

Recent TCAP Participants

Please refer to the map located on page 3.

● FY 2006 TCAP Award Recipients

Category One
Kotlik Traditional Council, Alaska

Category Two
Asa'carsarmiut Tribal Council, Alaska
Nunakauyak Traditional Council, Alaska
Pechanga Band of Luiseno Mission Indians, California
Saint Regis Mohawk Tribe, New York

Category Three
Chickasaw Nation, Oklahoma
Coeur D' Alene Tribe, Idaho
Coquille Indian Tribe, Oregon
Fort Peck Assiniboine & Sioux Tribe, Montana
Klamath Tribes of Oregon, Oregon
Lac Courte Oreilles Band of Lake Superior Chippewa Indians, Wisconsin
Leech Lake Band of Ojibwe, Minnesota
Menominee Indian Tribe of Wisconsin, Wisconsin
Mescalero Apache Tribe, New Mexico
Mississippi Band of Choctaw Indians, Mississippi
Navajo Nation, Arizona
Poarch Band of Creek Indians, Alabama
Pokagon Band of Potawatomi Indians, Michigan
Pueblo of Sandia Tribal Court, New Mexico
Pueblo of Taos, New Mexico
Red Lake Band of Chippewa Indians, Minnesota
Seminole Nation of Oklahoma, Oklahoma
Seneca Nation of Indians, New York
Stockbridge-Munsee Community, Wisconsin
Wampanoag Tribe of Gay Head (Aquinnah), Massachusetts
Yavapai-Prescott Indian Tribe, Arizona

● FY 2003 TCAP Award Recipients

Category One
Blue Lake Rancheria of California
Fort Bidwell Indian Community of Paiute Indians of the Fort Bidwell Reservation, California
Native Village of Scammon Bay, Alaska
Redding Rancheria of California

Category Two
Apache Tribe of Oklahoma
Torres-Martinez Band of Cahuilla Mission Indians of California
United Keetoowah Band of Cherokee Indians of Oklahoma

Category Three
Akiachak Native Community, Alaska
Chitimacha Tribe of Louisiana

● FY 2005 TCAP Award Recipients

Category One
Aleutian Pribilof Islands Association, Alaska

Category Two
Native Village of Kwigillingok, Alaska

Category Three
Cheyenne River Sioux Tribe, South Dakota
Confederated Salish and Kootenai Tribes, Montana
Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Oregon
Eastern Band of Cherokee, North Carolina
Forest County Potawatomi Community, Wisconsin
Grand Traverse Band of Ottawa and Chippewa Indians, Michigan
Hopi Tribe, Arizona
Huron Potawatomi, Inc., Michigan
Iowa Tribe of Oklahoma, Oklahoma
Makah Nation of Washington, Washington
Nooksack Indian Tribe, Washington
Omaha Tribe of Nebraska, Nebraska
Organized Village of Kwethluk (IRA), Alaska
Pascua Yaqui Tribe, Arizona
Port Gamble S'Klallam Tribe, Washington
Pueblo of Jemez, New Mexico
Pyramid Lake Paiute Tribe, Nevada
Saginaw Chippewa Indian Tribe, Michigan
Sisseton-Wahpeton Sioux Tribe, South Dakota
Southern Ute Indian Tribe, Colorado
Suquamish Tribe, Washington
Te-Moak Tribe of Western Shoshone Indians, Nevada
Three Affiliated Tribes, North Dakota
Village of Alakanuk, Alaska

○ FY 2004 TCAP Award Recipients

Category One
Galena Village (aka Loudon Village), Alaska
Huron Potawatomi, Inc., Michigan
Native Village of Kongiganak, Alaska
Native Village of Scammon Bay, Alaska
Native Village of Tonunak, Alaska
Pilot Station Traditional Village, Alaska
Village of Alakanuk, Alaska
Village of Sleetmute, Alaska

Category Two
Shoonaq Village of Kodiak, Alaska

Category Three
Ak Chin Indian Community of Papago Indians of the Maricopa, Ak Chin Reservation, Arizona
Algaaciq Native Village, Alaska (St. Mary's)
Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana
Choctaw Nation of Oklahoma Citizen Potawatomi Nation, Oklahoma
Confederated Tribes of the Colville Reservation, Washington
Fort McDowell Mojave-Apache Indian Community of the Fort McDowell Indian Reservation, Arizona
Hopland Band of Pomo Indians of the Hopland Rancheria, California
Kaw Nation, Oklahoma
Little Traverse Bay Bands of Ottawa Indians of Michigan
Miami Tribe of Oklahoma
Minnesota Chippewa Tribe, Leech Lake Band Native Village of Kipnuk, Alaska
Native Village of Kwigillingok, Alaska
Nisqually Indian Tribe of the Nisqually Reservation, Washington
Organized Village of Kake, Alaska
Prairie Island Indian Community of Minnesota
Pueblo of Laguna, New Mexico
Reno-Sparks Indian Colony, Nevada
Sac & Fox Nation of Missouri in Kansas and Nebraska
Sault Ste. Marie Tribe of Chippewa Indians of Michigan
Smith River Rancheria of California
Swinomish Indians of the Swinomish Reservation, Washington
Tohono O'odham Nation of Arizona
Tulalip Tribes of the Tulalip Reservation, Washington
Turtle Mountain Band of Chippewa Indians of North Dakota
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah



