

Reflecting on our Past – Celebrating 50 years of NAICJA Accomplishments

Jerry Gardner and Nikki Borchardt-Campbell

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2019 NATIONAL TRIBAL JUDICIAL AND
COURT PERSONNEL CONFERENCE

OCTOBER 16-18, 2019

4:15PM-5:30PM



Presenters

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- A. Nikki Borchardt Campbell, National American Indian Court Judges Association (NAICJA), Executive Director
- Jerry Gardner, Executive Director, Tribal Law and Policy Institute (TLPI)
(Served as NAICJA Administrator from 1997-2000)

Outline of Presentation

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- 1969 – NAICJA Establishment
- 1999 – 30th Conference Honoring of 4 Surviving Founders
- 1970s: Milestones; Accomplishments & Leadership
- 1980s: Milestones; Accomplishments & Leadership
- 1990s: Milestones; Accomplishments & Leadership
- 2000s: Milestones; Accomplishments & Leadership
- 2010s: Milestones; Accomplishments & Leadership
- CSPAN video of July 20, 2001 meeting between NAICJA and U.S. Supreme Court Justices (Breyer and O’Conner) after NAICJA coordinated their visit to Indian Country

NAICJA Establishment

THE NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION

A Brief History

In June, 1968, Arrow, Inc. co-sponsored with the University of New Mexico a Management Training Institute in Albuquerque for Indian Court Judges. Conversations and discussions held during the course of that Institute led eventually to Arrow's participation in the formation of the National American Indian Court Judges Association, Inc., a non-stock, non-profit organization dedicated to upgrading the American Indian Tribal court system through professional advancement and continuing education.

Several Indian law topics had been included during Arrow's Management Training Institute program for 1967. This led to Arrow's participation in the 1968 New Mexico Institute. At Albuquerque, a number of Indian Court Judges requested assistance from Arrow with their attempts to improve the Indian Court system from within. Arrow agreed, and began to contact other Indian Court Judges to set up a preliminary discussion that would hopefully lead to a continuing program.

NAICJA Establishment

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As a result of these contacts, several Judges met with Arrow's Executive Director Tom Colosimo in Denver September 15-17, 1968. Other Judges who had been contacted wrote of their interest in the outcome of that meeting. Because of the positive response of the Judges who met in Denver, correspondence was then initiated with Tribal Courts throughout the country. A nucleus of seven interested Judges, the seven who now serve on the Board of Directors of the National American Indian Court Judges Association, was formed. These are: Judge George R. Armstrong, Ute Mountain and Southern Ute; Judge Cranston Hawley, Fort Belknap Agency; Judge Virgil L. Kirk, Sr., Navajo; Judge Betty Laverdure, Turtle Mountain Chippewa; Judge Lawrence Miller, Wind River Agency; Judge Josephine D. Neuman, Flathead Agency; and Judge Henry Upchego, Ute.

NAICJA Establishment

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After a meeting was set for January 22-24, 1969 in Los Angeles, letters went out from the Arrow office to the seven abovementioned people asking for information that would be needed to start a program providing training, research, and improved communications for the Indian Court system. Replies to this request included the following suggestions: A forum should be established for the discussion of the effect on all Indian Courts of the Indian Bill of Rights in the 1968 Civil Rights Act. Jurisdictional and other problems should be discussed; an inter-tribal approach should be used. Legal training should be provided American Indians, so that all Tribal Courts may eventually be self-sufficient. The cooperation that university law schools and tribal judicial consultants had given in the past was lauded.

NAICJA Establishment

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Those attending the Los Angeles meeting agreed that the formation of a professional society of Indian Court Judges was a sound idea, and they

expressed a desire to work with such a society. The Judges emphasized the importance of forming an organization which they would control, in order to provide for their own educational and research projects. Arrow officials and Bureau of Indian Affairs Branch of Law and Order officials indicated that they would provide preliminary finances to the Association, and that they would step out as soon as possible, leaving the Indian Judges with complete control and direction of their own society. Law and Order officials said they hoped to serve as consultants only, leaving the Judges to conduct their own training programs. It was also decided in Los Angeles that members of the organizing committee of the Association would draw up the articles of incorporation and the by-laws.

NAICJA Establishment

The next meeting was held February 26-28 in Phoenix. During this meeting, potential funding sources for the Association were discussed. It was decided that the Judges would meet in Washington, D.C. with representatives of the Federal government agencies that might be involved in funding for Indian Courts or for the Association itself. Lengthy discussion was then held on the drafts of the articles of incorporation and the by-laws, and revisions were made as the Judges saw fit. There were individual endorsements of the idea of the Judges' society. The revised articles and by-laws were adopted by unanimous vote. It was decided that invitations to join the society would be extended to all other Indian Court Judges in the nation, and that Judges who were presently members of other regional associations would be urged to join the National Association, as well.

The Washington, D.C. meeting was held March 27-28. At that time, the articles of incorporation and by-laws were drawn into final form and signed, to be deposited in the State of Delaware. With the incorporation completed, the seven organizing members became the official Board of Directors of the Association. Officers were elected, Judge Virgil L. Kirk, Sr., being chosen President, and Judge Betty Laverdure Vice-President. Judge Josephine Neuman was selected to head the membership committee. The Judges then discussed their progress with Congressmen and Senators from the States in which their Courts are located.

NAICJA Founders (1969)

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Original Incorporators



- Virgil L. Kirk: Chief Justice, Navajo Nation Judicial Branch (NM)
- Henry Upchego: Chief Judge, Fort Duchesne (UT)
- Lawrence Miller: Chief Judge, Shoshone & Arapaho Tribes (WY)
- Cranston Hawley: Chief Judge, Fort Belknap (MT)
- Josephine Neuman: Chief Judge, Salish & Kootenai Tribes (MT)
- Betty Laverdure: Chief Judge, Turtle Mountain Tribe (ND)
- George R. Armstrong: Chief Judge, Ute Mountain Ute (CO)
- E. Thomas Colosimo: ARROW Executive Director (DC)

George Armstrong: Chief Judge Ute Mountain Ute (CO)

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Cranston Hawley: Chief Judge Fort Belknap (MT)

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NAICJA President 1977-1983

Josephine Neuman: Chief Judge Salish & Kootenai Tribes (MT)

13



Lawrence Miller: Chief Judge Shoshone & Arapaho Tribes (WY)

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Virgil Kirk: Chief Justice Navajo Nation Judicial Branch (NM)

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NAICJA President 1969-1977

Henry Upchego: Chief Judge Fort Duchesne (UT)

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Betty Laverdure: Chief Judge, Turtle Mountain Tribe (ND)

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NAICJA Incorporators and Others (1969)

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NAICJA Board (1970s)

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Cranston Hawley

Chief Judge

Fort Belknap Tribal
Court (MT)

NAICJA President
1977-1983



Betty Laverdure

Chief Judge

Turtle Mountain
Chippewa (ND)



Josephine Newman

Chief Judge

Confederate Salish and
Kootenai Tribal Court
(MT)



1970s – NAICJA's 1st Decade: Tribal Justice Milestones

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- American Indian Policy Review Commission
- U.S. Senate Committee on Indian Affairs
- Indian Self-Determination Act of 1975
- Indian Child Welfare Act (ICWA) – 1978
- *Oliphant v. Suquamish Indian Tribe* (1978)
- *United States v. Wheeler* (1978)
- *Santa Clara Pueblo v. Martinez* (1978)

American Indian Policy Review Commission: Final Report (1997)

24

[COMMITTEE PRINT]

AMERICAN INDIAN POLICY REVIEW COMMISSION

FINAL REPORT

SUBMITTED TO CONGRESS
MAY 17, 1977

VOLUME ONE OF TWO VOLUMES



U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
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AMERICAN INDIAN POLICY REVIEW COMMISSION

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KIRKE KIRKINGBIRD, Kiowa, *General Counsel*
MAX I. RICHTMAN, *Professional Staff Member*

¹ Served in the 94th Congress.
² Replaced Congressman Steiger on the Commission.

(ii)

NOTE: Some pages may not reproduce well because of smallness of print.

