

RESOLUTION NO. 83-23
of the
SQUAXIN ISLAND TRIBAL COUNCIL

SQUAXIN ISLAND TRIBE

WEST 81 HIGHWAY 108
SHELTON, WASHINGTON 98584
(206) 426-9781

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe of Indians by the authority of the Constitution and By-laws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, the Indian Child Welfare Act provides a means for reassumption of jurisdiction over the welfare of Indian children; and

WHEREAS, the Squaxin Island Tribe is a member of the Northwest Intertribal Court System, which has assisted the Squaxin Island Tribe to develop Youth Court Procedures; and

WHEREAS, the Squaxin Island Tribe sees a Tribal Community Board as an appropriate means for hearing child welfare cases, in a manner which ensures the best interests of the child, family and tribal community; and

WHEREAS, members of the Squaxin Island Tribe and the Skokomish Tribe have received training for participation on the Community Board panels;

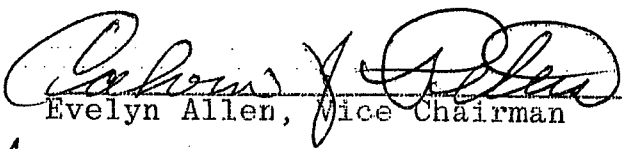
NOW THEREFORE BE IT RESOLVED, the the Squaxin Island Tribal Council approves the submission of an Indian Child Welfare Mini-Grant proposal to the American Indian Lawyer Training Program, Inc. (AILTP) in conjunction with the Skokomish Tribe, for establishment of Tribal Community Boards in both communities; and

BE IT FURTHER RESOLVED, that the Squaxin Island Tribal Council authorizes Mary M. Stephenson, ICW Coordinator, Skokomish Tribe, to serve as the contact person for this contract and to prepare and sign all necessary reports and invoices.

C E R T I F I C A T I O N

The Squaxin Island Tribal Council does hereby certify that the above resolution was adopted at a regular meeting of the Squaxin Island Tribal Council held on this 2nd day of June, 1983, at which time a quorum was present and passed by a vote of 4 for and 0 against.


David W. Whitener, Chairman


Evelyn Allen, Vice Chairman

ATTESTED BY:

; Dave Lopeman, Sec.

BUDGET

PERSONNEL:

Coordinator: \$5.50/hr x 24 hr x 26 weeks	\$3,432
Fringe Benefits	412
TOTAL PERSONNEL	<u>3,844</u>

SUPPLIES:

Office supplies: \$50 x 6	300
Educational/training materials	<u>500</u>
	<u>800</u>

OTHER SERVICES AND CHARGES:

Telephone: \$50 x 6	300
Postage: \$20 x 6	120
Printing: \$16 x 6	96
Utilities: \$40 x 6	240
Office Space: \$80 x 6	480
Transportation: 150 mi x .20 x 6	180
Volunteer Support Services: (Mileage - 500 mi. x .20 x 6)	600
Coordinator Training:	1,090
Fee: \$675	
Travel: Air Fare - 250	
Per Diem: \$55/day x 3 - 165	

CAPITOL EXPENSES

Equipment: Locking File Cabinet	<u>250</u>
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TOTAL	\$8,000
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INDIRECT EXPENSES, including general administration, bookkeeper, accounting/legal, Advisory Board expenses, are offered as in-kind services by the Skokomish Indian Tribe.

is included in the proposed budget, to enable the Coordinator to receive appropriate training from the San Francisco Community Boards.

ANTICIPATED ACCOMPLISHMENTS

The establishment of the Tribal Community Boards is the logical next step in the process developed by the Squaxin Island and Skokomish Tribes for reassumption of jurisdiction under the Indian Child Welfare Act. The Tribal Community Boards process is an informal, confidential, free and convenient way for resolving community conflict. Disputing parties will resolve their own problems, with the assistance of the trained panel members, resulting in satisfactory resolution, acceptable to all parties. Social Services staff may participate in cases involving child welfare, acting as child advocates. The Community Boards approach is offered as an alternative to the adversarial process, and the ignoring of community problems, both of which are unsatisfactory methods of conflict resolution.

The Tribal Community Boards will be established as a distinct entity by both Tribal Councils. The ICW Advisory Committee for each tribe will assist in program development and implementation. After the initial six months of operation, it is hoped that both tribes will contribute to the ongoing function of the Tribal Community Boards, as an integral function of community life and in the best interests of the children and families of the two tribal communities.

The Tribal Community Boards concept is unique for Indian tribes and is unique for any community in the state of Washington at this time. This program will serve as a model for other tribes hoping to reassume jurisdiction in a cost effective way, which also demonstrates the traditional value of respect for the individuals involved in a conflict. This attitude is typified in the theme: "Neighbors helping neighbors resolve conflicts that keep us apart". The spirit of cooperation demonstrated by the two tribal communities in this proposal is a direct result of that attitude.

and encouraging them to participate in a panel hearing. A Case Summary report is presented to the panel.

