

Tribal Court–State Court Forum
Annual Agenda¹—2024

Approved by Executive and Planning Committee: March 14, 2024

I. COMMITTEE INFORMATION

Chair:	Hon. Abby Abinanti, Chief Judge, Yurok Tribal Court Hon. Joyce D. Hinrichs, Judge, Superior Court of California, County of Humboldt
Lead Staff:	Ms. Ann Gilmour, Attorney, Center for Families, Children & the Courts
Committee’s Charge/Membership: <p>Rule 10.60 of the California Rules of Court states the charge of the Tribal Court–State Court Forum (Forum), which is to make recommendations to the Judicial Council for improving the administration of justice in all proceedings in which the authority to exercise jurisdiction by the state judicial branch and the tribal justice systems overlap.</p> <p>Additional duties set forth in rule 10.60 (b) are:</p> <ol style="list-style-type: none">1. Identify issues of mutual importance to tribal and state justice systems, including those concerning the working relationship between tribal and state courts in California;2. Make recommendations relating to the recognition and enforcement of court orders that cross jurisdictional lines, the determination of jurisdiction for cases that might appear in either court system, and the sharing of services between jurisdictions;3. Identify, develop, and share with tribal and state courts local rules of court, protocols, standing orders, and other agreements that promote tribal court-state court coordination and cooperation, the use of concurrent jurisdiction, and the transfer of cases between jurisdictions;4. Recommend appropriate activities needed to support local tribal court-state court collaborations; and5. Make proposals to the Center for Judicial Education and Research Advisory Committee on educational publications and programming for judges and judicial support staff. <p>Rule 10.60(c) sets forth the membership position of the forum. The Forum currently has 28 members. The current committee roster is available on the committee’s web page.</p>	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

Subcommittees/Working Groups²:

1. Ad Hoc Working Group on Options for Recognition and Enforcement of Tribal Court Child Custody Orders
2. Ad Hoc Working Group on Options to Provide for Recognition and Enforcement of Tribal Court Orders Excluding Individuals from Tribal Lands
3. Ad Hoc Working Group on Public Law 280 (*New*) – This working group will monitor the work of the federal Government Accountability Office study on the “[Inequitable Justice System Facing Tribal Nations in Different States](#)” specifically related to [Public Law 280](#), which was requested by Senators Alex Padilla (D-CA), Lisa Murkowski (R-AK), Jeff Merkley (D-OR) and Congressman Jared Huffman (D-CA-02) to review the impacts of Public Law 280 on the justice systems in the states that have jurisdiction over tribal lands, including California. The Ad Hoc Working Group will make recommendations for Judicial Council input as required.

Meetings Planned for 2024³ (Advisory body and all subcommittees and working groups)

Date/Time/Location or Videoconference:

1. Remote Meetings: February 8, April 11, June 13, August 8, October 10, and December 12, 2024.
2. One in-person meeting (date to be determined); and
3. Ad hoc virtual meetings as required.

Check here if exception to policy is granted by Executive Office or rule of court.

² California Rules of Court, [rule 10.30 \(c\)](#) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

³ Refer to [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ⁴	
1.	<p>Project Title: Monitor and Make Recommendations as Appropriate Regarding Federal Government Accountability Office Study on the “Inequitable Justice System Facing Tribal Nations in Different States” Related to Public Law 280</p>	<p>Priority⁵ 2</p> <p>Strategic Plan Goal⁶ I, IV, VII</p>
<p>Project Summary⁷: The federal Government Accountability Office (GAO) will be conducting a study on the impacts of Public Law 83-280 (18 U.S.C. § 1162, 28 U.S.C. § 1360) (commonly referred to as “P.L. 280”) on justice systems in impacted states, including California. The full text of the GAO’s response letter is available here. The full text of the initial letter from Senators Padilla (D-California), Murkowski (R-Alaska), Merkley (D-Oregon), and Congressman Huffman (D- California) is available here.</p> <p>Status/Timeline: GAO anticipated work on this study to begin in December 2023. More information on the process and timing will be available after the study begins.</p> <p>Fiscal Impact/Resources: To be accomplished with existing CFCC staff resources. Governmental Affairs and/or Criminal Justice Services, as appropriate.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Governmental Affairs and/or Criminal Justice Services, as appropriate.</p> <p>AC Collaboration: Criminal Law Advisory Committee, as appropriate.</p>		

⁴ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁵ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to or accurately reflect the law; 1(b) Council or an internal committee has directed the committee to consider new or amended rules and forms; 1(c) Change is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(d) Proposal is otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk. 2(a) Useful, but not necessary, to implement changes in law; 2(b) Responsive to identified concerns or problems; 2(c) Helpful in otherwise advancing Judicial Council goals and objectives.