Grace Duggan Tribal Justice Center – Suquamish, WA



1970s – NAICJA’s 1st Decade: NAICJA Accomplishments/Milestones

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- NAICJA provides a wide range of training sessions and training resource publications throughout the 1970s – mostly with funding from Justice Department’s Law Enforcement Assistance Administration (LEAA), but also BIA, ARROW, and others (see NAICJA’s 18 page *Brief History of NAICJA Training Program Courses of Instruction 1970-1980*)
- A formal evaluation of NAICJA’s Judicial Training Program details the positive impact and makes recommendations for the future (see September 1980 Judicial Training Evaluation Report)
- Unfortunately, NAICJA’s LEAA funding ends in FY 1980
- NAICJA obtains IRS Tax Exempt Status (1973)
- NAICJA publishes *Indian Courts and the Future: Report of the NAICJA Long Range Planning Project* (1978)

Brief History of NAICJA Training Program Courses of Instruction 1970-1980

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BRIEF HISTORY OF NAICJA TRAINING PROGRAM
COURSES OF INSTRUCTION
1970 - 1980



Prepared by:
Robert Bennett
William Canby
James Delaney
Ralph W. Johnson
September 1980

An Evaluation of the Judicial Training Program of the National American Indian Court Judges Association

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AN EVALUATION OF THE JUDICIAL TRAINING PROGRAM
OF THE NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION



September, 1980

Prepared For

THE NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION
Suite 401-1000 Connecticut Avenue, NW, Washington, D.C.
20036 (202) 296-0685



National American Indian Court Judges Association
Criminal Law and Family Law Training Session

at the

National College of the State Judiciary

Judicial College Building, University of Nevada, Reno

September 1977

Co-Sponsored by
Law Enforcement Assistance Administration
Bureau of Indian Affairs





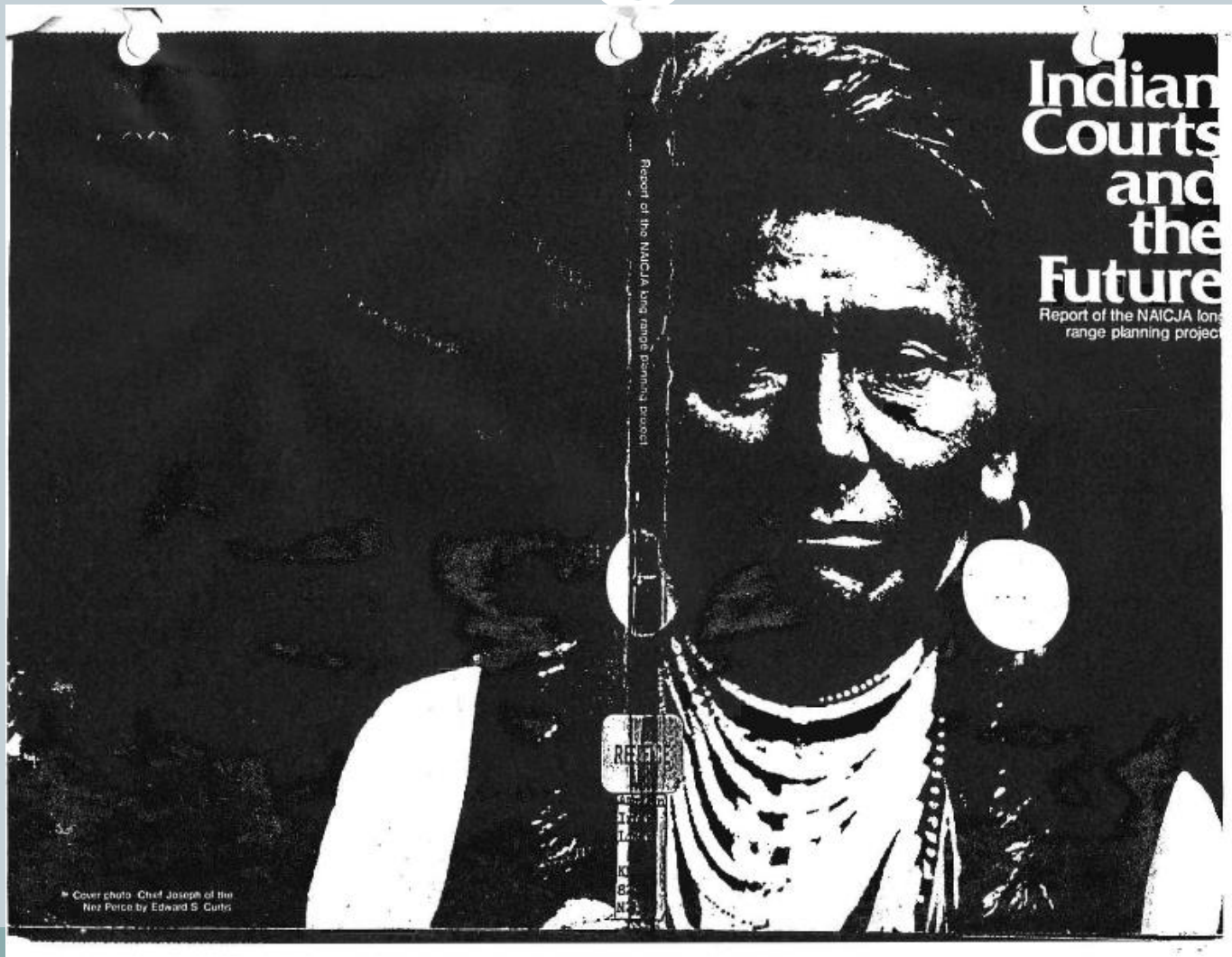
NAICJA Training Session Reno, Nevada (1970s)

Indian Courts and the Future. Report of the NAICJA Long Range Planning Project

In 1976 the National American Indian Court Judges Association was awarded a one year contract to study Indian court systems, identify their main strengths and weaknesses, develop a set of model standards, name four model courts with whom to test the model standards, and propose a five year plan of support for Indian courts. Written materials relating to Indian courts and the advice of people knowledgeable in Indian court problems were utilized. Twenty-three courts varying in geographic location, size, types of problems, kind of court, and jurisdiction were visited: Blackfeet, Coeur d-Alene, Colorado River, Colville, Fort Peck, Gila River, Hopi, Isleta Pueblo, Jicarilla Apache, Menominee, Metlakatla, Navajo, Nevada Colonies, Oglala Sioux, Papago, Red Lake Chippewa, San Carlos Apache, San Juan Pueblo, Suquamish, Uintah and Ouray, Warm Springs, Yakima, and Zuni Pueblo. This report discusses the legal and historical basis for Indian courts; describes their present status and problems; identifies several strengths and weaknesses of Indian courts; presents the Model Standards for Indian Judicial Systems which were developed, along with a proposal that they be implemented immediately by four Indian courts serving as model courts; and presents a five year plan of support for Indian courts covering individual court needs assessment, tribal legislation, facilities and equipment, court related services, personnel, community relations and education, the National Indian Judiciary Research Institute, data collection, training, interagency coordination, and Congressional action.

Indian Courts and the Future (1978) Report of the NAICJA Long Range Planning Project

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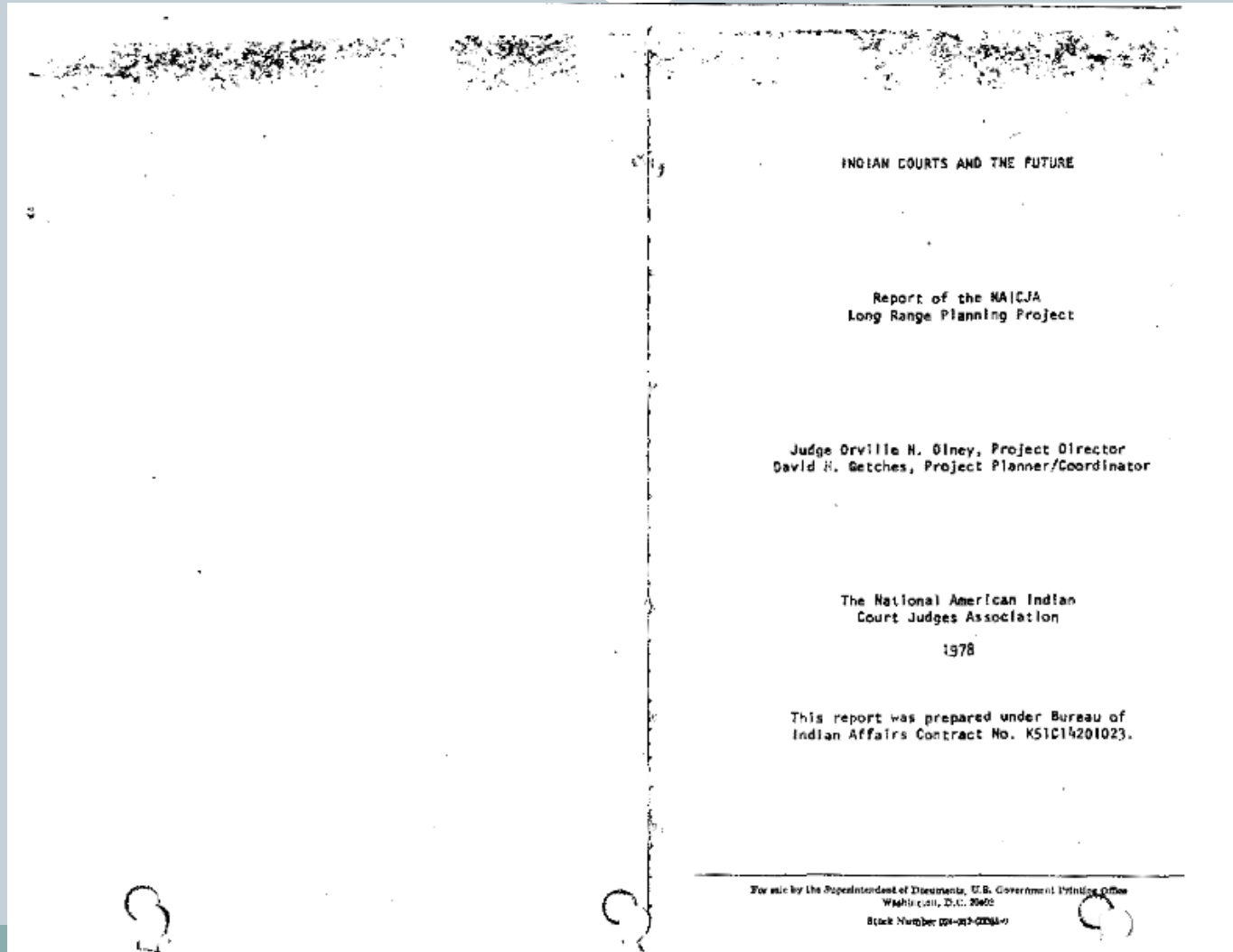


