing for the Coordinated Tribal Assistance Solicitation

This online guide was created by the Education Development Center in coordination with the Department of Justice to assist Tribes as they prepare for, write, and submit their applications for complex grants such as the Coordinated Tribal Assistance Solicitation. Available at http://tribaljustice.edu.org/CTAS_Guide/story.html.

The DOJ provides training and technical assistance (TTA) to further practical and specialized knowledge to implement and enhance justice system efforts. DOJ supports training and technical assistance that is both specifically geared toward tribes and across broader topic areas. A list of TTA providers is available at <https://www.justice.gov/tribaltraining-and-technical-assistance/providers>.

- U.S. Department of Agriculture (USDA), Rural Development COMMUNITY FACILITIES DIRECT LOAN & GRANT:** This program provides affordable funding to develop essential community facilities in rural areas. An essential community facility is defined as a facility that provides an essential service to the local community for the orderly development of the community in a primarily rural area, and does not include private, commercial or business undertakings. Access the Fact Sheet on this opportunity at <http://www.rd.usda.gov/files/fact-sheet/RD-FactSheet-BIS-CTDirect.pdf>.

- U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) GRANTS TO EXPAND SUBSTANCE ABUSE TREATMENT CAPACITY IN ADULT TREATMENT DRUG COURTS AND ADULT TRIBAL HEALING TO WELLNESS COURTS:** The Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse Treatment (CSAT), operates a grant program to Expand Substance Abuse Treatment Capacity in Adult Treatment Drug Courts and Adult Tribal Healing to Wellness Courts. The purpose of this program is to expand and/or enhance substance use disorder treatment services in existing adult problem solving courts, and adult Tribal Healing to Wellness courts, which use the treatment drug court model in order to provide alcohol and drug treatment (including recovery support services, screening, assessment, case management, and program coordination) to defendants/offenders. Grantees will be expected to provide a coordinated, multi-system approach designed to combine the sanctioning power of treatment drug courts with effective substance use disorder treatment services to break the cycle of criminal behavior, alcohol and/or drug use, and incarceration or other penalties. Priority for use of grant funds should be given to addressing gaps in the continuum of treatment for individuals in these courts who have substance use disorders or co-occurring substance use and mental disorder (COD) treatment needs. Grant funds must be used to serve people diagnosed with a substance use disorder as their primary condition. SAMHSA will use discretion in allocating funding for these awards, taking into consideration the specific drug court model (Adult Treatment Drug Courts and Adult Tribal Healing to Wellness Courts), as appropriate, and the number of applications received per model type.

For more information visit <http://www.samhsa.gov/grants>.

Fiber Optic Technician Certification Training Opportunity



Training benefits

- \$46,400 and \$59,380 1st year salary with pay increases
- Growing industry nationwide and statewide
- OSHA 10/CDL
- Residential/Commercial certified
- Job placement opportunity
- 2 options for certifications: 1) Fiber Lineman 2) Splicer
- Training site is in Concho, OK
- 8 week short course with paid internship opportunity-Fiber Lineman certification
- 4 week short course-Splicing certification
- Stable career industry
- Open to everyone!



Training brought to you by the Oklahoma State University Institute of Technology and the Cheyenne and Arapaho Tribes Judicial Branch.

Scan QR code below for application link



Classes starting soon!

FOR MORE INFORMATION CONTACT
(405) 422 7558

Talking Circles



"Recovery is not a destination, It's a Lifestyle"

Zoom Meeting ID: **704 570 7818**
Passcode: **TOR2023**
ID: **693 267 5740** Passcode: **TOR22**
January:
Mondays 2-3pm Zoom
Wednesday: 2-3PM
Thursdays(In-Person) 6-7pm
Friday 2-3pm Zoom



Please call or email if have need more info @
(405)-422-7452, (405)-422-7423
TOR@cheyenneandarapaho-nsn.gov



**INSTITUTE OF
TECHNOLOGY**

Workforce & Economic Development

Fiber Optic Lineman TRAINING

Location: Concho, OK north of El Reno

Course Start Date: TBD

Application deadline: TBD

- ★ 8 week training course/\$3100 tuition
- ★ OSHA-10
- ★ Pole climbing
- ★ Jigging, pulling fiber
- ★ Residential/Commercial
- ★ Hanging strand and fiber lashing
- ★ Hanging self-support/sagging
- ★ Trouble shooting
- ★ 4 week paid internship

Join us and get Certified

Training Expectations

- ★ 100% attendance
- ★ applicants who are enrolled in a federally recognized tribe, apply for tuition assistance through your tribe.
- ★ Tuition assistance through OK Works for eligible participants. Applicant must be approved through OK Works prior to start date!!
- ★ Participants will be responsible for: climbing boots, no cut gloves, long sleeve shirts and hard hat
- ★ No medical marijuana cards accepted! Drug testing will be required.

Application Requirements

- ★ Must be 18 years old
- ★ Copy of Driver's License, CDIB or State/Tribal picture ID
- ★ Copy of GED/HS Diploma or college transcript
- ★ Proof of vaccination or notarized statement for vaccination exemption.
- ★ Signed Self Pay form completed with funding sources or payment plan attached.
- ★ Application must have all required documents to be considered complete.
- ★ Cheyenne and Arapaho Preference
- ★ Open to all applicants Native and Non-native

Applications can be found at the Cheyenne and Arapaho Tribes Justice Center
and online at <https://www.cheyenneandarapaho-nsn.gov/government/judicial#forms-and-files>

CONTACT US :

☎ 405-422-7558 cjames@c-a-tribes.org

📍 120 E. Black Kettle, Concho, OK 73022