⁶ Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

⁷ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	Ongoing Projects and Activities ⁴	
1.	Project Title: Legal Representation for Tribes in ICWA Cases (Implementation Project)	Priority⁵ 1 Strategic Plan Goal⁶ I, IV, V
<p>Project Summary: The Judicial Council of California received ongoing funding to assist the courts in implementing section 16 of Senate Bill 124 which added section 10553.14 to the Welfare and Institutions Code. This program will fund the federally recognized California Indian Tribes to pay for attorneys in cases governed by the Indian Child Welfare Act (ICWA) in California juvenile courts. Consistent with its charge under rule 10.60 (a) and (b), the Forum will serve as a resource for any education or policy recommendations to address court issues that may arise out of implementation of this program.</p> <p>Status/Timeline: Ongoing. Information sheet and initial curriculum were drafted last year. Roll out of attorney curriculum and other resources in future years.</p> <p>Fiscal Impact/Resources: To be accomplished mainly with existing CFCC staff resources for this current fiscal year with funding used to supplement existing resources using temps and contractors.</p> <p><input type="checkbox"/> This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</p> <p>Internal/External Stakeholders: Tribal ICWA attorneys and California Department of Social Services Office of Tribal Affairs.</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee.</p>		
2.	Project Title: Prepare Recommendations for Recognition and Enforcement of Tribal Court Child Custody Orders	Priority⁵ 2(a) & (b) Strategic Plan Goal⁶ IV
<p>Project Summary: Tribal court orders that involve the custody of a child are entitled to full faith and credit under 1911(d) of the Indian Child Welfare Act and recognition and enforcement under the Uniform Child Custody Jurisdiction and Enforcement Act as specifically set out in Family Code sections 3402(p) and 3404. Currently, however, there is no mechanism to have tribal court child custody orders recognized and enforced within the state court system. This is causing confusion and resulting in difficulties having tribal court custody orders recognized and enforced.</p> <p>Status/Timeline: Spring 2024 invitation to comment cycle.</p>		

#	Ongoing Projects and Activities⁴	
	<p>Fiscal Impact/Resources: To be accomplished with existing CFCC staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Tribal courts.</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee.</p>	
3.	<p>Project Title: Indian Child Welfare Act Compliance and Implementation Improvements (Implementation Project)</p>	<p>Priority⁵ 2</p> <p>Strategic Plan Goal⁶ I, IV, V</p>
	<p>Project Summary: Improvements to California’s implementation of the <i>Indian Child Welfare Act</i> is a primary focus of the work of the Forum. Anticipated future action includes responding to the decisions of the California Supreme Court in the cases of <i>In Re Dezi C.</i>, S275578. (B317935; 79 Cal.App.5th 769; Superior Court of Los Angeles County; 19CCJP08030) and <i>In re Ja.O.</i>, S280572. (E079651; 91 Cal.App.5th 672; Superior Court of San Bernardino County; J291035). These cases involve issues related to ICWA inquiry and may require rules changes depending on their outcome.</p> <p>This project was approved on the committee’s 2018 annual agenda.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: Work will be accomplished with existing CFCC staffing resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: May involve collaboration with CJER staff on updating education resources.</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee and Probate and Mental Health Advisory Committee with respect to recommendations that impact the work of those bodies.</p>	