Fact Sheet

Tribal Courts Assistance Program

Winter 2007

Tribal Courts Assistance Program Overview

The Tribal Courts Assistance Program (TCAP) is one of the U.S. Department of Justice's primary initiatives for providing court-related support to tribal justice systems. Initially authorized under the Indian Tribal Justice Technical and Legal Assistance Act of 2000 (25 U.S.C. § 3681), the program is sponsored through the

Department's Indian Country Law Enforcement Initiative, which provides federally recognized American Indian and Alaska Native communities with resources (funding, technical assistance, etc.) to develop, implement, enhance, and continue the operation of tribal judicial systems.

History

The Tribal Courts Assistance Program was first announced in FY 1999 through a competitive application process to assist federally recognized American Indian and Alaska Native communities. It yielded 76 grants that allowed small, medium and large tribes to plan single and intertribal court systems and to implement tribal court continuation and enhancement projects. This was followed by BJA administering competitive processes in FY 2001, FY 2003, FY 2004, and FY 2005 that resulted in more than 300 grants totaling upwards of 40 million dollars in awards to support tribal justice systems. Twenty-six additional project sites were funded in FY 2006.

Accomplishments

Throughout the Tribal Courts Assistance Program, BJA managers interact with the field and department officials, as well as regional and national tribal court advisory boards to assess pitfalls, recommend modifications, and recognize accomplishments. These actions foster new partnerships in support of the evolving needs of tribes as they develop culturally relevant justice systems. Key steps taken:

- Maximize the delivery of technical assistance and training services.
- Lower the number of grants to provider organizations to reduce overhead.
- Identify a single organization (Tribal Judicial Institute at the University of North Dakota School of Law) to coordinate technical assistance and training activities through subcontract agreements for select services in support of a wide array of national, regional, and local trainings.
- Establish a cadre of culturally competent consultants to respond to service requests.
- Provide relevant training and TA for Tribal Justice Systems.

These collective efforts result in a high level of customer satisfaction. Tribes choose from a menu of services to meet their program development needs.

[Accomplishments, continued on page 2]

BJA Bureau of Justice Assistance
Office of Justice Programs • U.S. Department of Justice

The Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice, supports law enforcement, courts, corrections, treatment, victim services, technology, and prevention initiatives that strengthen the nation's criminal justice system. BJA provides leadership, services, and funding to America's communities by emphasizing local control; building relationships in the field; developing collaborations and partnerships; promoting capacity building through planning; streamlining the administration of grants; increasing training and technical assistance; creating accountability of projects; encouraging innovation; and ultimately communicating the value of justice efforts to decision makers at every level.

BJA works with the Office of Tribal Justice, the Office of Justice Program's American Indian and Alaska Native Affairs Desk, and other federal agencies, in addition to many culturally appropriate organizations, to maintain focus with the field and to ensure the program's goals and objectives are achieved.

For more information please contact Robert H. Brown, Jr., Senior Policy Advisor for Tribal Justice, at (202) 616-3297 or Robert.Brown@usdoj.gov

TCAP Working Group Partners

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PO Box 9003
Grand Forks, ND 58202-9003
Ph: 701-777-6176
Fax: 701-777-0178
www.law.und.edu/npilc/judicial/index.php

Alaska Native Justice Center
3600 San Jeronimo Drive, Suite 264
Anchorage, AK 99508
Ph: 907-793-3550
Fax: 907-793-3570
www.anjc.net

Criminal Justice Center for Innovation
Fox Valley Technical College
2320 Industrial Drive
Neenah, WI 54956
Ph: 888-370-1752
Fax: 920-996-7192
www.fvtc.edu/cjci

The National Tribal Judicial Center
at The National Judicial College
Judicial College Building/MS 358
Reno, NV 89557
Ph: 800-255-8343
Fax: 775-784-4234
www.judges.org

National Tribal Justice Resource Center
4410 Arapahoe Avenue, Suite 135
Boulder, CO 80303
Ph: 877-97NTJRC
Fax: 303-245-0785
www.tribalresourcecenter.org

