



Fact Sheet

Tribal Courts Assistance Program

2008



BJA Bureau of
Justice Assistance

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 project accountability; 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 Programs 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.

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History

The Tribal Courts Assistance Program (TCAP) 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 smaller intertribal court systems and to implement tribal court continuation and enhancement projects. This was followed by the Bureau of Justice Assistance (BJA) administering competitive processes in FY 2001 through FY 2007 that resulted in more than 361 grants totaling nearly \$50 million to support tribal justice systems. Another 38 project sites were funded in FY 2008, totaling more than \$5.5 million in additional funding.

Program Overview

The Tribal Courts Assistance Program 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. This flexible funding resource for tribal courts enables tribal courts to plan, implement, and enhance court services and programs that meet the unique needs of their respective communities.

BJA, as part of the Department's of 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 three categories:

Category I: Planning and Implementing a Single-Tribe or an Intertribal Court System.

Funds may be used to facilitate the development and initial implementation of a single-tribe court system or an intertribal court system to meet the needs of more than one tribe in the same geographic region.

Category II: Enhancing the Operation of Tribal Courts.

Funds may be used to enhance the operation of existing tribal courts, such as establishing a core structure for a tribal court, improving case management, training court personnel, developing civil and criminal codes, 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: Planning and Implementing Tribal Justice Strategies.

Funds may be used to plan and implement tribal justice strategies to address crime and safety issues in tribal communities in collaboration with other tribal justice components including law enforcement and corrections. Grantees are required to design and implement a comprehensive 2-year plan through an established Strategic Planning Advisory Board.

[Program Overview, continued on page 2]

TCAP Working Group Partners

Bureau of Justice Assistance
Office of Justice Programs
U.S. Department of Justice
810 Seventh Street NW, Fourth Floor
Washington, DC 20531
Ph: (202) 616-6500 | Fax: (202) 305-1367
www.ojp.usdoj.gov/BJA

Tribal Judicial Institute
at the University of North Dakota School of Law
PO Box 9003
Grand Forks, ND 58202-9003
Ph: (701) 777-6176 | Fax: (701) 777-0178
www.law.und.edu/tji

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

Center for Court Innovation
520 8th Avenue, 18th Floor
New York, NY 10018
Ph: (212) 397-3050 | Fax: (212) 397-0985
www.courtinnovation.org

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

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/

Pretrial Justice Institute
927 15th Street, NW, 3rd Floor
Washington, DC 20005
Ph: (202) 638-3080 | Fax: (202) 347-0493
www.pretrial.org

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

Program Plans must be approved by BJA upon completion of the first year of the project and prior to beginning implementation goals. Plans must demonstrate coordination and collaboration with tribal and non-tribal agencies and organizations as well as the enhancement of data criminal justice system data collection and dissemination.

Accomplishments

BJA interacts with the field and department officials, as well as regional and national tribal court advisory boards, to assess challenges, 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 an 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 training.
 - Establish a cadre of culturally competent consultants to respond to service requests.
 - Provide relevant training and technical assistance 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 specific program development needs.
- Indian Child Welfare Act
 - Lay Advocacy Training
 - Alternative Judicial Approaches to Address Substance Abuse
 - Recognize and Respond to Gangs and Drugs in Indian Country
 - Tribal Healing to Wellness Courts
 - Tribal Court Planning and Code Development
 - Judicial Responses to Methamphetamine
 - Tribal Courts and the Child Support Enforcement
 - Tribal Court Administration

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
- Advanced Tribal Court Clerk/Administrator Training
- Contemporary Issues for Tribal Justice Systems
- Practical Approaches to Family Law Cases in Tribal Court
- Judicial Strategies for Addressing Domestic Violence

From FY 2005 through 2008, the Tribal Judicial Institute delivered more than 103 training events with 3,778 tribal justice personnel in attendance. Attendees included judges, peacemakers, clerks, probation officers, prosecutors, and public defenders throughout the nation. The Tribal Judicial Institute offers a number of scholarships to non-grantee tribes to attend training events offered in conjunction with the Tribal Courts Assistance Program.

The Institute and its partners have also conducted on-site needs assessments in Alaska and California, and conducted a number of on-site court assessments for tribes throughout the nation. In addition to providing national training and on-site support, the Tribal Judicial Institute has assisted tribes through regional orientation sessions to support planning, developing, and enhancing tribal courts.

Training and technical assistance needs are often diverse and complex. 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 court capacity. 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.

[Accomplishments, continued on page 3]

To assist these tribes, BJA, through its working group partners, has developed a process where each tribal application funded is reviewed and partners develop a series of technical assistance trainings to enable the tribal grantees to achieve their goals in a culturally appropriate manner. The result of these efforts has been the development of training curriculums designed to meet the diverse needs of tribal grantees. 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.

