

Tribal Law & Policy Institute

Tribal Healing to Wellness Court Enhancement Training

Albuquerque, New Mexico

September 8-10, 2015

THE 10 KEY COMPONENTS: THE FOUNDATION, FRAMEWORK & FUEL FOR HEALING TO WELLNESS COURTS



Presenters, TLPI Consultants:

Hon. Joseph Thomas Flies-Away,
Chief Justice, Hualapai Nation Court of Appeals

&

Hon. Carrie Garrow
Chief Judge, Mohawk Tribal Court

Overview & Initial Considerations

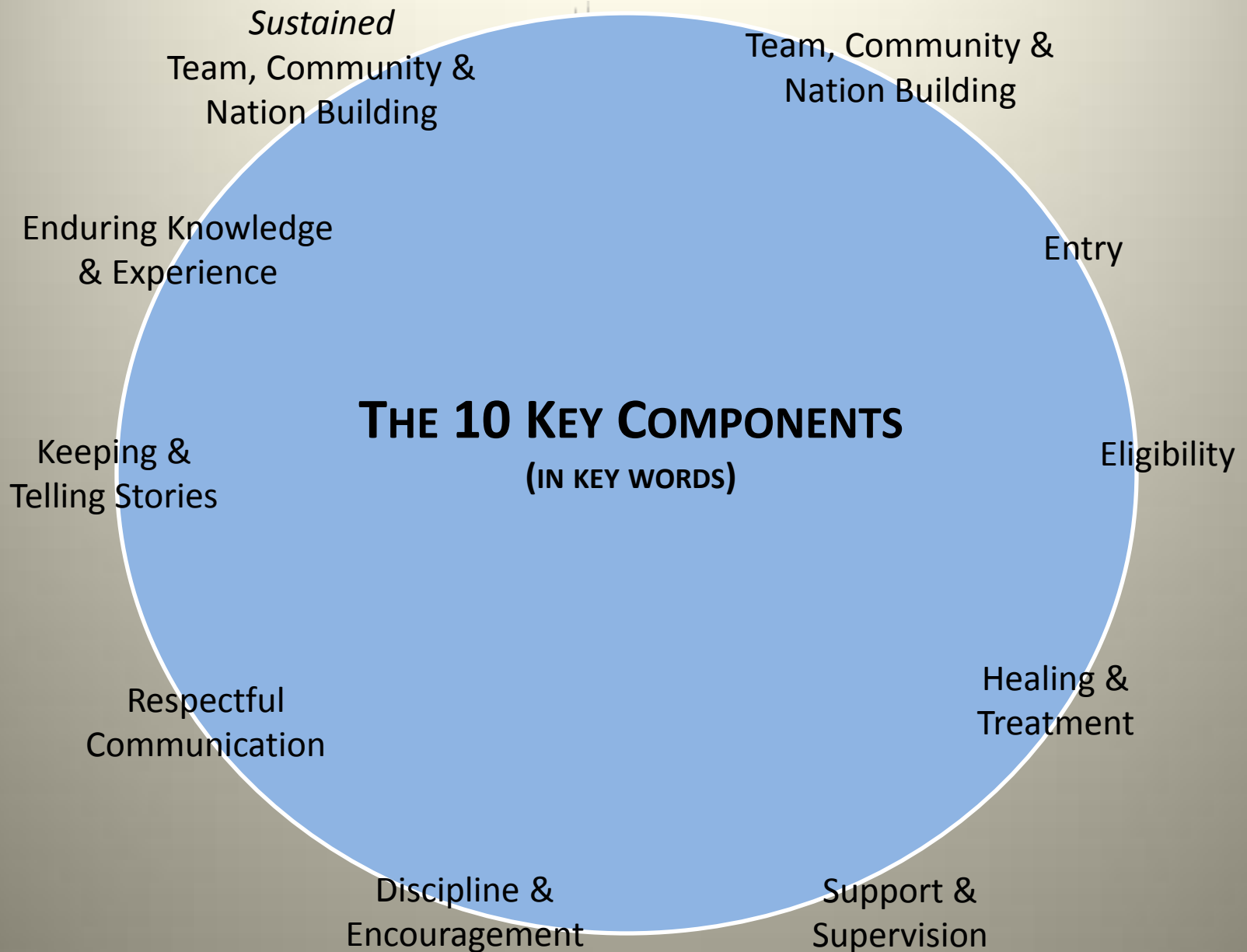
- A Facilitation to:
 - Familiarize & Fuel
 - Inspire & Ignite (your imagination of a healing to wellness journey)
 - Educate & Encourage
 - Describe & Discuss