National Institute for Trial Advocacy
363 Centennial Parkway, Suite 110
Louisville, CO 80027
Ph: 877-648-2632
Fax: 720-890-7069
www.nita.org

Native American Legal Resource Center
Oklahoma City University Law School
2501 N. Blackwelder
Oklahoma City, OK 73106
Ph: 405-208-5017
Fax: 405-208-5185
www.okcu.edu/law/NALRC/

The Tribal Law & Policy Institute
8235 Santa Monica Boulevard, Suite 211
West Hollywood, CA 90046
Ph: 323-650-5467
Fax: 323-650-8149
www.tribal-institute.org/lists/tlpi.htm

[Accomplishments, continued from page 1]

The menu of training courses available to support tribal court development includes:

- Essential Skills for Tribal Court Judges
- General Jurisdiction
- Alternate Forms of Justice
- Traditional Circle Peacemaking and Restorative Justice
- Court Management for Tribal Court Judges
- Tribal Court Clerks Certification Training
- Contemporary Issues for Tribal Justice Systems
- Practical Approaches to Family Law Cases in Tribal Court
- Judicial Strategies for Addressing Domestic Violence
- Indian Child Welfare Act
- Lay Advocacy Training
- Alternative Judicial Approaches to Address Substance Abuse
- Recognize and Respond to Gangs and Drugs in Indian Country

During FY 2005 and 2006, the Tribal Judicial Institute delivered more than 60 training events with 2,200 tribal justice personnel in attendance. Attendees included judges, clerks, probation officers, prosecutors, and public defenders representing 300 tribes, of which approximately 100 tribes were BJA grant recipients. Non-grantee tribes are eligible to receive limited funding by applying for scholarships. The Institute and its partners conducted on-site needs assessments in Alaska and California, and further assisted tribes through regional orientation sessions to support planning, developing, and enhancing tribal courts.

Providing meaningful technical assistance and training events to the tribes funded under this project can be challenging. Many of the funded tribes need assistance in planning for tribal justice systems, while others have had justice systems in place for centuries and have sought BJA funding to increase the technology in their courts or to expand the court. Other tribes have indicated a desire to restore traditional dispute resolution methods to enable their community members to participate in a justice system that is consistent with tribal values and traditions. To aid these tribes, the Bureau of Justice Assistance, through its working group partners, has analyzed each tribal application funded and developed a series of technical assistance trainings designed to enable the tribal grantees to achieve their goals in a culturally-appropriate manner. The Tribal Judicial Institute and other providers also offer on-site technical assistance in the form of code drafting, court assessments, and input on court policies and procedures. In addition to these efforts, technical assistance helps build capacity for tribes to compete for, and better manage, BJA and other federal grants.

Application Process

BJA, as part of the U.S. Department of Justice's Indian Country Law Enforcement Initiative, administers grants to support the development, implementation, enhancement, and continuing operation of tribal judicial systems. Federally recognized tribes may apply in one of the three categories:

- **Category I: Planning and Implementing an Intertribal Court System for Smaller Populations.** The grant maximum for this category is \$200,000. Applicants from consortia of tribal governments--at least two per consortium--each serving a population of less than 1,000 to plan, develop, and implement a new tribal court system. Funds may be used to facilitate the development and initial implementation of an intertribal court system to meet the



