



Save the Date

TRIBAL COURTS CONFERENCE: EXPLORING EMERGING ISSUES IN TRIBAL COURTS

March 19-20, 2015

Denver, CO.

- ◆ Latest Developments on Tribal Court Civil and Criminal Jurisdiction
- ◆ The Relationship Between Tribal Courts and Tribal Government—Understanding Separation of Powers
- ◆ Tribal Courts and Custody Jurisdiction—Are Tribal Courts Bound by the UCCJEA
- ◆ The Contempt Power of Tribal Courts and Imposing Ethical Rules on Advocates in Tribal Courts
- ◆ Tribal Court Authority over “Political” Issues and the Sovereign Immunity Defense
- ◆ Tribal Courts, FTCA, and Personal Injury Lawsuits
- ◆ Tribal Courts and Harassment Restraining Orders
- ◆ Facilitated Group Discussion on Issues Facing Tribal Courts

For more information & updates on this event please visit our website

<http://law.und.edu/tji/>

Hotel Info: **Embassy Suites**, 4444 N Havana St., Denver CO,

Call **303-375-0400** for reservation under room block

Group Code “TJI”



This project was supported by Grant No. 2011-IC-BX-K036 awarded by the Bureau of Justice Assistance (BJA). The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, the Community Capacity Development Office, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking. Points of View or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Tribal Courts Conference: Exploring Emerging Issues in Tribal Courts

March 19 - 20, 2015
Denver, CO

DRAFT AGENDA

Day One: EMERGING ISSUES RELATING TO TRIBAL COURT JURISDICTION

- 8:30-9:00 Welcome and Overview of Conference
- 9:00-10:30 Latest Developments on Tribal Court Civil and Criminal Jurisdiction Including Tribal Court Exhaustion Rule
Melody McCoy NARF
- 10:30-10:45 Break
- 10:45-Noon The Relationship Between Tribal Courts and Tribal Government- Understanding Separation of Powers and Cultivating a Positive Relationship between elected leaders and the Tribal Court
Marvin Youpee- Former Judge and Former Tribal Councilmember- Fort Peck Tribe of Montana
- Noon-1:30 Lunch
- 1:30-2:45 Tribal Courts and Custody Jurisdiction- Are Tribal Courts Bound by the UCCJEA?
- Can Tribal Courts exercise custody jurisdiction over their member children wherever located?
 - Do Grandparents have rights, independent of parents, to custody of Native Children/Impact of DV on child custody cases
 - Tribal Jurisdiction Disputes between Tribes
- Kelly Stoner
- 3:00-4:30 The Contempt Power of Tribal Courts and Imposing Ethical Rules on Advocates in Tribal Courts
- Discussion of the disciplining of parties
 - Disciplining lay advocates in tribal courts
 - Use of Contempt Power[Direct vs. Indirect Contempt]
- Judge Anthony Brandenburg

Day 2: EMERGING ISSUES RELATING TO CHILDREN, FAMILIES AND ESTATES

- 8:30-10:00 Tribal Court Authority over "Political" Issues and the Sovereign Immunity Defense-
- When can the Tribal Court overturn an act of the tribal government or resolve disputes involving Tribal governments?
 - Does the ICRA waive the immunity of Tribal Governments from Suits in Tribal Courts-
- Steve Pevar- ACLU
- 10:15-11:30 Tribal Courts, FTCA and Personal Injury Lawsuits-
- What law should be applied to Personal Injury Lawsuits in Tribal Courts when Tribal Code is Silent-
 - Comparative v. Contributory Negligence-
 - Jurisdiction of Tribal Courts over Federal Agencies and Employees, Right of Jury Trials in Civil Cases-
 - Instructions to Jury and Interrogatories-
- BJ Jones- Director- Tribal Judicial Institute
- 1:00-2:30 Tribal Courts and Harassment Restraining Orders
- Can Tribal Courts grant restraining orders for "speech" such as FaceBook and other on-line comments
 - Prior Restraint of Speech
 - Penalties for Violations of Tribal Restraining Orders
 - Jurisdiction over off-reservation conduct
- Judge Anthony Brandenburg
- 2:45-4:00 Facilitated Group Discussion on Issues Facing Tribal Courts
- Facilitator BJ JONES, Director, Tribal Judicial Institute, UND School of Law
- Scribe: Lynnette Morin, Administrative Associate, Tribal Judicial Institute, UND School of Law