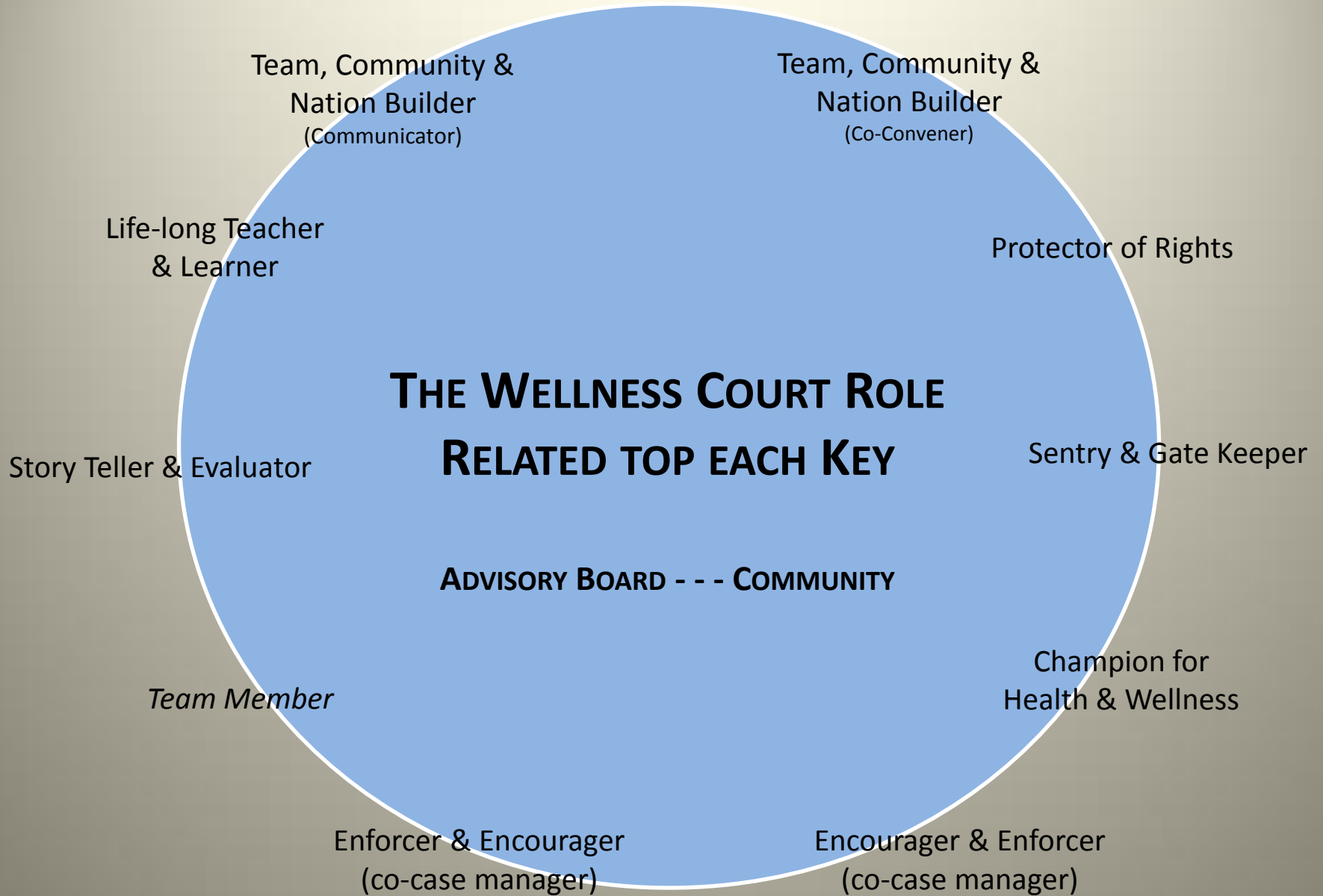
Tribal Court Power to Promote Healing, Recovery & Reconciliation

