

Shingle Springs Band of Miwok Indians and El Dorado County, California



Family Wellness Court: Collaboration for Better Outcomes



GENERAL BACKGROUND

The Joint Jurisdiction Project Concept

The Superior Court of El Dorado County and the Shingle Springs Band of Miwok Indians Tribal Court have established a first-of-its-kind, joint-jurisdictional project that implemented a collaborative court for juvenile and family cases across the two jurisdictions.

Introductions

- We have 2 Tribal Council Members attending the Conference:
 - Alan Campbell; Tribal Councilmember and Wellness Board Representative
 - Bernie Gonzales; Tribal Councilmember
- We have Court Staff attending from both courts:
 - Jackie Davenport; Assistant Court Executive Officer; Superior Court of El Dorado County
 - Denise Williams; Clerk of the Court; Shingle Springs Band of Miwok Indians Tribal Court

Shingle Springs Band of Miwok Indians

- Established in 1916 through land purchase by BIA.
- 409 Tribal Members.
- 120 residents on the reservation.
- Located within El Dorado County

El Dorado County

- One of 58 Counties in California.
- Rural “Cow County”.
- Population 181, 737.
- Geographically large county.
 - 5 Courthouse locations.

Tribal Youth

- Historically, conflicts between Tribe and County.
- Created distrust of each other's government systems.
- Tribal Youth getting lost in the system.
 - Charter School.
 - Juvenile Records.

JOINT JURISDICTION PLANNING

The Technical Assistance Grant

- Tribal Court and County Courts already working together.
- Informal, not a lot of structure.
- Both courts applied together for the Technical Assistance grant to develop a Joint Jurisdiction Court.
- Based on the Leech Lake Band of Ojibwe-Cass County Wellness Court Model
- We were honored to be selected!!!

The TEAM

- The T.E.A.M. (Together Everyone Achieves More) included:
 - Judge Suzanne Kingsbury- El Dorado Superior Court
 - Judge John Smith – Minnesota Court of Appeals
 - Judge Korey Wahwassuck – Minnesota District Court of Itasca County
 - Judge Christine Williams- Shingle Springs Band of Miwok Indians Tribal Court
 - Attorney Jennifer Fahey – Jennifer Fahey Consulting, Boston, Massachusetts
 - Allison Leof, PhD – Oregon Health and Science University
 - Jennifer Walter – counsel for the California Tribal Court-State Court Forum

The T.A. Grant

- Funded by the Bureau of Justice Assistance, U.S. Department of Justice
- Assistance provided:
 - Facilitating meetings
 - Taking notes
 - Creating draft manuals
 - Organizing tasks and subcommittees
 - Tracking deadlines
- The Tribe provided meeting space and food for meetings

First Step - Key Players

- We identified the departments/agencies from the tribal and county sides that we needed in our planning process [see policy manual].
- We invited specific people from each of these to attend in-person planning meetings.
- Representatives from the following departments and agencies attended the planning meetings:

State/County/Local Representatives

- Judicial Council of California
- El Dorado County Board of Supervisors
- El Dorado County Superior Court
- El Dorado County Probation Department
- El Dorado County District Attorney's Office
- El Dorado County Public Defender's Office
- El Dorado County Sheriff's Office
- El Dorado County Counsel
- El Dorado County Health and Human Services
- El Dorado County Office of Education - SARB Chairperson
- El Dorado County Court Appointed Special Advocates (CASA)
- Court Appointed Counsel
- Placerville Police Department

Tribal Representatives

- Shingle Springs Band of Miwok Indians:
 - Tribal Council
 - Tribal Administration
 - Tribal Court
 - Legal Department
 - Health and Wellness Center – Behavioral Health
 - Tribal Police
 - Wellness Board

The Planning Process

- Project Team facilitated 3 meetings with all the players.
 - 2-3 days of consecutive meetings.
 - May, July, and October 2014
- Agreed upon ground rules to ensure everyone has a voice in our planning.
- Creating a manual to guide us as we implement our planning.

Ongoing Planning Process

- The T.A. Grant ended in November for 2014
- We have had quarterly Advisory Board meetings since then to continue our work
- The Family Wellness Court had our first hearings on April 8, 2015
- We are revising our manuals as court progresses to meet our needs/vision.

The nuts and bolts of how it is working so far

IMPLEMENTATION AND EVOLUTION

Target Population

- Who:
 - Tribal members
 - Juveniles and “transitional youth” up to age 24
 - Adults if there is a juvenile/minor involved
- What:
 - Not limited to drug offenses.
 - No offense restrictions – case by case screening

Wrap-around

- Our wellness plan includes the entire family in every case, not just the youth.
- Could mean having a youth who has a “dependency” case where we are providing services across several generations.