Cover photo: Chief Joseph of the
Nez Perce by Edward S. Curtis

Indian Courts and the Future (1978)

Report of the NAICJA Long Range Planning Project

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Indian Courts and the Future (1978)

Report of the NAICJA Long Range Planning Project



NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION

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 Leonard Puerto, Director
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 Joseph Myers, American Indian Lawyer Training Program
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 Wilmer C. Peters, NAICJA
 Paul Yawala, National Tribal Chairman's Association

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 Norma Jean Gray
 Mervin Lynch
 Don Meyers
 Mildred Prentiss
 Bernard Standing Crow

Long Range Planning Project Staff

Oeville M. Diney, Project Director
 David H. Gatches, Project Planner/Coordinator
 Craig J. Dorsay, Project Research Assistant
 Patricia J. Wright, Project Secretary

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Robert Bennett	William Narselth
Vicky Cashman	Lawrence Hillier
Raj Chanda	Joseph Myers
Michael Cox	James Old Man
Louis Dumitrosc	Don Rans
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Phil Lujan	Mary Beth West
MaryAnn Landeran	Jeanne Whitings
	Alex Williams

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Indian Courts and the Future (1978)

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Foreward

by

Judge Cranston Hawley, President
National American Indian Court Judges Association

Our Indian courts are necessary if tribal governments are to exercise the sovereign prerogatives of tribes as recognized by Congress and the federal courts. It is the job of Indian tribunals to interpret tribal laws and to apply them evenly to everyone under tribal jurisdiction. Congress has mandated in the Indian Civil Rights Act that this be done according to "due process" and without impairment of many individual liberties found in the federal Constitution. Before these goals can be met, we must improve the abilities of our courts. This calls for action in concert with the federal government. It was the government which initiated Indian judicial systems as we know them today, and which has prescribed requirements for how they must operate.

Our treaties and the special legal relationship between tribes and the United States promise the lawful and peaceful existence of our people on their reservations. Unfortunately, the federal government has not kept this promise. Although the efforts of most tribes have made their systems fair and respectable, reservation legal systems never have had completely adequate staffs, facilities, or training. Costs are now so high and federal statutory requirements so stringent that greater federal assistance is indispensable.

The National American Indian Court Judges Association was formed in 1968 taking as its purposes:

Indian Courts and the Future (1978)

Report of the NAICJA Long Range Planning Project

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- to improve the American Indian court system throughout the United States of America
- to provide for the upgrading of the court system through research, professional advancement and continuing education
- to further tribal and public knowledge and understanding of the American Indian court system
- to maintain and improve the integrity and capability of the American Indian court system in providing equal protection to all persons before any Indian court
- to conduct any and all research and educational activities for the purpose of promoting the affairs and achieving the objectives of Indian courts and of the Association and to secure financial assistance for the advancement of the purposes of the Association

When the Bureau of Indian Affairs engaged the NAICJA to undertake a year long project to develop ways to improve Indian court systems, we accepted the assignment enthusiastically. It was precisely the kind of thing we were organized to do. Further, it evidenced a federal commitment to work with us and support us in the task of making all Indian courts fair, efficient, and effective ministers of justice.

We believe that the commissioning of this project by the Bureau of Indian Affairs is a sign that a long overdue obligation finally may be met. But the project is just a beginning. In the final analysis, the extent and sincerity of the commitment of the Bureau and other federal agencies will be measured by their response to the needs defined in the report which follows and by the degree to which they facilitate or ignore our recommendations. We hope that recent indications from the federal establishment of its support and dedication to meeting present and future challenges to Indian courts will be the foundation of positive action.



Acknowledgments

The work of the National American Indian Court Judges Association Long Range Planning Project was the result of a collective effort by many people and organizations; most notably, the invaluable support and encouragement of the NAICJA board of directors and steering committee. NAICJA president Cranston Hawley has taken a strong interest in the project's work and will, of course, press for implementation of this report's recommendations.

The Long Range Planning Project advisory committee, chaired by project director Judge Orville N. Olney, consisted of Judge Wilmer Peters of the NAICJA, Joseph Myers of the American Indian Lawyer Training Program, Governor Paul Tefoya of the National Tribal Chairmen's Association, and Thelma Stiffarm, later replaced by Toby Grossman, of the American Indian Law Center. Committee members came together monthly for most of the past year for long days of discussion of Indian court issues. They reviewed drafts of the Model Standards for Indian Judicial Systems (Chapter 4) and formulated the recommendations in this report (Chapter 5). The advisory committee was aided by consultants who prepared and presented discussion papers at the meetings. Their papers are reproduced in Appendix 2.

Much of the factual basis for the Long Range Planning Project report was obtained from reports of consultants who visited twenty-three Indian courts. They, along with consultants to the advisory committee, are listed on page 11 of this report and deserve thanks for their great diligence and dedication.

Virgil L. Kirk, Sr.

NAICJA President
1969 – 1977

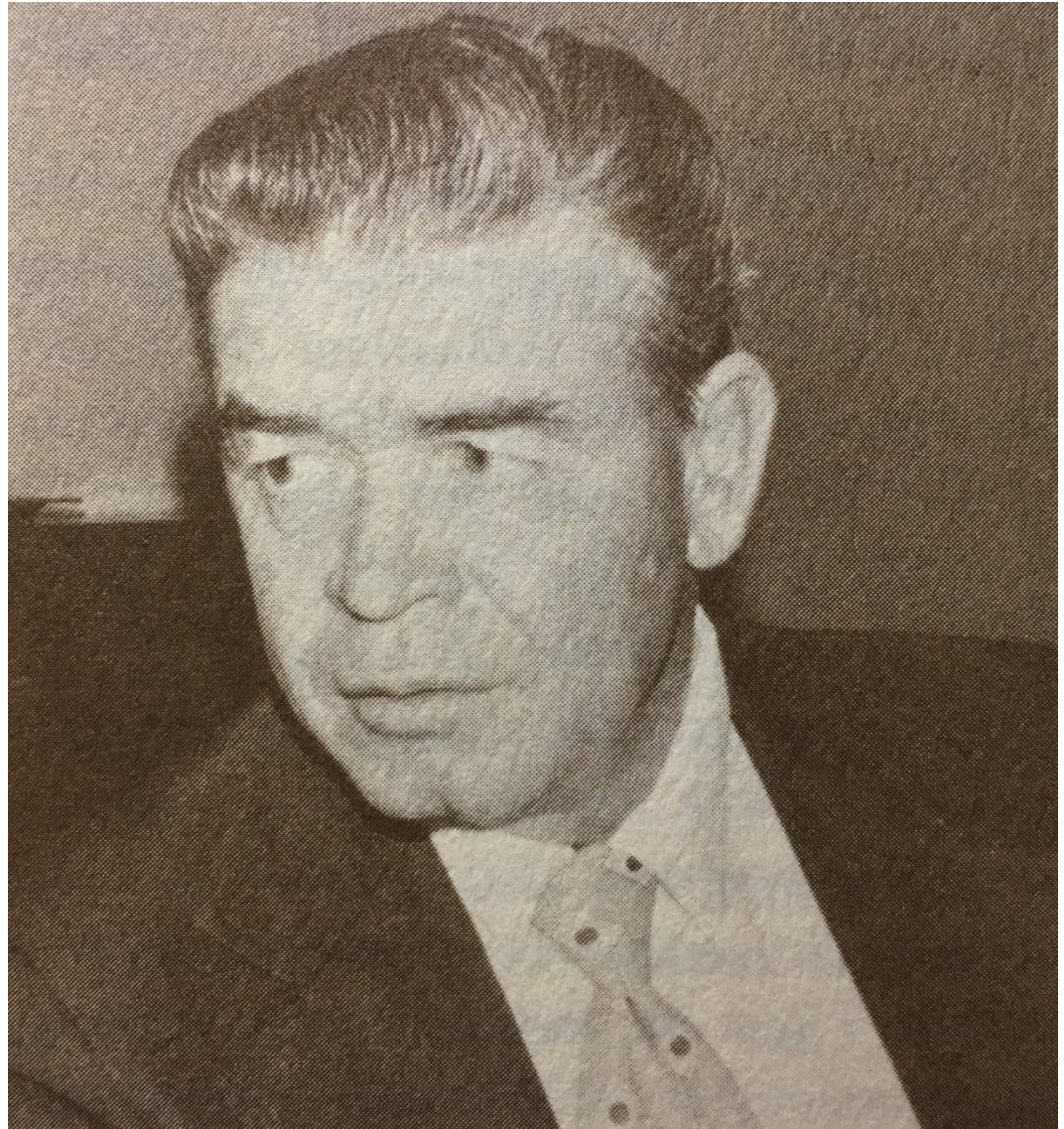
Chief Justice
Navajo Nation Judicial
Branch (NM)