Even More Powerful Healing to Wellness Courts

Planning, Design & Operational Considerations

- The 10 Key Components as Foundation – Frame - Fuel





Team, Community & Nation Building
(Convener)

Planning & Design Considerations & Complements

**Identifying/Gathering/Providing Healing Resources
for _____ ?**

Community Contact (citizens/leadership)

Team Selection-Team Building-Team Communication

Intra-Sovereign Communication

Inter-Sovereign Communication

Key Component # 1

Individual & Community Healing Focus

Tribal Healing to Wellness Courts brings together alcohol and drug treatment, community healing resources, and the tribal justice process by using a team approach to achieve the physical and spiritual healing of the individual participant and to promote Native nation building and the well-being of the community.

Entry
(Protector of Rights)

Planning & Design Considerations & Complements

Doodle/Draw/Diagram (flow charts/logic models)

Design/Draft/Document (writings: policy/procedure)

Case/Client Referral (crim/civ/cit) ref. K3

Inter-Sovereign transfer
Intra-Court transfer

Key Component # 2

Referral Points & Legal Process

Participants enter the Tribal Wellness Court through various referral points and legal processes that promote tribal sovereignty and the participant's due (fair) process rights.

Planning & Design Considerations & Complements

Eligibility
(Sentry & Gate Keeper)

Who do you want to help? (target population)

What kind of case do you want to hear?

Who's responsible for prompt placement (counting days)

Deliberation & Decision(s) (Judge/Team)

Key Component # 3

Screening & Eligibility

Eligible court-involved substance-abusing parents, guardians, juveniles, and adults are identified early through legal and clinical screening for eligibility and are promptly placed into the Tribal Wellness Court.

Planning & Design Considerations & Complements

Who are the TX Providers (provider)?

***Phased (journey like)* Treatment Process**

Assessments & Treatment/Wellness Plans

TRADITIONAL HEALING ALTERNATIVES

CO-OCCURRING DISORDERS

AFTERCARE

Healing & Treatment
(Champion for
Health & Wellness)

Key Component # 4

Treatment & Rehabilitation

Tribal Wellness Court provide access to holistic, structured, and phased alcohol and drug abuse treatment and rehabilitation services that incorporate culture and tradition.

Planning & Design Considerations & Complements

Case Management (K5 & K6 – who?)

Encouragement + Discipline = Effective Case Management

Monitoring Mechanisms (Drug Tests, Home Visits, Check-ins, TX visits)

Staffing

Forms (who/what)

Support & Supervision
(Encourager & Enforcer/
Co-Case Manager)

Key Component # 5

*Intensive Supervision (Case Management
and Alcohol/Drug Testing)*

While participants and their families benefit from effective team-based case management, participants are monitored through intensive supervision that includes frequent and random testing for alcohol and drug use. Law and Policy Institute

Planning & Design Considerations & Complements

Behavior Modification

Individualized Incentives

Specialized Sanctions

Consistent-Fair (clear expectations)

Ultimate Sanction (termination): When?