#	Ongoing Projects and Activities ⁴	
4.	Project Title: Implement Improvements in Addressing Domestic Violence and Related Issues in Tribal Communities	Priority⁵ 2 Strategic Plan Goal⁶ I, IV
<p>Project Summary⁷: Coordinate with Judicial Council staff, other advisory committees, the attorney general’s office, the Commercially Sexually Exploited Children (CSEC) action team of the Child Welfare Council, tribal courts, and other stakeholders on developing and implementing recommendations to improve the justice systems response to the issues of domestic violence (DV) and related issues in tribal communities. This includes collaborating in the implementation of AB-3099 “Department of Justice: law enforcement assistance with tribal issues: study” (Stats. 2020, ch. 170) which mandates a study regarding resources for reporting and identifying missing Native Americans in California, and AB-44 (Stats. 2023, ch. 638) which sets conditions for tribal law enforcement and courts to access the California Law Enforcement Telecommunications System (CLETS). The Forum has historically focused on issues related to domestic violence and victimization in tribal communities much in the way it has focused on issues related to the Indian Child Welfare Act. Issues of domestic violence, trafficking, and exploitation of individuals in tribal communities is an issue of increasing importance and activity in California and it is important for the judicial branch to be part of these initiatives.</p> <p>This project was approved on the Forum’s 2022 Annual Agenda.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: To be completed with existing CFCC resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Attorney General’s Office of Native American Affairs; tribal courts, law enforcement, and leaders; and CSEC action team.</p> <p>AC Collaboration: TBD.</p>		
5.	Project Title: Explore Options to Provide for Recognition and Enforcement of Tribal Court Orders Excluding Individuals from Tribal Lands	Priority⁵ 2(a) & (b) Strategic Plan Goal⁶ IV
<p>Project Summary: Tribes in California report an inability to remove unwanted individuals from within the exterior boundaries of their reservations. Tribal courts do not have criminal jurisdiction over non-Indians and in California, tribal courts are generally not exercising criminal jurisdiction at all. In 1997, the California Office of the Attorney General issued an opinion (80 OpsCal.Atty.Gen.46) concluding</p>		

#	Ongoing Projects and Activities ⁴	
	<p>that violation of a tribal exclusion order did not constitute a misdemeanor under the terms of Penal Code Section 602 and that a county sheriff would not be required to take any action to enforce an exclusion order issued by a tribe. Tribal judges report that as a result, they have no effective recourse against individuals who, for example, dump hazardous waste on the reservation, and this creates a public safety concern.</p> <p>This project was approved on the Forum’s 2022 Annual Agenda.</p> <p>Status/Timeline: Ongoing. The Forum began work on this item by holding discussions on the problem and possible solutions. This problem was also part of the agenda at the training event the Forum held in Sacramento on September 30, 2022.</p> <p>Fiscal Impact/Resources: To be accomplished with existing CFCC staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Tribal courts and Attorney General’s Office of Native American Affairs.</p> <p>AC Collaboration: Criminal Law Advisory Committee.</p>	
6.	<p>Project Title: Policy Recommendations: Ethics (Implementation Project)</p>	<p>Priority⁵ 2</p>
	<p>Project Summary: State and tribal court judges may sit on each other’s benches and hear cases in the other jurisdiction through a joint-jurisdiction court or on an ad hoc or ongoing basis. The Forum will continue to work with the California Supreme Court’s Advisory Committee on the Code of Judicial Ethics and make recommendations and request advisory opinions or amendments to the canons as appropriate and necessary to facilitate such collaborations.</p> <p>This project was approved on the Forum’s 2018 Annual Agenda.</p> <p>Status/Timeline: Ongoing. Generally, new work under this item will continue to be deferred.</p> <p>Fiscal Impact/Resources: Work will be accomplished by existing CFCC staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p>	