Cranston Hawley

NAICJA President
1977-1983

Chief Judge
Fort Belknap (MT)



Thomas Colosimo

ARROW
Executive Director

NAICJA Secretariat
1969-1981



1980s – NAICJA's 2nd Decade: Tribal Justice Milestones

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- Reagan Administration Budget Cuts
- U.S. Civil Rights Commission begins extensive but highly biased investigation of Indian Civil Rights Act (ICRA) enforcement (1986) with initial intent of building the case for Hatch bill (S. 517) which would have overturned *Martinez* case and restored full Federal Court jurisdiction to enforce ICRA
- U.S. Senate Committee on Indian Affairs holds 2-day hearing on tribal court funding/promises action (1988)
- *California v. Cabazon Band of Mission Indians* (1987)
- Indian Gaming Regulatory Act (1988)

“Chairman’s Arrest Jars Rights Panel” March 18, 1989

The United States Civil Rights Commission has been thrown into disarray by the disclosure that its chairman was arrested at gunpoint last month on an Indian reservation in Arizona.

The incident, in which the chairman, William Barclay Allen, was questioned by the police and released, involved a brief, mistaken charge of kidnapping a 14-year-old Apache girl in an adoption case in which he had taken an interest. His surprised fellow commissioners only learned of the matter weeks later from Arizona members of Congress.



The New York Times Archives

1980s – NAICJA's 2nd Decade: NAICJA Accomplishments/Milestones

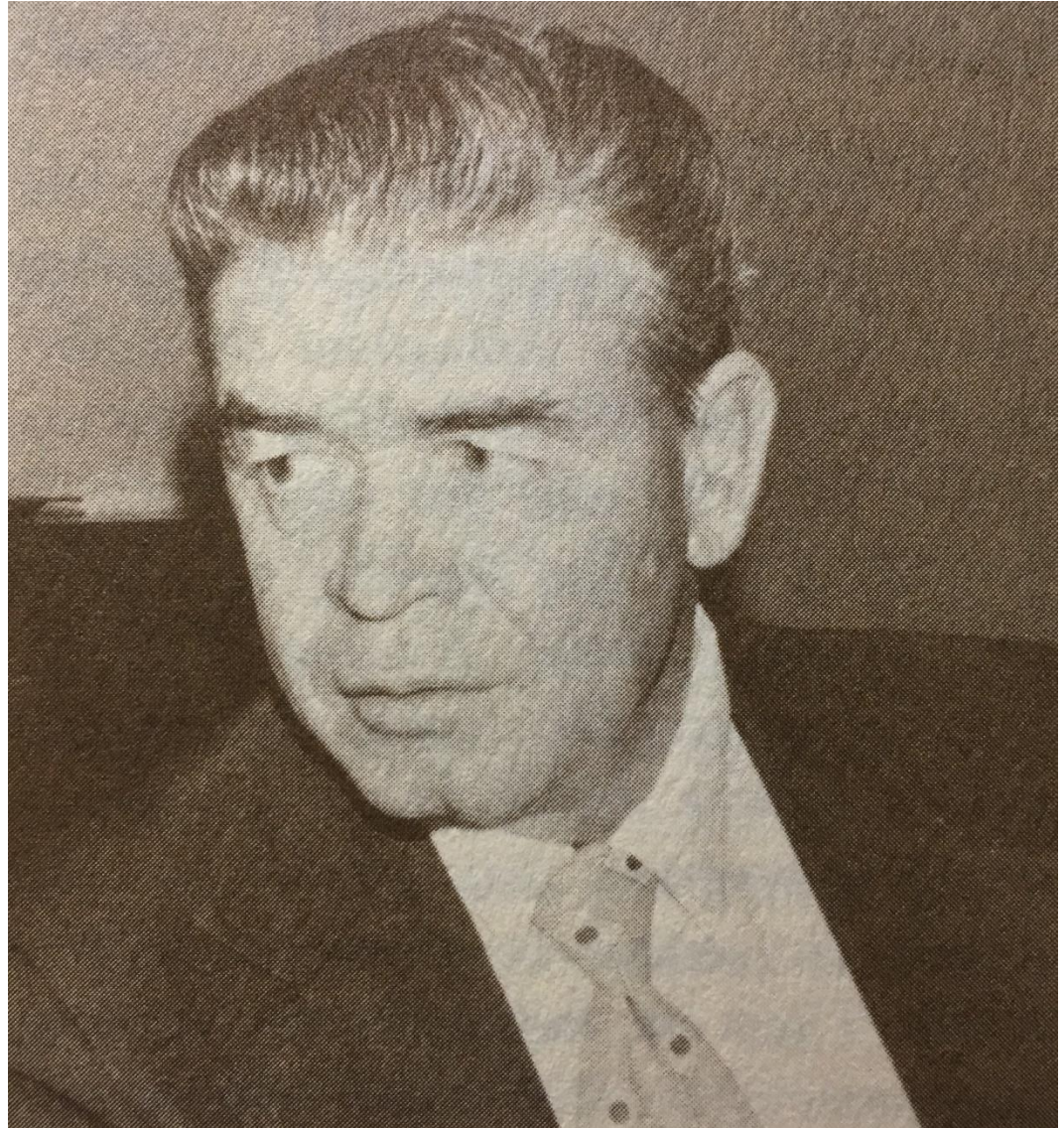
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- ARROW turns financial control over to NAICJA
- BIA not willing to fund 2 tribal court training programs
- assist with forming National Indian Justice Center (NIJC) from NAICJA/AILTP (1983); initial NIJC Board has 3 NAICJA/ 3 AILTP Board & Bill Thorne
- BIA stops funding national tribal court training (1990)
- NAICJA continues to provide direct training such as Child Welfare Training funded by BIA Social Services
- NAICJA takes lead role in addressing threat from U.S. Civil Rights Commission and need for more tribal court funding

