Tribal Law & Policy Institute’s
Tribal Healing to Wellness Court Enhancement Training
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Building-Rebuilding Tribal Nations with Wellness Courts

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Presentation Points/Overview

• Who are we? Why are we here?

• Community & Nation Building/Re-Building
  • Human Capital Development – “The People Gather Ground & Grow”
  • Governmental Institutional Development – Judiciary

• Courts, Justice & Healing – Healing to Wellness . . . Courts
  The next few days!

• The 10 Key Components – Foundation, Framework & Fuel
Tribal Courts

Tribal Right to Institution
Building of Alternative/appropriate & artful Legal processes & procedures
Creative Opportunity to Utilize/Use & Respect Tribal Sovereignty

Wellness Courts – Justice Systems Tribal Institutions [Convocations/Ceremonies] - as Community & Nation Building/Builders

Impact Human Capital (by reconnecting people: citizen/community)
Can Recoup Lost/Disconnected Human Resources
Connections/Relationships Foster/Support/Contributes to a Remedy of Healing
WELLNESS COURT
JUDICIAL SYSTEM/PROCEDURE(S)

The Foundation-Frame-Fuel in the 10 Keys

CONFLICT & CONCORD
COURT AND/OR PROGRAM
CEREMONY & PROCEDURE
CONVOCATION & CASE MANAGEMENT

(tribal language/culture)

Entry
Eligibility

Healing & Treatment

Support & Supervision

Discipline & Encouragement

Respectful Communication

Enduring Knowledge & Experience

Keeping & Telling Stories

Sustained Team, Community & Nation Building

Team, Community & Nation Building

Roles for Wellness Court & Team Members

--Citizens/Community--

Team Member

Enforcer & Encourager (co-case manager)

Encourager & Enforcer (co-case manager)

Champion for Health & Wellness

Sentry & Gate Keeper

Protector of Rights

Life-long Teacher & Learner

Story Teller & Evaluator

Team, Community & Nation Builder (Communicator)

Team, Community & Nation Builder (Co-Convener)

Team, Community & Nation Building

--Citizens/Community--

Team Member

Enforcer & Encourager (co-case manager)

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Champion for Health & Wellness

Sentry & Gate Keeper

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Story Teller & Evaluator

Team, Community & Nation Builder (Communicator)

Team, Community & Nation Builder (Co-Convener)
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.

Key Component #1
Individual & Community Healing Focus

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.

Role Action/Conduct/Contribution
Community & Nation Building - Re-building
Healing Focus
Teamwork & Collaboration

Role Action/Conduct/Contribution
Referral Points
Legal Processes
Inter-Sovereign Collaboration
Due Process

Protector of Rights
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.

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

Key Component # 5

Intensive Supervision (Case Management and Alcohol/Drug Testing)

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

Role Action/Conduct/Contribution

Encourager & Enforcer (Co-Case Manager)

Case Management/Co-Case Management

Intensive Supervision

A & D Testing – minutes/markers/milestones

Frequent & Random

Key Component # 6

Sanctions & Incentives

Charting Compliance (documenting story/stories)

Progressive/Graduated

Incentives/Sanctions

Ultimate Consequences – Termination

Enforcer & Encourager (Co-Case Manager)
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.

Key Component # 7
Judicial Interaction

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.

Key Component # 8
Monitoring & Evaluation
Interdisciplinary Education
Team Members
Partners & Collaborators
Community & Citizens

Key Component # 9
Continuing Interdisciplinary & Continuing Education
Continuing interdisciplinary and community education promote effective Tribal Wellness Court planning, implementation, and operation.

Sustained Community & Nation Building - re Writings
Collaboration
Sustainability

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.
CRUCIAL CONSIDERATIONS

DUE PROCESS
ETHICS
SUSTAINABILITY (APPROPRIATIONS)
TEAM COHESIVENESS / COURT CONTINUITY
INNOVATION
NATION BUILDING

INSTITUTIONALIZATION

By Joseph Thomas Flies-Away

Indigenous Nation & Community Building.

Spiritual
Traditional
Innovation.

Innovation
Organizing Necessary Action.
Legislating Inclusive Statutes.
Aggressive Timing.
Instilling Ownership.

Nation & Community Building.
For More Information . . .

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

Visit [www.tlpi.org](http://www.tlpi.org)

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