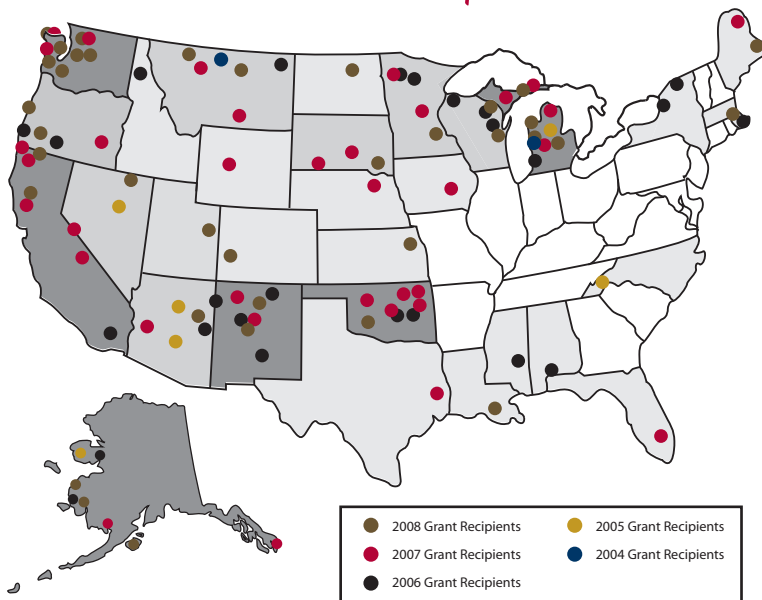
Strategies for Developing, Implementing & Enhancing Tribal Courts

Tribal Courts Assistance Program funds have been used to develop, implement, and enhance tribal courts throughout Indian Country. Tribes have used TCAP funding to:

- Plan a court system of either limited or general jurisdiction
- Develop or amend Tribal Codes
- Create a diversionary or alternative court such as wellness courts
- Funding essential court personnel such as judges, clerks, prosecutors, public defenders, and probation officers
- Improve court capacity and efficiency through technology
- Improve data management through electronic record management systems
- Enhance court services by training key court personnel
- Develop post-adjudication services such as probation and parole
- Conduct court assessments and employ strategic planning

Note: This is not an exhaustive list of Tribal Court Initiatives.

Current TCAP Grant Recipients



● 2008 Grant Recipients ● 2005 Grant Recipients
● 2007 Grant Recipients ● 2004 Grant Recipients
● 2006 Grant Recipients

2004 TCAP Recipients

Huron Potawatomi, Inc., Michigan

2005 TCAP Recipients

Category Two

Native Village of Kwigillingok, Alaska

Category Three

Eastern Band of Cherokee, North Carolina

Hopi Tribe, Arizona

Pascua Yaqui Tribe, Arizona

Saginaw Chippewa Indian Tribe, Michigan

Te-Moak Tribe of Western Shoshone Indians, Nevada

2006 TCAP Recipients

Category One

Kotlik Traditional Council, Alaska

Category Two

Pechanga Band of Luiseno Mission Indians, California

Saint Regis Mohawk Tribe, New York

Category Three

Coeur d' Alene Tribe, Idaho

Lac Courte Oreilles Band of Lake Superior Chippewa Indians, Wisconsin

Leech Lake Band of Ojibwe, Minnesota

Menominee Indian Tribe of Wisconsin, Wisconsin

Mississippi Band of Choctaw Indians, Mississippi

Navajo Nation, Arizona

Pokagon Band of Potawatomi Indians, Michigan

Pueblo of Taos, New Mexico

Seminole Nation, Oklahoma

Seneca Nation of Indians, New York

Stockbridge-Munsee Community, Wisconsin

Wampanoag Tribe of Gay Head (Aquinnah), Massachusetts

2007 TCAP Recipients

Category One

Alabama-Coushatta Tribe, Texas

Chippewa Cree Tribe, Montana

Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians, Michigan

Category Two

Bishop Indian Tribal Council, California

Dry Creek Rancheria Band of Pomo Indians, California

Houlton Band of Maliseet Indians, Maine

Seminole Tribe, Florida

Category Three

Burns Paiute Tribe, Oregon

Cheyenne-Arapaho Tribes, Oklahoma

Citizen Potawatomi Nation, Oklahoma

Crow Tribe of Indians, Montana

Hannahville Indian Community, Michigan

Hoopa Valley Tribe, California

Little Traverse Bay Bands of Odawa Indians, Michigan

[Current TCAP Grant Recipients, continued on page 4]

2007 TCAP Recipients *continued*

Category Three

Lummi Indian Business Council, Washington
Metlakatla Indian Community, Alaska
Miami Tribe, Oklahoma
Mille Lacs Band of Ojibwe, Minnesota
Muscogee (Creek) Nation, Oklahoma
Northern Arapaho Tribe, Wyoming
Ponca Tribe, Nebraska
Pueblo of San Felipe, New Mexico
Rosebud Sioux Tribe, South Dakota
Sac and Fox Tribe of the Mississippi, Iowa
Sac and Fox Nation, Oklahoma
Santa Clara Pueblo, New Mexico
Sault Ste. Marie Tribe of Chippewa Indians, Michigan
Shoalwater Bay Indian Tribe, Washington
Skokomish Indian Tribe, Washington
Smith River Rancheria, California
Traditional Council of Togiak, Alaska
Washoe Tribe of Nevada and California
White Earth Band of Chippewa, Minnesota
Yavapai-Apache Nation, Arizona