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	<p><i>Internal/External Stakeholders:</i> None.</p> <p><i>AC Collaboration:</i> Advisory Committee on the Code of Judicial Ethics.</p>	
7.	<p>Project Title: Policy Recommendation: Technological Initiatives (Implementation Project)</p>	<p>Priority⁵ 2</p> <hr/> <p>Strategic Plan Goal⁶ I, V, VI</p>
<p>Project Summary: Serve as subject matter resource regarding integrating of tribes, tribal agencies and governments into technological initiatives such as remote appearances, remote filing, remote access, court case management systems, document assembly programs, e-noticing, and the California Courts Protective Order Registry.</p> <p>This project was approved on the Forum’s 2018 Annual Agenda.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: Existing CFCC, CJER, and Information Technology (IT) staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: External stakeholders include tribal courts.</p> <p>AC Collaboration: TBD.</p>		
8.	<p>Project Title: Funding and Support for Innovative Practices and System Improvements (Implementation Project)</p>	<p>Priority⁵ 2</p> <hr/> <p>Strategic Plan Goal⁶ I, IV</p>
<p>Project Summary: The Forum seeks to support innovative practices and system improvements including seeking funding for such initiatives as a pilot program to facilitate tribal participation and improve outcomes in ICWA cases by providing appointed counsel for tribes in these cases.</p> <p>This project was approved on the Forum’s 2018 Annual Agenda.</p>		

#	Ongoing Projects and Activities⁴	
	<p>Status/Timeline: Ongoing. In prior years the council has sought support for innovative practices and system improvements expansion of joint jurisdiction courts and other collaborative efforts. The Forum and Tribal/State Programs Unit staff will continue to seek out available funding. The goal of facilitating innovative practices and system improvements and seeking funding for this is to improve efficiencies in cases that span both jurisdictions or could be heard in either jurisdiction. This could potentially reduce workloads for state courts and improve access to justice for underserved and remote tribal communities.</p> <p>Fiscal Impact/Resources: Existing CFCC staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>	
9.	<p>Project Title: Increase Tribal/State Partnerships: Sharing Resources and Communicating Information About Partnerships</p>	<p>Priority⁵ 2</p> <p>Strategic Plan Goal⁶ I, IV</p>
	<p>Project Summary: One of the guiding principles of the Forum is to improve access to justice by providing tribal and state courts access to resources for capacity building and collaboration on an equal basis, sharing resources, and seeking out additional resources.</p> <ol style="list-style-type: none"> 1. Identify Judicial Council and other resources that may be appropriate to share with tribal courts. 2. Identify tribal justice resources that may be appropriate to share with state courts. 3. Identify grants for tribal/state court collaboration. 4. Share resources and information about partnerships through Forum E-Update, a monthly electronic newsletter. 5. Publicize these partnerships at conferences, on the Innovation Knowledge Center (IKC), and at other in-person or online venues. 6. Disseminate information to tribal court judges and state court judges monthly through the Forum E-Update, a monthly electronic newsletter with information on the following: <ul style="list-style-type: none"> ○ Grant opportunities; ○ Publications; ○ News stories; and ○ Educational events. 7. Foster tribal court/state court partnerships, such as the Superior Court of Los Angeles County’s Indian Child Welfare Act Roundtable and the Bay Area Collaborative of American Indian Resources—court-coordinated community response to ICWA cases in urban areas and the providing technical assistance to the joint-jurisdiction collaborations between the Yurok Tribe and the Superior Court of 	

#	Ongoing Projects and Activities⁴	
	<p>California, County of Humboldt and the Shingle Springs Band of Miwok Indians and the Superior Court of California, County of El Dorado.</p> <p>Status/Timeline: Ongoing. During this year, two tribal court systems were provided with access to unlocked Judicial Council Juvenile, Family, Probate, and Domestic Violence forms that the staff of the court systems adapted for their use. The goal of facilitating partnerships between state and tribal courts is to improve efficiencies in cases that span both jurisdictions or could be heard in either jurisdiction. This could potentially reduce workloads for state courts and improve access to justice for underserved and remote tribal communities.</p> <p>Fiscal Impact/Resources: Work will be accomplished with existing CFCC staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>	
10.	<p>Project Title: Increase Tribal/State Partnerships: Tribal/State Collaborations that Increase Resources for Courts</p>	<p>Priority⁵ 2</p> <p>Strategic Plan Goal⁶ I, IV</p>
	<p>Project Summary: A primary goal of the Forum is to improve relationships between state and tribal courts and foster collaboration between those courts. There are now at least three active joint-jurisdiction projects ongoing between Forum member state and tribal courts—the Superior Court of California, County of El Dorado collaborative with the Shingle Springs Band of Miwok Indians Tribal Court and the Superior Court of California, County of Humboldt collaboration with the Yurok Tribal Court. The Forum will explore ways to assist courts that wish to expand their joint-jurisdiction programs to include veteran’s programs or other specialized focus areas. The Forum will explore ways to support and increase the numbers of joint jurisdiction courts and other innovative models such as regional ICWA courts and dedicated ICWA courts or calendars, including providing education, developing tools and resources, and seeking opportunities for additional grant funding to support such courts.</p> <p>Status/Timeline: Ongoing. This year, the Judicial Council staff are supporting these collaborations by sharing resources and agreements and offering technical assistance on collaborations. The goal of facilitating collaborations between state and tribal court judges is to improve efficiencies in cases that span both jurisdictions or could be heard in either jurisdiction. This could potentially reduce workloads for state courts and improve access to justice for underserved and remote tribal communities.</p>	