**REGISTRATION
FORM**

Tribal Judicial Institute



**Bureau of
Justice
Assistance
Tribal
Courts
Assistance
Program**

TRIBE NAME

DEPARTMENT/DIVISION

STREET ADDRESS

CITY

STATE

ZIP CODE

PLEASE CHECK THE CONFERENCE YOU PLAN ON ATTENDING

NAME OF SESSION ATTENDING: **TCAP Tribal Court Conference**

[] Tribal Courts Conference: Exploring Emerging Issues in Tribal Courts

PLEASE COMPLETE FOR EACH INDIVIDUAL ATTENDING

LAST NAME	FIRST NAME	MIDDLE INITIAL
TITLE		
PHONE	FAX	EMAIL

LAST NAME	FIRST NAME	MIDDLE INITIAL
TITLE		
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**EMAIL REGISTRATION FORM TO Lynnette Morin at
lynnette.morin@law.und.edu or fax to 701-777-0178. If you have any questions,
Please call Lynnette at 701-777-6306.**



SAVE THE DATE

ADVANCED COURT CLERK/COURT ADMINISTRATOR TRAINING

March 18-20, 2015



Denver, CO

This Advanced Court Clerk/Administrator Training will provide the tribal court clerks advanced level skills pertinent to their role within the tribal court setting.



For more information & updates on this event please visit our website
<http://law.und.edu/tji/>

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ADVANCED COURT CLERK/COURT ADMINISTRATOR TRAINING

Embassy Suites Hotel

Denver, CO

March 18 – 20, 2015

Presented by: Ramona F. Tsosie

AGENDA

Day 1

March 18, 2015

8:30 - 9:00	Registration
9:00 - 10:15	Understanding the Judiciary
10:15 - 10:30	Break
10:30 - 12:00	Customer Service and Professional Responsibilities
12:00 - 1:00	LUNCH (on your own)
1:00 - 2:15	The Advanced Court Clerk
2:15 - 2:30	Break
2:30 - 3:30	Records and Case-Flow Management
3:30 - 3:45	Break
3:45 - 4:30	Records and Case-Flow (continue)

Day 2

March 19, 2015

8:00 - 9:30	Financial Management
9:30 - 9:45	Break
9:45 - 12:00	Statistical Collection and Reporting
12:00 - 1:00	LUNCH (on your own)
1:00 - 2:15	Team Work
2:15 - 2:30	Break
2:30 - 4:30	Court Clerk's Manual
4:30 - 5:00	Overview of Test

Day 3

March 20, 2015

8:30 - 12:00	Testing
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**REGISTRATION
FORM**

Tribal Judicial Institute



**Bureau of
Justice
Assistance
Tribal
Courts
Assistance
Program**

TRIBE NAME

DEPARTMENT/DIVISION

STREET ADDRESS

CITY

STATE

ZIP CODE

PLEASE CHECK THE CONFERENCE YOU PLAN ON ATTENDING

NAME OF SESSION ATTENDING:

☐ Advanced Court Clerk/ Court Administrator Certification Training

PLEASE COMPLETE FOR EACH INDIVIDUAL ATTENDING

LAST NAME	FIRST NAME	MIDDLE INITIAL
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**REGISTRATION AND
SCHOLARSHIP
REQUEST FORM**



**Bureau of Justice
Assistance
Tribal Courts Assistance
Program**

TRIBE NAME _____

ADDRESS		CITY	STATE	ZIP CODE
LAST NAME		FIRST NAME	MIDDLE INITIAL	
TITLE				
PHONE	FAX	EMAIL		
EVENT TITLE: Advanced Court Clerk/Court Administrator Certification Training March 18-20, 2015				

THERE IS NO REGISTRATION FEE FOR THIS EVENT. LIMITED SCHOLARSHIPS MAY
BE AVAILABLE. PLEASE COMPLETE THE INFORMATION BELOW IF YOU
ARE IN NEED OF A SCHOLARSHIP.

SCHOLARSHIP REQUESTED TO COVER: (check all that apply)

(Please note that we are unable to guarantee travel on dates and times requested, however all travel information will be confirmed with you prior to final booking. Scholarships are provided on a first come first serve basis and are subject to availability of funds.)

Are you currently:

☐ TCAP Grantee Which Year(s) [] ☐ IASAP Grantee Which Year(s) _____

Assistance Needed: ☐ MILEAGE OR ☐ AIRFARE ☐ LODGING

Departing Date/Time: _____

Return Date/Time: _____

City: _____

***If airfare is needed, please indicate closest airport**

**COMPLETE FORM AND EMAIL TO: lynnette.morin@law.und.edu or fax it to
701.777.0178 attn: Lynnette Morin.** If you have any questions, please call 701.777.6306

FOR OFFICE USE ONLY

SCHOLARSHIP: [☐] APPROVED [☐] DENIED

COMMENTS: _____