Discipline & Encouragement
(Enforcer & Encourager/
Co-Case Manager)

Key Component # 6
Sanctions & Incentives

Progressive rewards (or incentives) and consequences (or sanctions) are used to encourage participant compliance with Tribal Wellness Court requirements.

Planning & Design Considerations & Complements

Constructive Contact/Communication (as Captain or Coach)

Formal/Familiar Communication (Rev Hrg.)

Airing/Hearing Team Conflict

Team Ethics (Community Confidence)

Respectful Communication
(Team Member)

Key Component # 7
Judicial Interaction

Ongoing involvement of a Tribal Wellness Court judge with Tribal Wellness Court team and staffing and ongoing Tribal Wellness Court judge interaction with each participant are essential.

Planning & Design Considerations & Complements

Evaluate-Assess-Review . . . (gather data , count days, etc. - pre post intf)

Court Process (programs/personnel)

Participant Progress (participants)

Requisite Reporting Requirements (funders)

Respond to Data

“what stories to tell”

Keeping & Telling Stories
(Story-Teller & Evaluator)

Key Component # 8
Monitoring & Evaluation

Process Evaluation, performance measurement, and evaluation tools are used to monitor and evaluate the achievement of program goals, identify needed improvements to the Tribal Wellness Court and to the tribal court process, determine participant progress, and provide information for governing bodies, community groups, and funding sources.

Enduring Knowledge &
Experience
(Life-Long Teacher & Learner)

Planning & Design Considerations & Complements

Teacher = Learner

Interdisciplinary Knowledge

Community Education

Healing the Healers

Key Component # 9
*Continuing Interdisciplinary
& Continuing Education*

Continuing interdisciplinary and community education promote effective Tribal Wellness Court planning, implementation, and operation.

Team, Community & Nation Building
(Communicator)

Planning & Design Considerations & Complements

Share Success Stories

Document Commitments (MOUs etc.)