Cranston Hawley

NAICJA President
1977-1983

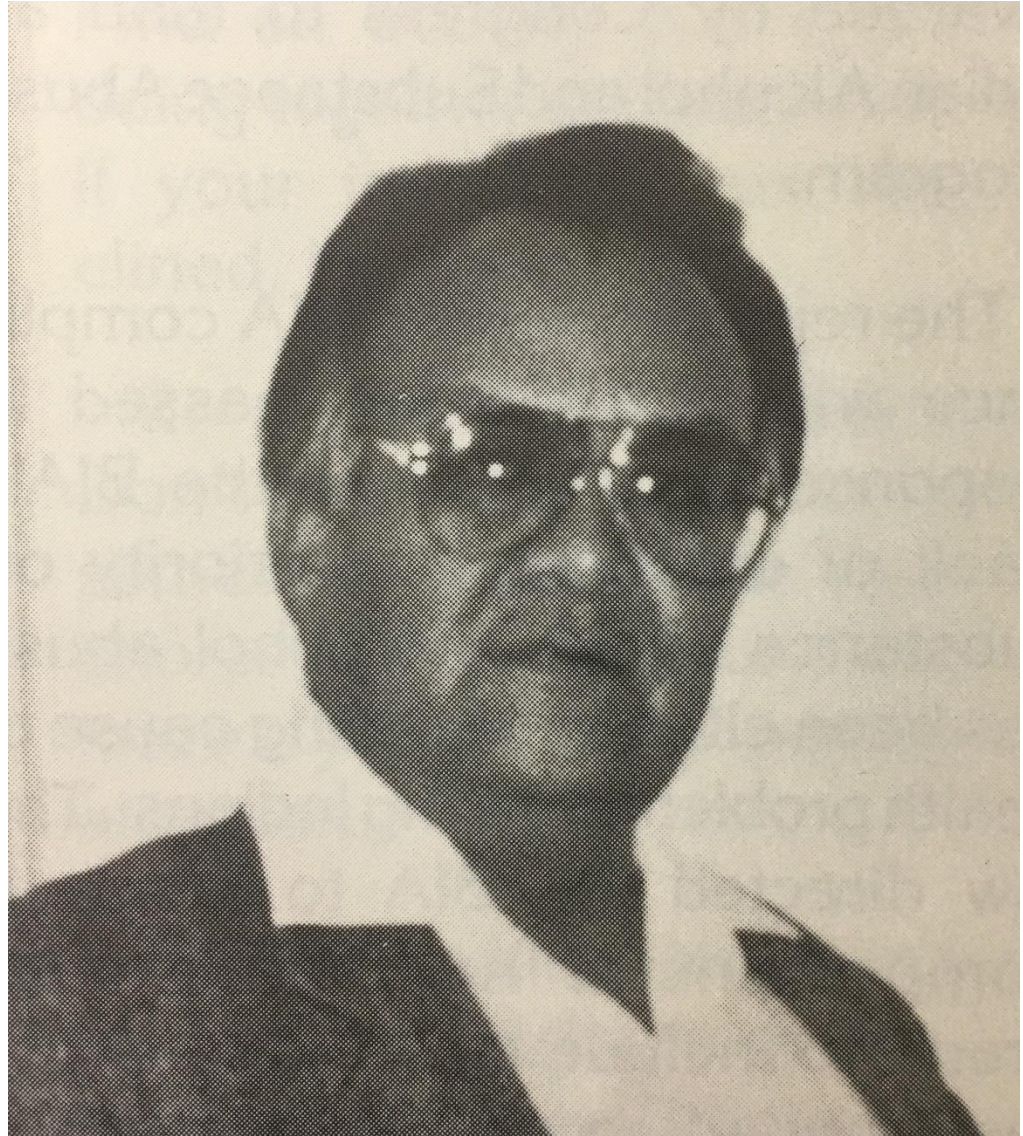
Chief Judge
Fort Belknap (MT)



Homer Bluehouse

NAICJA President
1983-1985

Associate Justice,
Navajo Nation
Supreme Court



Don Dupuis

NAICJA President
1985-1987

NAICJA Treasurer
1981-1985

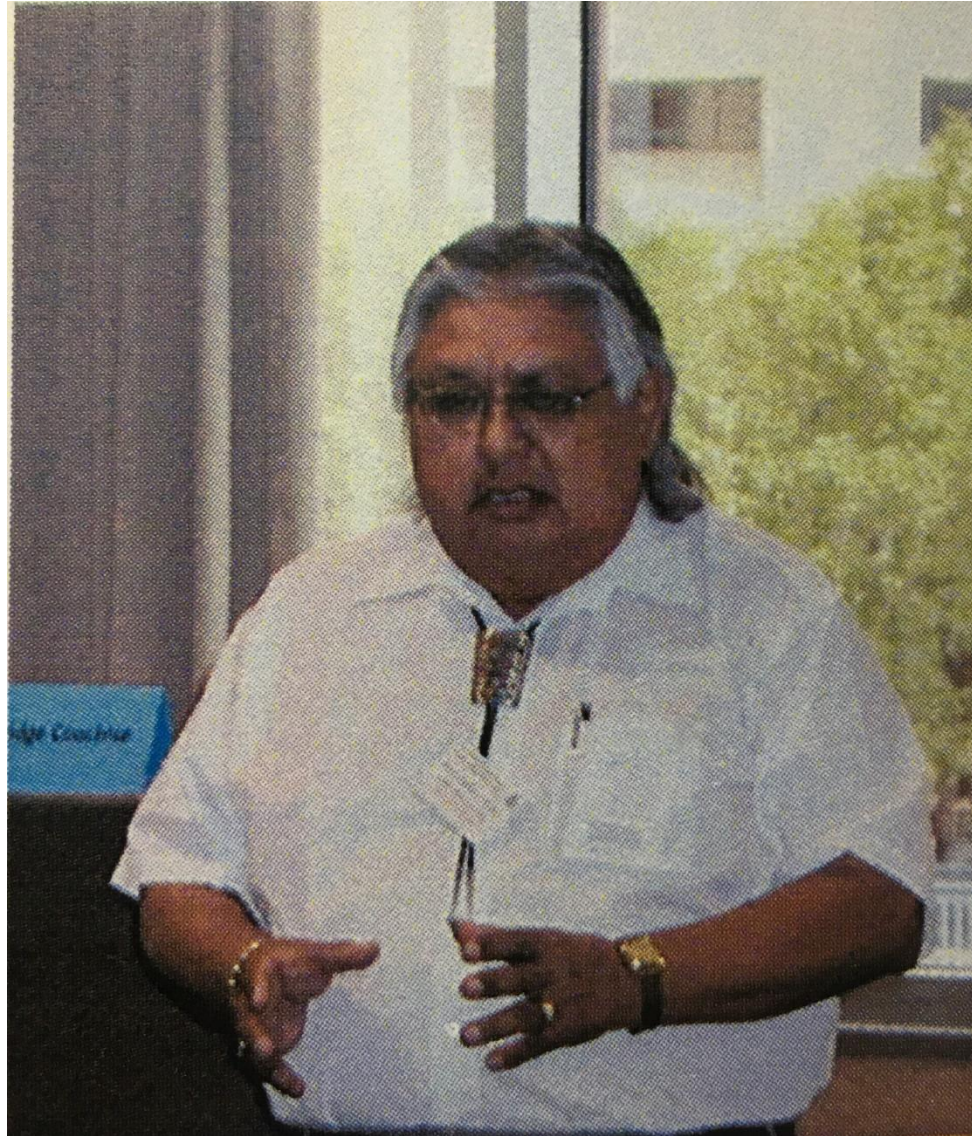
Chief Judge Salish
Kootenai Tribal Court
1974-1992



Elbridge Coochise

NAICJA
President 1987-1997

Judge for Hopi



Thomas Colosimo

ARROW
Executive Director

NAICJA Secretary



1990s – NAICJA’s 3rd Decade: Tribal Justice Milestones

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- *Duro v. Reina* (1990) & Congress *Duro-Fix*
- U.S. Civil Rights Commission issues “*kinder, gentler*” final report which concludes that major impediment to ICRA Enforcement is inadequate funding for tribal courts (6/1991)
- “Bare bones” Indian Tribal Justice Act is enacted (December 1993) – “authorizes” \$57 million per year but never “appropriated”
- Clinton Administration recognizes 220 Alaska Native Tribes– greatly increasing Tribes (1993)
- Building on Common Ground report (1993)

1990s – NAICJA's 3rd Decade: Tribal Justice Milestones

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- Violent Crime Control and Law Enforcement Act of 1994 provides funding to address law enforcement (COPS) and Violence Against Women Act (VAWA)
- Clinton Administration (Babbitt/AG Reno) conducts tribal consultation to determine whether to transfer tribal law enforcement and court funding from Interior (BIA) to Justice, but bureaucracy finds for DOI/DOJ \$
- Justice Department implements AG Janet Reno Indian Country Law Enforcement Initiative (1997)
- Justice Department establishes Office of Tribal Justice
- Indian Tribal Justice and Legal Assistance Act (PL 106-59) enacted (December 21, 2000)

The Indian Civil Rights Act: A Report of the United States Commission on Civil Rights June 1991

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U.S. COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights is an independent, bipartisan agency first established by Congress in 1957 and reestablished in 1983. It is directed to:

- Investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, sex, age, handicap, or national origin, or by reason of fraudulent practices;
- Study and collect information concerning legal developments constituting discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice;
- Appraise Federal laws and policies with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice;
- Serve as a national clearinghouse for information in respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin;
- Submit reports, findings, and recommendations to the President and Congress.