#	Ongoing Projects and Activities⁴	
	<p>Fiscal Impact/Resources: Collaboration and joint-jurisdiction courts should provide fiscal savings by improving the sharing of resources across jurisdictions. CFCC staff will continue to provide support to this project.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: External stakeholders include superior courts and tribal courts.</p> <p>AC Collaboration: None.</p>	
11.	<p>Project Title: Increase Tribal/State Partnerships: Education and Technical Assistance to Promote Partnerships and Understanding of Tribal Justice Systems (Implementation Project)</p>	<p>Priority⁵ 2</p> <p>Strategic Plan Goal⁶ I, IV, V</p>
	<p>Project Summary⁷: The Forum will continue to develop educational events, resources, and tools, and provide technical assistance to promote partnerships and understanding between state and tribal justice systems including:</p> <ol style="list-style-type: none"> 1. Make recommendation to Judicial Council staff to continue providing educational and technical assistance to local tribal and state courts to address domestic violence and child custody issues in Indian country. 2. Make recommendation to Judicial Council staff to provide technical assistance to evaluate the joint jurisdictional court and to courts wishing to replicate the model. 3. Make recommendation to the Judicial Council staff to continue developing civic learning opportunities for youth that exposes them to opportunities and careers in tribal and state courts. 4. Make recommendation to explore, at the option of tribes, opportunities for state and federal court judges to serve as a tribal court judge. 5. Collaborate with federal courts and federal justice partners on educational and other events related to justice and safety in tribal communities. 6. Develop and implement strategy to seek resources for tribal/state collaborations. 7. Continue to provide the State/Tribal Education, Partnerships, and Services (S.T.E.P.S.) to Justice—Domestic Violence and Child Welfare programs and provide local educational and technical assistance services. 8. Continue the first joint jurisdictional court in California. The Superior Court of El Dorado County, in partnership with the Shingle Springs Band of Miwok Indians, is operating a family wellness court and next year will provide technical assistance to evaluate the joint jurisdictional court. (See Court Manual). 9. Establish partnership between the Superior Court of Humboldt County and the Yurok Tribal Court to develop civics learning opportunity for youth in the region. 	

#	Ongoing Projects and Activities⁴	
	<p>This project was approved on the Forum’s 2018 Annual Agenda.</p> <p>Status/Timeline: Ongoing. The goal of facilitating partnerships between state and tribal courts is to improve efficiencies in cases that span both jurisdictions or could be heard in either jurisdiction. This could potentially reduce workloads for state courts and improve access to justice for underserved and remote tribal communities.</p> <p>Fiscal Impact/Resources: Work accomplished within existing CFCC and CJER staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>	
12.	<p>Project Title: Education: Judicial Education</p>	<p>Priority⁵ 2</p>
	<p>Strategic Plan Goal⁶ I, IV, V</p> <p>Project Summary: CJER toolkits, located on the Judicial Resources Network, will be updated to include federal Indian law. Develop 10-minute educational video to be posted online and shared statewide with justice partners. In collaboration with the CJER Curriculum Committees, consult on and participate in making recommendations to revise the CJER online toolkits so that they integrate resources and educational materials from the forum’s online federal Indian law toolkit. Forum judges are working together with committee representatives from the following curriculum committees: (1) Access, Ethics, and Fairness, (2) Civil, (3) Criminal, (4) Family, (5) Juvenile Dependency and Delinquency, and (6) Probate.</p> <p>Status/Timeline: Ongoing.</p> <p>Fiscal Impact/Resources: Work will be accomplished with existing CFCC and CJER staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: CJER Advisory Committee.</p>	