2008 TCAP Recipients

Category One

Snoqualmie Indian Tribe, Washington

Category Two

Caddo Nation, Oklahoma
Cowlitz Indian Tribe, Washington
Mashpee Wampanoag Tribe, Massachusetts

Category Three

Bay Mills Indian Community, Michigan
Blackfeet Tribal Court, Montana

Chitimacha Tribe of Louisiana, Louisiana
Confederated Tribes of Coos, Lower Umpqua Siuslaw Indians, Oregon
Cow Creek Band of Umpqua Tribe of Indians, Oregon
Grand Traverse Band of Ottawa & Chippewa Indians, Michigan
Hopland Band of Pomo Indians, California
Huron Potawatomi, Inc., Michigan
Karuk Tribe of California, California
Little River Band of Ottawa Indians, Michigan
Makah Tribal Council, Washington
Native Village of Napaskiak, Alaska
Nooksack Indian Tribe, Washington
Oneida Tribe of Indians of Wisconsin, Wisconsin
Organized Village of Kake, Alaska
Prairie Band Potawatomi Nation, Kansas
Pleasant Point Passamaquoddy Tribe, Maine
Prairie Island Indian Community, Minnesota
Pueblo of Acoma, New Mexico
Pueblo of Jemez, New Mexico
Quinault Indian Nation, Washington
Shoshone-Paiute Tribes of Duck Valley, Nevada
Sokaogon Chippewa Community, Wisconsin
Southern Ute Indian Tribe, Colorado
Stillaguamish Tribe of Indians, Washington
Sun'aq Tribe of Kodiak, Alaska
Suquamish Tribe, Washington
Swinomish Indian Tribal Community, Washington
Ute Mountain Ute Tribe, Colorado
Village of Alakanuk, Alaska
Yankton Sioux Tribe, South Dakota
Fort Belknap Indian Community Council, Montana
Hopi Tribe, Arizona
Turtle Mountain Band of Chippewa Indians, North Dakota

Past TCAP Grant Recipients

2003 TCAP Recipients

Akiachak Native Community, Alaska
Apache Tribe of Oklahoma
Blue Lake Rancheria of California
Chitimacha Tribe of Louisiana
Crow Tribe of Montana
Fort Bidwell Indian Community of Paiute Indians of the Fort Bidwell Reservation, California
Grand Traverse Band of Ottawa & Chippewa Indians of Michigan
Hopi Tribe of Arizona
Klamath Indian Tribe of Oregon
La Courte Oreilles Band of Lake Superior Chippewa Indians of the Lac Courte Oreilles Reservation of Wisconsin
Makah Indian Tribe of the Makah Indian Reservation, Washington
Native Village of Scammon Bay, Alaska
Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota
Pokagon Band of Potawatomi Indians of Michigan
Redding Rancheria of California
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
Shoshone Tribe of the Wind River Reservation, Wyoming
Squaxin Island Tribe of the Squaxin Island Reservation, Washington
Torres-Martinez Band of Cahuilla Mission Indians of California
United Keetoowah Band of Cherokee Indians of Oklahoma
Yankton Sioux Tribe of South Dakota

2004 TCAP Recipients

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
Galena Village (aka Loudon Village), Alaska
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 Kongiganak, Alaska
Native Village of Kwigillingok, Alaska
Native Village of Scammon Bay, Alaska
Native Village of Tonunak, Alaska
Nisqually Indian Tribe of the Nisqually Reservation, Washington
Organized Village of Kake, Alaska
Pilot Station Traditional Village, 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
Shoonaq Village of Kodiak, Alaska
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
Village of Alakanuk, Alaska
Village of Sleetmute, Alaska

2005 TCAP Recipients

Aleutian Pribilof Islands Association, Alaska
Cheney River Sioux Tribe, South Dakota
Confederated Salish and Kootenai Tribes, Montana
Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, Oregon
Forest County Potawatomi Community, Wisconsin
Grand Traverse Band of Ottawa and Chippewa Indians, Michigan
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
Port Gamble S'Klallam Tribe, Washington
Pueblo of Jemez, New Mexico
Pyramid Lake Paiute Tribe, Nevada
Sisseton-Wahpeton Sioux Tribe, South Dakota
Southern Ute Indian Tribe, Colorado
Suquamish Tribe, Washington
Three Affiliated Tribes, North Dakota
Village of Alakanuk, Alaska

2006 TCAP Recipients

Asa'carsarmut Tribal Council, Alaska
Chickasaw Nation, Oklahoma
Coquille Indian Tribe, Oregon
Fort Peck Assiniboine & Sioux Tribe, Montana
Klamath Tribes of Oregon, Oregon
Mescalero Apache Tribe, New Mexico
Nunakauyak Traditional Council, Alaska
Poarch Band of Creek Indians, Alabama
Pueblo of Sandia, New Mexico
Red Lake Band of Chippewa Indians, Minnesota
Yavapai-Prescott Indian Tribe, Arizona