MEMBERS OF THE COMMISSION

Arthur A. Fletcher, *Chairman*
Charles Pei Wang, *Vice Chairman*
William B. Allen
Carl A. Anderson
Mary Frances Berry
Esther Gonzalez-Arroyo Buckley
Blandina Cardenas Ramirez
Russell G. Redenbaugh

Wilfredo J. Gonzalez, *Staff Director*

THE INDIAN CIVIL RIGHTS ACT

A Report of the United States
Commission On Civil Rights
June 1991

Indian Tribal Justice and Legal Assistance Act (Public Law 106-559)

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[Public Law 106-559](#) Indian Tribal Justice and Legal Assistance Act ([Text](#), [PDF](#))

25 USC 3651. This Act is designed to provide technical and legal assistance to tribal justice systems and members of Indian tribes by authorizing the Department of Justice to use appropriated funds to (1) award grants to national and regional tribal court membership organizations to provide training and technical assistance for tribal justice systems and (2) award grants to non-profit legal services providers to provide civil and criminal legal assistance to tribal members or tribal justice systems. [S.1508](#) was introduced by [Senator Ben Nighthorse Campbell](#) (R-CO) on August 5, 1999. The Senate Committee on Indian Affairs held a [Hearing on S.1508 on September 29, 1999](#). The Committee on Indian Affairs marked-up the bill on October 13, 1999 - It was ordered to be reported favorably with an amendment in the nature of a substitute. The amendment added two additional provisions to S.1508. First, Section 201 was added which formally authorized the Justice Department's Indian Tribal Courts Fund for fiscal years 2000 through 2004. Second, Section 202 was added to re-authorize the [Indian Tribal Justice Act](#) for seven additional years (fiscal years 2000 through 2007). S.1508 was reported to the full Senate on November 8, 1999 ([Senate Report 106-219](#)). S.1508 (as amended) [Passed the Full Senate](#) by unanimous consent on November 19, 1999 and was sent to the U.S. House. A [Companion Bill \(H.R. 3333\)](#) was introduced in the House on November 10, 1999 by [Representative Tom Udall](#) (D-NM) and [Representative George Miller](#) (D-CA). [S.1508](#) was amended in the House (see House Report [106-819](#), Part I) by [Representative Don Young](#) (R-AK) to include Title III (Technical Amendments to Alaska Native Claims Settlement Act) and Title IV (National Leadership Symposium for American Indian, Alaskan Native, and Native Hawaiian Youth). New funding Program created – TCCLA (Tribal Law and Criminal Legal Assistance).

1990s – NAICJA's 3rd Decade: NAICJA Accomplishments/Milestones

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- NAICJA continues taking lead role in addressing U.S. Civil Rights Commission, need for more tribal court funding, & need to fully fund Indian Tribal Justice Act
- NAICJA Treasurer revives tax exempt status (1995)
- NAICJA gets initial funding from VAWA Office
- 1st NAICJA and NTJRC websites established
- NAICJA meets twice with Attorney General Janet Reno
- Reno addresses 30th anniversary NAICJA Conference
- BJA selects NAICJA to establish National Tribal Justice Resource Center (NTJRC) (2000)
- NAICJA creates separate region for Alaska (2000)
- NAICJA Administrator and President have lead role in writing Indian Tribal Justice and Legal Assistance Act

NAICJA Executive Committee Meeting With Attorney General Janet Reno in late 1990s

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NAICJA Meeting with BJA Director in late 1990s

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NATIONAL AMERICAN INDIAN COURT JUDGES ASSOCIATION

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The National American Indian Court Judges Association (NAICJA) is a national voluntary association of tribal court judges. NAICJA is a non-profit corporation established in 1969. The Association is primarily devoted to the support of American Indian and Alaska Native justice systems through education, information sharing and advocacy. The mission of the Association, as a national representative membership organization, is to strengthen and enhance tribal justice systems.

NAICJA to Establish National Tribal Justice Resource Center

The National American Indian Court Judges Association (NAICJA) has issued a [Press Release](#) concerning the establishment of the [National Tribal Justice Resource Center](#). The National Tribal Justice Resource Center is being established under a grant from the [Bureau of Justice Assistance \(BJA\)](#) of the [U.S. Department of Justice](#). The Resource Center will make available a wide range of legal resources to tribal court personnel, as well as respond to legal inquiries from American Indian and Alaska Native justice systems. This is the culmination of years of advocacy and work to fulfill the dream of providing a source of daily support and assistance to tribal justice systems nationwide. The Resource Center will initially have a staff of three persons and will be located at the offices of the [National Indian Law Library](#) in Boulder, Colorado.

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National Tribal Justice Resource Center (NTJRC)

<http://www.tribalresourcecenter.org/index.htm>

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National Tribal Justice Resource Center

Welcome to the National Tribal Justice Resource Center. This initial page contains basic information concerning the National Tribal Justice Resource Center. We are in the process of establishing a comprehensive website within the next few months.

The National Tribal Justice Resource Center is being established by the [National American Indian Court Judges Association \(NAICJA\)](#) under a grant from the [Bureau of Justice Assistance \(BJA\)](#) of the [U.S. Department of Justice](#).

The Resource Center is making available a wide range of legal resources to tribal court personnel, as well as respond to technical inquiries from American Indian and Alaska Native justice systems. This is the culmination of years of advocacy and work to fulfill the dream of providing a source of daily support and assistance to tribal justice systems nationwide. The Resource Center will initially have a staff of three persons and will be located at the offices of the [National Indian Law Library](#) in Boulder, Colorado.

Judge Jill E. Shibles, a tribal member of the Penobscot Nation of Maine, has been selected by the NAICJA Board of Directors to serve as Executive Director of the Resource Center. Judge Shibles has formerly served as the Chief Judge of the Mashantucket Pequot Tribal Court of Connecticut and as President of NAICJA. She also serves as the Appellate Justice of the Passamaquoddy Appellate Court of Maine. She assumed her duties at the Boulder office on September 1, 2000. NAICJA has recently hired an Associate Director (Tina Farrenkoff) and is currently conducting a national search for an Office Manager position. (see www.naicja.org/jobs.htm)

This effort represents the first time that many key organizations that provide training and technical assistance to tribal justice systems are working together to coordinate service delivery and assess the need for new resources and services through the Resource Center. The following is a list of NAICJA's initial collaborating partners:

National Indian Law Library	National Judicial College
National Congress of American Indians	American Indian Law Center
National Indian Child Welfare Association	Tribal Law and Policy Institute
Northwest Tribal Court Judges Association	Alaska Inter-Tribal Council
National Association of Tribal Court Personnel	Federal Judicial Center
Northern Plains Tribal Judicial Training Institute	National Center for State Courts
American University Justice Programs Office	American Indian Development Associates

NAICJA has entered into an initial one-year rental agreement with the Native American Rights Fund (NARF) to house the Resource Center at the National Indian Law Library in Boulder. The Law Library possesses one of the largest collections of tribal opinions, tribal codes and tribal constitutions in the nation. Access to the Library's resources will be a critical component to the initial success of the Resource Center.

Although NAICJA is administering the BJA grant, a Management and Oversight Committee and a Project Advisory Committee are advising and overseeing the implementation of the project in order to ensure that the Resource Center adequately addresses the needs of all facets of tribal justice systems. Three staff members working at the direction of the Management and Oversight Committee are carrying out the daily work of the Resource Center. The five-member Management and Oversight Committee is overseeing the day-to-day operations of the Resource Center. A larger Project Advisory Committee, comprised of representatives of NAICJA's collaborating partners plus other individuals and organizations with expertise in tribal justice issues, resource center development, Indian law and technology, are assisting the Management and Oversight Committee to prioritize the Resource Center's projects. The Project Advisory Committee is lending its expertise and resources in support of the Resource Center's efforts.

Currently, a national assessment of tribal justice system needs is being conducted. All services and programs developed by the Resource Center will be available to all tribal justice system personnel and interested persons. Through an informal needs assessment, NAICJA initially identified the following unmet justice system needs and has committed, through the Resource Center, to meeting them. The Resource Center's initial list of tasks includes:

- Creating a clearinghouse of existing judicial resource materials, training and technical assistance.
- Informing tribal justice systems concerning available services and resources through a printed and on-line version of a Resource Center newsletter.

National Tribal Justice Resource Center

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NAICJA to Establish National Tribal Justice Resource Center

BOULDER, COLORADO (Monday June 19, 2000) - The National American Indian Court Judges Association (NAICJA) has been awarded a grant from the U. S. Department of Justice to design, develop, and institute a National Tribal Justice Resource Center. The National Tribal Justice Resource Center will make available a wide range of legal resources to tribal court personnel, as well as respond to legal inquiries from American Indian and Alaska Native justice systems. This is the culmination of years of advocacy and work to fulfill the dream of providing a source of daily support and assistance to tribal justice systems nationwide. The Resource Center will initially have a staff of three persons and will be located at the offices of the National Indian Law Library in Boulder, Colorado.

