

MINUTES OF JUDICIARY COMMITTEE
(A Standing Committee)
Meeting in Craig, Alaska – Thursday, April 19, 2001

Meeting called to Order:

The Standing Committee met during the first day of Convention at 3:20 p.m. In attendance were Chief Judge, Doloresa Cadiente, Associate Judge Luna (both attending in their delegate capacity), Ruth Willard, Tom Dalton, William Micklin, Alfred McKinley, Candace Williams, Leonard Kato, and Lowell Halverson.

Actions Taken:

1. Assembly referral of Chief Judge's Annual Report. General discussion. Motion to adopt the Chief Judge's Annual Report and to refer Recommendations 3, 4 to the Executive Council for implementation. Passed, unanimously.
2. Planning Grant. Motion by Candace Williams, Al McKinley to apply for a Planning Grant by the May 25 deadline. Will Micklin has the application already completed, subject to updating. Passed unanimously. Micklin will provide a tentative budget at our next meeting on Friday, April 20 at 3 pm.
3. Implementation Grant. A second grant for up to \$300,000, involves implementation of a judicial infrastructure and requires a coordinated application emanating from Central Council and local tribal communities interested in establishing a tribal court. The application deadline is May 25. Motion by Doug Luna, Tom Dalton, to apply for this grant. Passed unanimously. Staff are directed to immediately draft a budget for implementation and assemble appropriate statistics to meet the May 25 deadline. Will Micklin will be a resource to staff for this effort. Parenthetically, Tom Dalton reported that Rudy James has obtained a \$350,000 grant for his Kuyu Kwan Tribal Court.
 - A. A subcommittee was appointed to coordinate the application and seek support from the villages and IRAs: Leonard Kato, Will Micklin, Ruth Willard and Al McKinley, Chair. (Note: The Chilkat Indian Village is hosting an Indian Law and Tribal Court workshop on May 1,2 in the Village of Klukwan.) Court of Elders members will be contacted for their support. These include elders recognized at the 61st Annual Assembly in Juneau: Mark Jacobs, Cyril George, Lydia George, John Martin, Sr., Joe Hotch, and Tribal Court Associate Judge Jim Bowen. Also to be contacted: all Tribal Presidents, Councils and Staff, SE Alaska tribal governments and IRAs.
 - B. The Chair will seek a joint meeting of the Judiciary Committee and the Executive Council, to commence at 3 p.m. Friday to:
 - Seek support for these grants;
 - Implementation of Recommendations 3,4 of the Chief Judge's Annual Report;

- Discuss revisions of our Tribal Courts Statute based on Baker and other changes; and
 - Review/approval of our budget proposal.
4. Tribal Adoption Statute to be drafted; possible interim court options: Motion by Doug Luna, Ruth Willard to seeking funding and start initial drafting of a Tribal Adoption Statute. Passed, unanimously. There are 2 legally significant adoption cases involving T&H children which are pending in Washington State and Alaska. These could become the initial cases to be decided by our tribal court during this coming year. (These might be considered as Traditional adoptions to be heard by our court of Elders, depending on jurisdictional considerations, which are not yet decided. Pending drafting and endorsement of an Adoption Statute, action by the Chief Judge may be problematical.) The Executive Council shall be requested to implement this motion at the Friday joint meeting. The drafted Statute shall be reviewed by the Judiciary Committee and submitted for passage at the 67th Annual General Assembly in Juneau in April 2002. If emergency hearings related to pending adoption cases are held during the 2001 FY, a contingency fund will be required to open the courtroom doors. The Chief Judge will determine whether hearings involving the Tribal Court are necessary or appropriate before the next General Assembly.
 5. Budget adopted. Subject to further revisions after our joint meeting with the Executive Council, the consensus of our members was that the preliminary budget is approximately \$30,000. These comprise the line items identified in the Chief Judge's Annual Report (\$17,000), seeking funding for and preliminary drafting an adoption statute (\$5,000), a contingency fund to support court operations if "justifiable" controversies come up during this fiscal year, eg. The adoption cases (\$5,000 estimated) and incidental expenses to seek direct funding for court implementation (\$3000). A final budget submission will be prepared after the joint meeting.
 6. Recess at 5:35 pm. Next Meeting: with Executive Council on Friday, April 20 at 3 pm. Site to be announced.

Respectfully submitted,

Lowell K. Halverson
Judiciary Committee