Develop Codes/Court Rules

Continuous Intra-Sovereign Communication

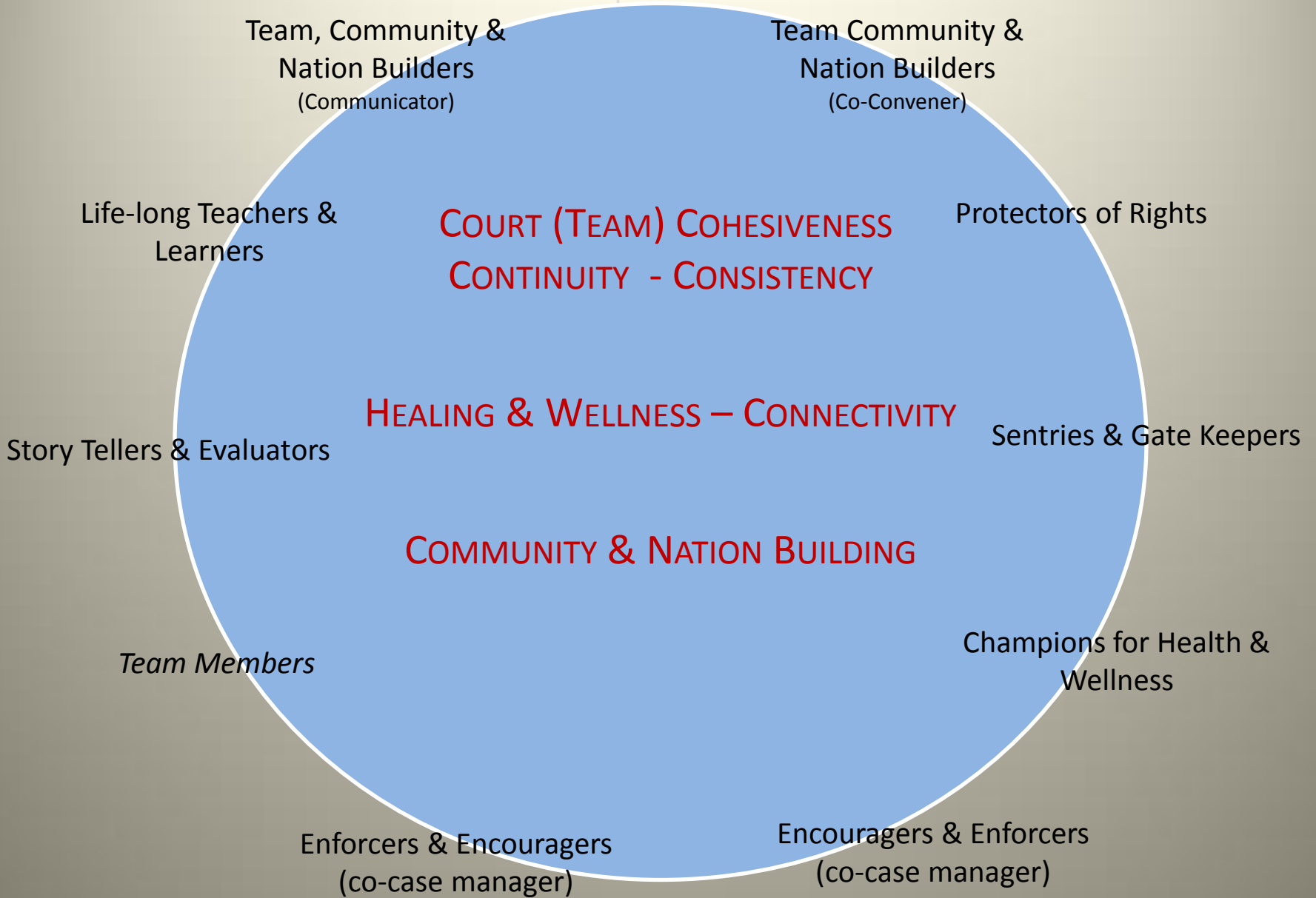
Continuous Inter-Sovereign Communication

+ Collaboration = Concord (*peace!*)

Key Component # 10

Team Interaction (policies and procedures, interagency, third-party, and intergovernmental agreements)

The development and maintenance of ongoing commitments, communication, coordination, and cooperation among Tribal Wellness Court team members, service providers and payers, the community and relevant organizations, including the use of formal written procedures and agreements, are critical for Tribal Wellness Court success.





Tribal Right to Institution Building

Alternative-A-A Legal Processes & Procedures

Creative Opportunity

Utilize/Use (exercise) Tribal Sovereignty

Respect Tribal Sovereignty

WalkingOnCommonGround.org

The screenshot shows the homepage of WalkingOnCommonGround.org. At the top is a dark blue banner with the organization's logo, which features a scale of justice and two gavel icons. The text reads "WALKING ON COMMON GROUND" and "RESOURCES FOR PROMOTING AND FACILITATING TRIBAL-STATE-FEDERAL COLLABORATIONS". Below the banner is a navigation menu with links for Home, Background, About Us, Contact Us, and Partners, along with a search bar. The main content area includes a featured article titled "Tribal-State Court Listserv in Development - Please Join!" with a photo of a group of people. To the right are buttons for News, Events, Promising Strategies, Resources/Tools, and BJA Tribal Technical Assistance (PDF). Below this is a horizontal menu for "Tribal-State Collaborations" with sub-categories: Judicial, Law Enforcement, Detention, Multiple Agency Agreements, Child Welfare, and Other. The bottom section is titled "SEARCH BY TRIBE:" and features a search bar, a list of search filters (Indian Nations, Tribal Justice Systems, Tribal Jurisdiction, Tribal-Federal Collaborations, Tribal Court Clearinghouse), and a map of the United States with state abbreviations.

For More Information . . .

TLPI believes in providing resources free of charge, or at minimal cost, whenever possible.

Visit www.tlpi.org

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