National Tribal Justice Resource Center

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NAICJA has been proposing the development of a National Tribal Justice Resource Center for years. NAICJA has repeatedly indicated that there is a vital need for a national resource center that would be an asset and a tool for enhancing American Indian and Alaska Native justice systems nationwide. The NAICJA Executive Committee proposed the development of this national resource center during a June 3, 1998 meeting with Attorney General Janet Reno. NAICJA then submitted a formal concept paper proposal to the Justice Department's Bureau of Justice Assistance (BJA) on July 18, 1998 in which NAICJA proposed to establish this national resource center. BJA quickly recognized the need for a national resource center. NAICJA has been in discussions with BJA since July 1998 concerning possible methods of establishing a national resource center. In August 1999, NAICJA submitted a concept paper in response to the BJA Request for Proposals (RFP) to develop a National Tribal Justice Resource Center. NAICJA was invited to submit a full proposal and was notified on May 24, 2000 that the grant had been awarded.

Elbridge Coochise

NAICJA President
1987-1997



Jill Shibles/ Tompkins

NAICJA President
1997 – 1999

Chief Judge
Mashantucket Pequot



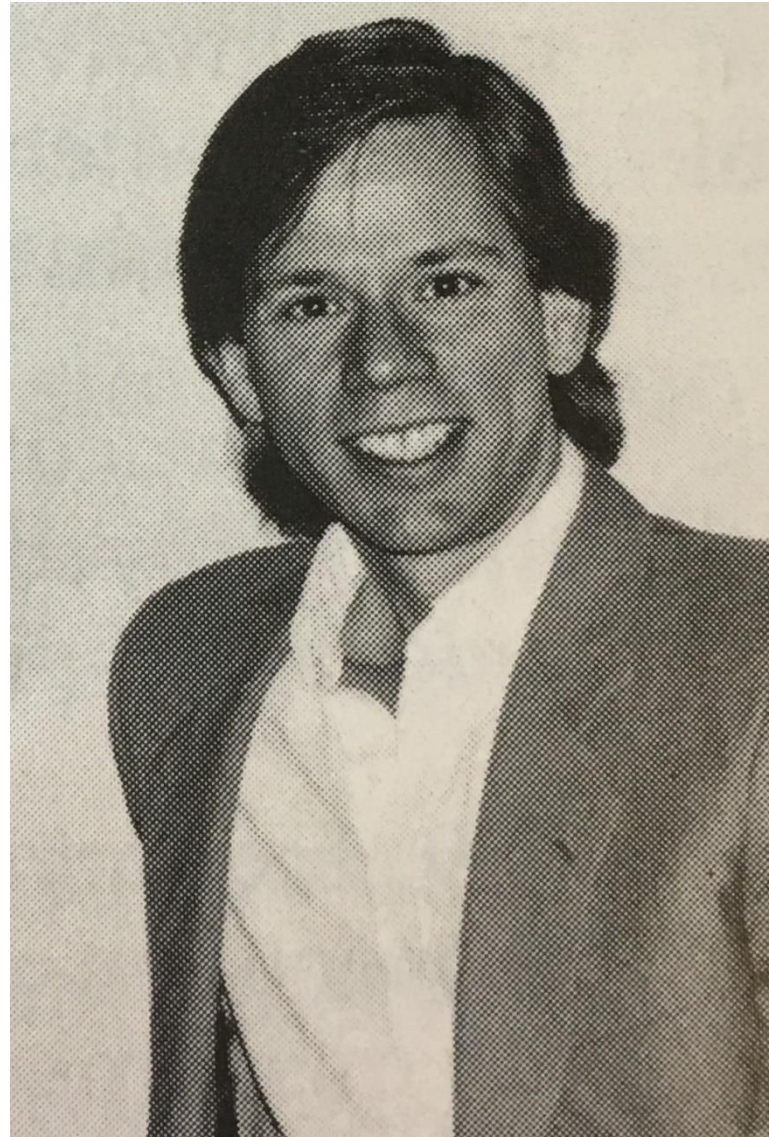
Jerry Gardner

Executive Director

Tribal Law and Policy
Institute

NAICJA Administrator

1997-2000



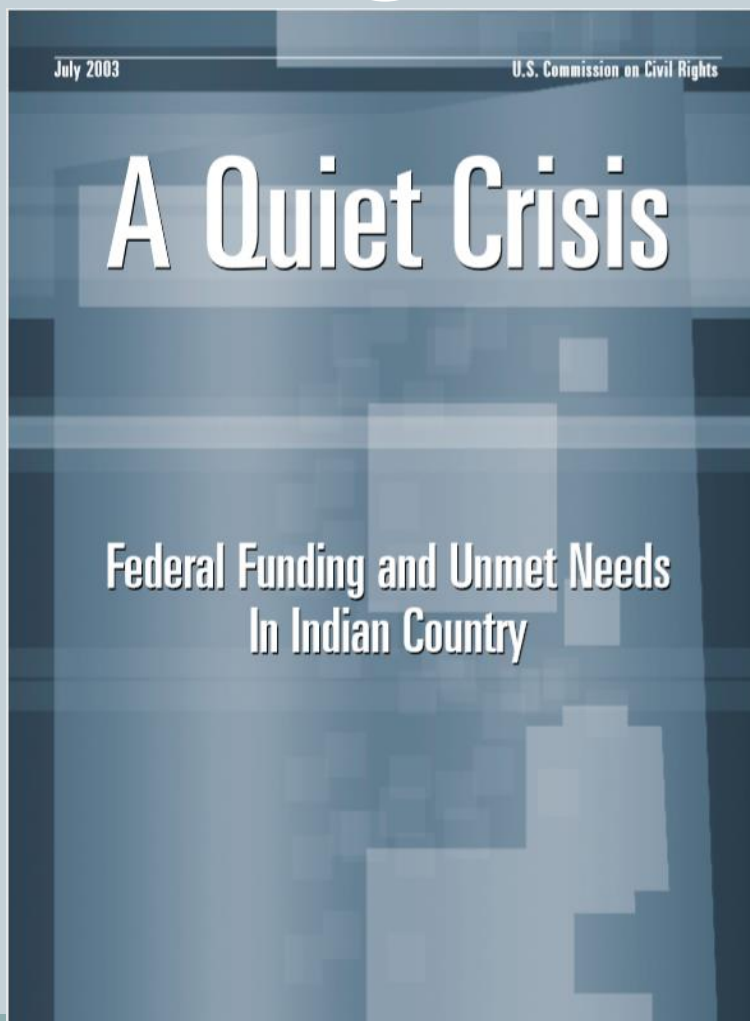
2000s – NAICJA's 4th Decade: Tribal Justice Milestones

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- Tribes continue to lose important cases in the U.S. Supreme Court—often unanimously.
- Bush Administration Funding Cuts
- U.s Civil Rights Commission issues report, *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country* evaluated federal agency expenditures on American Indian & Alaska Native programs (2003).
- 2005 VAWA Reauthorization includes separate Title IX Safety for Indian Women
- Amnesty International issues “*Maze of Injustice: The Failure to Protect Indigenous Women from Sexual Violence in the USA*” (2007)

A Quiet Crisis: Federal Funding and Unmet Needs In Indian Country (2003)

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Maze of Injustice:

The failure to protect Indigenous women from sexual violence in the USA (2007)

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2000s – NAICJA's 4th Decade: NAICJA Accomplishments/Milestones

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- NAICJA coordinates tour of Indian country for U.S. Supreme Court Justices (Breyer and O'Connor) – see <https://www.c-span.org/video/?165272-1/native-american-legal-issues> (July 2001)
- NAICJA continues taking lead role in addressing the need for more tribal court funding, and the need to fully fund Indian Tribal Justice Act
- NAICJA continues to run National Tribal Justice Resource Center (NTJRC) until funding ended in 2009
- NAICJA gets limited funding through BJA Tribal Civil and Criminal Legal Assistance (TCCLA) Program (funded through Public Law 106-559)