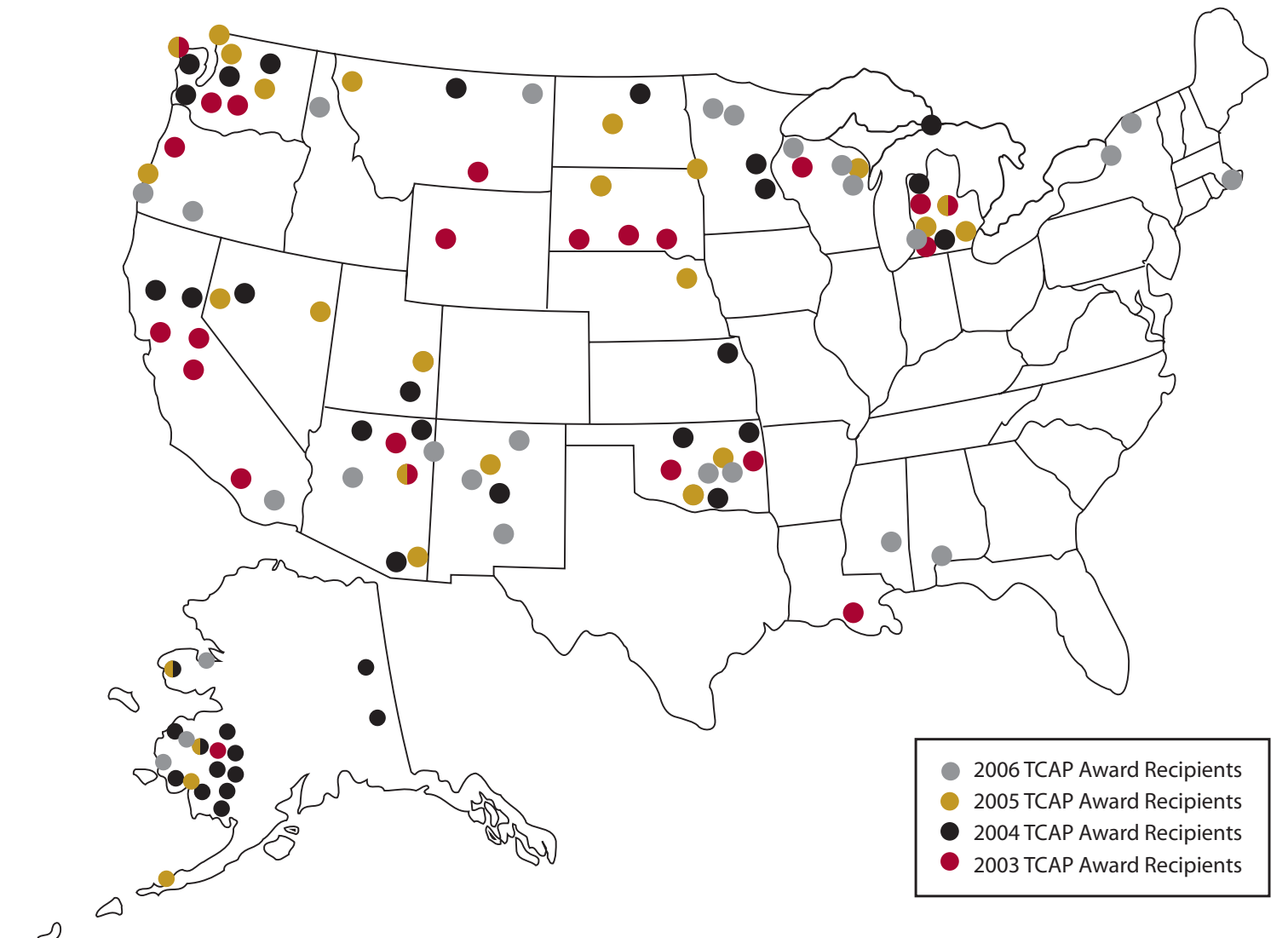
[Application Process, continued from page 2]

- **Category I (continued):** needs of more than one tribe in the same geographic region. Should distance and/or inhospitable terrain adversely impact the development of a collaborative partnership for TCAP, tribes serving populations of less than 1,000 may apply as a single entity by including this justification in their applications.
- **Category II: Planning and Implementing a Single-Tribe Court System.** The grant maximum for this category is \$200,000. Applicants from tribal governments serving populations of 1,000 or greater for the development and initial implementation of a tribal court.
- **Category III: Enhancing or Continuing the Operation of Tribal Courts.** Applicants from tribal communities of any size to enhance or continue the operation of existing tribal courts, including establishing a core structure for a tribal court, improving case management, training court personnel, developing civil and criminal code, acquiring equipment and software, enhancing prosecution and indigent defense, supporting probation diversion and alternative sentencing, designing services and multidisciplinary protocols for juvenile victims of physical and sexual abuse, and structuring intertribal or tribal appellate systems. Category III awards will be awarded under two tiers: I) tribes and tribal consortia serving populations of less than 5,000 (grant maximum: \$150,000); and II) tribes serving populations of 5,000 or more (grant maximum: \$175,000). Applicants under both tiers must include information about their current operating budget and dockets to support the requested funding.

Beginning in FY 2001, the Tribal Courts Assistance Program received separate authorizing legislation pursuant to Public Law 106-559 (25 USC 3689(a)). Under the program, the terms tribal court, tribal court system, or tribal justice system mean the entire judicial branch, and employees thereof, of an Indian tribe. This includes, but is not limited to traditional methods for dispute resolution; trial courts; appellate courts [including intertribal appellate courts]; alternate dispute resolution systems; and circuit rider systems established by inherent tribal authority, whether or not they constitute a court of record.

TCAP Participants

Please see page 4 for an entire list of FY 2006, 2005, 2004 and 2003 TCAP award recipients.



- 2006 TCAP Award Recipients
- 2005 TCAP Award Recipients
- 2004 TCAP Award Recipients
- 2003 TCAP Award Recipients