#	Ongoing Projects and Activities⁴	
13.	Project Title: Education: Truth and Healing (Implementation Project)	Priority⁵ 2
		Strategic Plan Goal⁶ I, IV, V
<p>Project Summary⁷: Consider collaboration among the three branches of state government in partnership with tribal governments to promote a truth and healing project that acknowledges California’s history, as described in Professor Benjamin Madley’s book, <i>An American Genocide: The United States and the California Indian Catastrophe</i>, with respect to indigenous peoples, fosters an understanding of our shared history, and lays a foundation for healing, which promotes a call to action.</p> <p>This project was approved on the Forum’s 2019 Annual Agenda.</p> <p>Status/Timeline: Ongoing. As a step towards the goal of Statewide Truth and Healing, the Forum continues to monitor the development of the Truth and Healing Council announced by Governor Gavin Newsom being organized by the Governor’s Tribal Advisor, a Forum member. Currently, the focus is on relationships with the tribal community. Courts may be brought into the Truth and Healing process later. During this year, the Forum discussed the Federal Indian Boarding School Initiative Investigative Report and its relevance to the judicial branch and had an update on the work of the California Truth and Healing Council.</p> <p>Fiscal Impact/Resources: This work will be accomplished with existing CFCC staff.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Governor’s Tribal Advisor.</p> <p>AC Collaboration: None.</p>		
14.	Project Title: Legislation, Regulations, and Requests for Public Comment. Serve as Subject Matter Resource for the Judicial Council and Other Advisory Groups Regarding Tribal and Indian Law Issues to Avoid Duplication of Efforts and Contribute to the Development of Recommendations for Council Action (Implementation Project)	Priority⁵ 2
		Strategic Plan Goal⁶ I, IV
<p>Project Summary: Review and recommend positions on legislation, regulations, proposals from other committees, and requests for public comment related to tribal courts, tribal justice systems, and the Indian Child Welfare Act.</p> <p>This project was approved on the Forum’s 2020 Annual Agenda.</p>		

#	Ongoing Projects and Activities ⁴
	<p>Status/Timeline: Ongoing. From time to time the federal government publishes proposed regulations and requests for public comment that may impact state and tribal justice systems in California. This year, the Forum developed and recommended comments related to the issue of payment for and appointment of counsel in ICWA cases.</p> <p>Fiscal Impact/Resources: Accomplished with existing CFCC and Governmental Affairs staff resources.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: TBD, dependent on the subject matter.</p>

III. LIST OF 2023 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	The Indian Child Welfare Act Bench Handbook revisions were completed, and the revised publication was distributed to judicial officers completing primary assignment orientation in juvenile law as well as being posted to the Judicial Resources Network.
2.	Prepared Rules and Forms recommendations for the Judicial Council concerning “Indian Child Welfare Act (ICWA): Discretionary Tribal Participation”. The proposal, available here , was approved by the Judicial Council at the Council’s September 19 meeting, and is effective as of January 1, 2024.
3.	Provided input and subject matter expertise on the development of “Harm Reduction and Commercial Sexual Exploitation of Children and Youth: Bench Cards”. These new bench cards will assist courts in treating youth impacted by Commercial Sexual Exploitation (CSE) in a trauma-informed, youth-centered manner using harm reduction principles when they appear in court.
4.	In conjunction with the Family and Juvenile Law Advisory Committee provided input into the federal Children’s Bureau Notice of Proposed Rulemaking concerning Foster Care Legal Representation.
5.	Developed a tab within the JCART California Courts Juvenile Portal with resources for representing tribes in Indian Child Welfare Act cases. This tab includes an information sheet on Tribal Dependency Representation as well as links to ICWA trainings, statutes regulations, guidelines, job aids, and other resources.