Mary Wynne

NAICJA President
2000-2002

Chief Judge
Colville Tribal Court



Eugene Whitefish

2002 – 2009

Chief Judge Forest
County Potawatomi



Jill Tompkins

National Tribal Justice
Resource Center
Executive Director

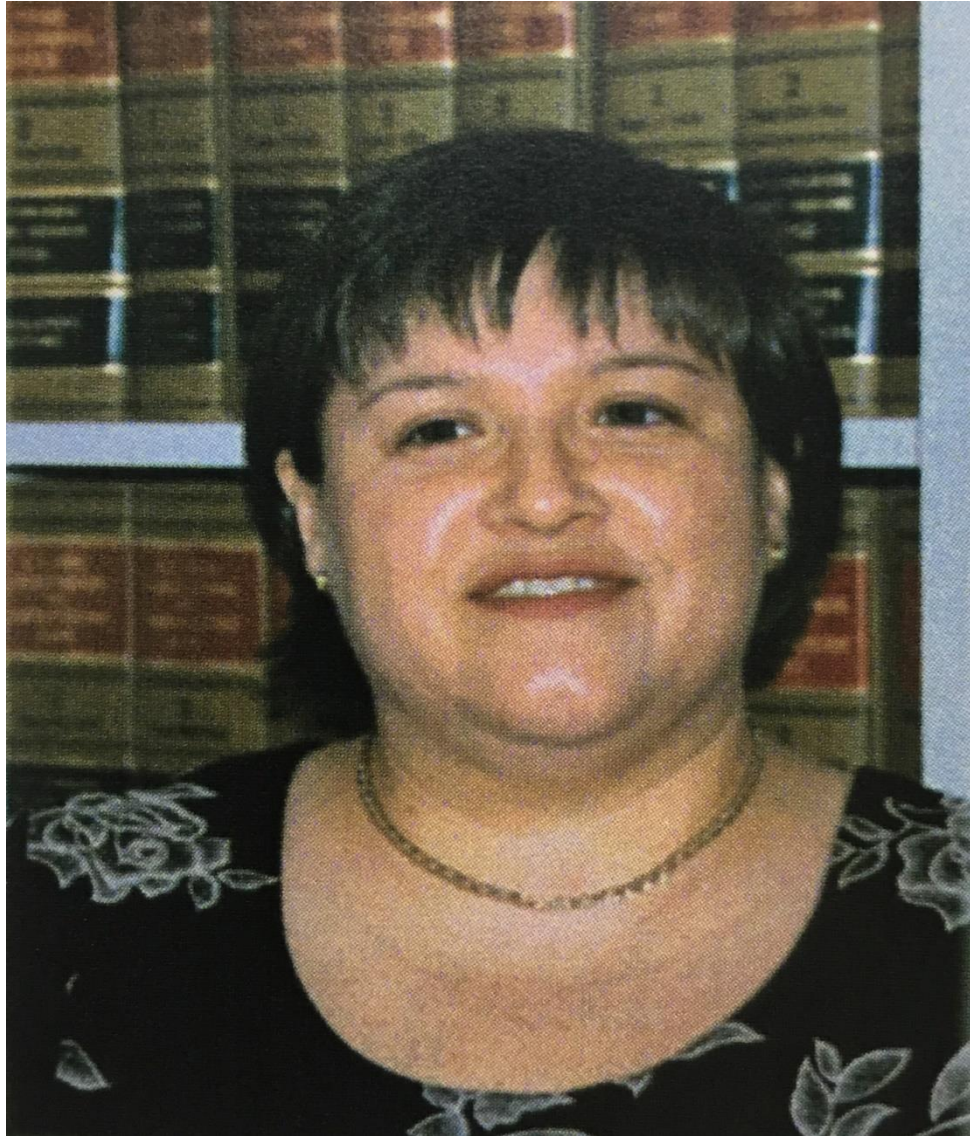
2000-2001



**Tina
Farrenkopf**

National Tribal Justice
Resource Center
Acting
Executive Director

2001-2002





Vincent Knight

National Tribal Justice
Resource Center
Executive Director

2002-2009



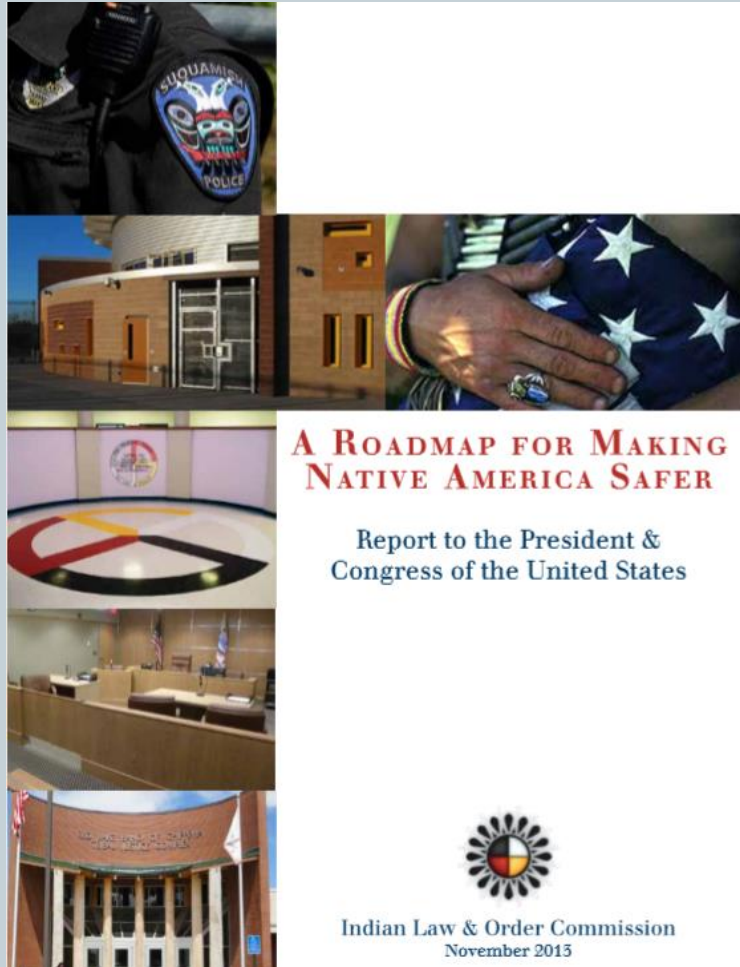
2010s – NAICJA’s 5th Decade: Tribal Justice Milestones

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- Tribal Law and Order Act (TLOA) enacted – includes tribal enhanced sentencing authority; reauthorizes Indian Tribal Justice Act and PL 106-559; etc. (2010)
- VAWA 2013 creates Special Domestic Violence Criminal Jurisdiction (SDVCJ) over Non-Indians
- Indian Law and Order Commission issues final report - *A Roadmap For Making Native America Safer (2013)*
- AG Advisory Committee report on AI/AN Children Exposed to Violence (2014) *Ending Violence so Children Can Thrive*
- Justice Department Funding: CTAS/Tribal VOCA Set Aside
- U.S. Civil Rights Commission issues updated report: *"Broken Promises: Continuing Federal Funding Shortfall for Native Americans"* (2019)

A Roadmap for Making Native America Safer: Report to the President & Congress of the United States Indian Law & Order Commission – November 2013

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Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence: Ending Violence so Children Can Thrive (2014)

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Attorney General's Advisory Committee
on American Indian/Alaska Native Children Exposed to Violence:
Ending Violence so Children Can Thrive



NOVEMBER 2014
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# Broken Promises: Continuing Federal Funding Shortfall for Native Americans (2019)

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# 2010s – NAICJA’s 5<sup>th</sup> Decade: NAICJA Accomplishments/Milestones

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- NAICJA continues taking lead role in addressing the need for more tribal court funding, and the need to fully fund Indian Tribal Justice Act
- NAICJA President revives tax exempt status (2012)
- NAICJA gets increased funding through BJA Tribal Civil and Criminal Legal Assistance (TCCLA) Program (from Indian Tribal Justice and Legal Assistance Act (PL 106-559) enacted (December 21, 2000))
- NAICJA enters into collaborative partnership with the National Council of Juvenile and Family Court Judges
- BJA selects NAICJA for 2 crucial BJA Tribal Court training & technical assistance programs (2016-2019)

# Roman Duran

2009-2011  
NAICJA President

Chief Judge  
Tesuque Pueblo



# Jill Tompkins

2011 – 2015

NAICJA  
President





# Richard Blake

2015- present

NAICJA President



# A. Nikki Borchardt- Campbell

National American  
Indian Court Judges  
Association (NAICJA),  
Executive Director  
(2015 – present)





# 2010s – NAICJA's 5<sup>th</sup> Decade: NAICJA Leadership

# CSPAN video of the July 20, 2001 meeting between NAICJA and the U.S. Supreme Court Justices

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Highlights of the CSPAN video of the July 20, 2001 meeting between NAICJA and the U.S. Supreme Court Justices (Breyer and O'Connor) after NAICJA coordinated their visit to Indian Country (see <https://www.c-span.org/video/?165272-1/native-american-legal-issues>).



# Contact

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[nikki@naicja.org](mailto:nikki@naicja.org)
- Jerry Gardner, Executive Director, Tribal Law and Policy Institute (TLPI):  
[jerry@TLPI.org](mailto:jerry@TLPI.org)