Screening

- Participants have to be screened and determined to be eligible.
- Ideally we would like to develop a multidisciplinary screening team.

Referrals

- A case can be referred by almost any agency:
 - Tribal services
 - District Attorney
 - Public Defender
 - SARB
 - County Social Services
 - County Counsel
 - Probation
- County Judges adopted a “script” to notify Tribal Members about the Family Wellness Court.

Hearing

- The Family Wellness Court Clerk (Clerk of the Tribal Court) receives the referral and sets a hearing.
- At the first Hearing Judge Kingsbury and Judge Williams sit together in the Tribal Courtroom and explain the option of Family Wellness Court.
 - Judges are cross sworn in to both courts as pro tems.
 - If either Judge is unavailable the case can proceed with only one Judge or a pro tem can be appointed.

Accept or Reject

- The participant has the opportunity to accept the opportunity to participate in Family Wellness Court or to Reject the option.
- If the option is rejected then the participant will continue in State and Tribal Court separately, without coordination of services or sentencing.

Assessments

- Participating Family meets with FWC Team to develop an Assessment Plan
 - Education
 - Behavioral Health
 - Cultural
 - Other: employment, housing, parenting
- Assessment Plan Completed = Wellness Plan
Recommendations to be adopted by the court
- Minimum Orders – Drug testing and Court appearances, attendance in school

4 Phases of Wellness Plan

- 4 phases to the program
- Each phase has requirements for:
 - Court Attendance
 - Drug Screening/Testing
 - Service/Treatment
 - Education (attendance, behavior, academic progress)
- Recently revised the 4 phases

Family Wellness Team

- Each participating family will have a team of Tribal and County professionals helping create their wellness plan.
- Each team member has a role in encouraging success with the wellness plan.
- Team members are determined by type of case, ex: Truancy Case – Tribal services, County Education, County Probation, Tribal Behavioral health and Judges.

Joint Staffing

- Members of the Wellness Team meet before the review hearings and update the judges regarding progress of the participating family on their Wellness Plan.
- Wellness Team and Judges then make a plan for appropriate orders for the hearing to encourage progress.
- Sanctions and Incentives are discussed as a team.

Paperwork

- Case File is maintained by Clerk of the Tribal Court working closely with the County Court Administration.
- Minute Orders signed by both Judges

Graduation and Termination

- Participants move at their own pace through the program as long as progress is made.
 - On average 12 – 24 months
- If a participant is unsuccessful in the program they will be terminated.
- All the sanctions that would be available to both courts had the case not “transferred” to Family Wellness Court are still available.

Initial Caseload

- We have 2 active cases
 - Both referred from the county SARB – Student Attendance Review Board
 - One behavioral and one was attendance
- We have 2-3 more on the way being screened
 - One DA referral – attendance related
 - One dependency case
 - One criminal case

A truancy case study

VICTORIA'S SUCCESS STORY

Case Study – Victoria - Truancy

- Strengths At time of Referral:
 - Teenage girl, very smart and well spoken
 - Involved in tribal community events and MMA
 - Close relationship between mother and daughter
- Struggles At time of Referral:
 - Over a year behind in school credits
 - Previous Truancy Case in Elementary School
 - Home Schooling for over a year with little progress
 - Accountability issues.

Victoria's Family Wellness Court Plan

- Set hearings for every other week.
- Required Drug Testing.
- Required Victoria to attend in-person school starting immediately (only 1 week of school left before summer at this point).
- Found an alternative Trade School for Victoria.
- Required summer school attendance.
- Required a Behavioral health assessment.

Victoria's Progress

- Completed Summer School – Court presented incentive for accomplishment – a traditional necklace chosen by Victoria with Tribal Services.
- Catching up in lost credits in school. On track to graduate with her class if progress continues.
- Completed a very intensive youth backpacking program.
- Mother is accepting responsibility for and requiring school attendance.

Report from Victoria's Mom – Previous County Experience

- Previous experience with county truancy process was very negative.
- Felt County did not acknowledge family or cultural strengths.
- Felt County did not provide solutions that worked for the family
- Mom ended up paying a fine.
- Victoria continued with negative school attitude and performance despite having no evidence of disability relating to intelligence or learning capacity.

Family Wellness Court Experience

- Mom was so moved by the process she requested a special meeting with Judges.
- Told us the FWC is changing lives.
- Feels supported by entire team, including County Education representatives.
- Feels like this could work for all tribal families and wants to see program expand.
- Knows there is work ahead but feels it is worth it because she sees results in Victoria, not just in school but in her whole life approach.

Questions?



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