A panel of three community members meets informally, with no cost to the participants or need for attorneys. The role of the panel is not to be judge or jury, but to assist the participants in satisfactorily resolving the conflict. A structured process is used in which the panel listens to both sides, helps the parties to develop a basis for understanding, explores possible solutions, and assists the parties to reach their own decision. When an agreement is reached, the specifics are written down and signed by the parties indicating their commitment to the resolution. Followup is provided on all cases, with further help provided when necessary.

GOALS AND OBJECTIVES

- I. Recruit, hire and train the Community Boards Coordinator.
 1. Recruit and hire the Coordinator within the first 2 weeks.
 2. Provide Coordinator training in the first month.
- II. Coordinate disputes referred to the Tribal Community Boards.
 1. Receive intake calls (10 monthly).
 2. Refer cases to case-developer(s).
 3. Receive case report.
 4. Set up a Tribal Community Boards hearing for each case.
 5. Provide case followup.
- III. Coordinate ongoing skill development and training of volunteers.
 1. Provide ongoing panel member training (4 hours/month).
 2. Provide ongoing case-developer training (4 hours/month).
 3. Provide 24 hours training for 10 new volunteers within 5 months.
- IV. Coordinate community outreach.
 1. Advertise the Tribal Community Boards in both tribal communities. (Monthly articles in each tribal newsletter).
 2. Explain the Community Boards process to groups within each tribal community. (Two presentations/month).
 3. Develop an appropriate brochure describing the Tribal Community Boards within the first 3 months.
- V. Provide program evaluation.
 1. Establish a confidential record-keeping system.
 2. Develop an appropriate evaluation procedure within one month.
 3. Implement the evaluation procedure at the end of 3 months and 6 months.
 4. Report findings to Advisory Committees and Tribal Councils of both tribes and AILTP.

PERSONNEL

The project will be coordinated by the Community Boards Coordinator, working 24 hours per week (3/5 time). The Coordinator will be selected from among the community members already trained in the Community Boards process, by a hiring committee named by both Tribal Councils. The responsibility of the Coordinator will be to carry out the goals of the project. Training necessary for the position

availability of panel participants. A Coordinator would be responsible for community outreach, coordinating cases, providing ongoing skill development and training for volunteers, and program evaluation. To ensure consistency and continuity of service, it is felt that the coordinator be a paid position.

The Tribal Community Boards program is based on the San Francisco model, which has been shown to be successful for over six years. In that time 1,600 cases have been referred, with approximately one-third of these resulting in panel hearings. Many others were settled without hearings or by referral. The types of cases heard include harassment, threats, noise, fights, family disputes, truancy and property damage. More than 85% of the cases heard were successfully resolved.

Need:—

At Skokomish, tribal codes and jurisdiction exist currently over fishing and fireworks, with tribal police available only for fishing violations. While the state claims concurrent jurisdiction, reliance on the county sheriff and state police has meant that essentially there is no law enforcement on the reservation. There are many documented reports of calls for assistance being ignored by the state authorities. When there is a response at all, there is frequently an over-reaction on the part of the authorities. At the present time, the only means available for conflict resolution is the unwieldy, insensitive state court system, which has no credibility for tribal members.

In juvenile and child dependency cases social service staff must contact Child Protective Services for action. Often evidence is inadequate for a fact-finding hearing and the situation is ignored until a crisis occurs. The state court process takes a great deal of time and effort by staff of tribal and state agencies, including LICWAC hearings, in addition to formal proceedings. The adversarial process frequently leaves all parties frustrated and dissatisfied with the outcome. It is felt that a Community Boards hearing, with tribal social services staff acting as an advocate for the child will provide a more effective means for resolving family problems in the tribal community.

The Squaxin Island Tribe has recently approved its Tribal Youth Codes, enabling the tribe to have exclusive jurisdiction over community matters involving children. Jurisdiction over other matters has been an issue with the state. Currently tribal police work in cooperation with county and state authorities. The Community Boards process would allow tribal community members to resolve conflicts informally, which is less costly in time and resources, to both the state and the tribe.

Approach:

The Community Boards process is an informal and confidential way of conflict resolution that enables the disputing parties to develop solutions to the conflict, without need for courts or attorneys. Skokomish Youth Court procedures will also allow cases to be transferred from the Tribal Court to the Community Board. Trained volunteers who are community members are utilized in the community-based approach. Case-developers are responsible for contacting both parties to the dispute, listening to the problem,

AMERICAN INDIAN LAWYER TRAINING PROGRAM ICW MINI-GRANT PROPOSAL:

TRIBAL COMMUNITY BOARDS

BACKGROUND

The Squaxin Island Indian Tribe and the Skokomish Indian Tribe are neighboring federally recognized tribes in Mason County bordering on Puget Sound in the state of Washington. Both Tribes have traditionally cooperated in community affairs. Each tribe currently participates in the Northwest Intertribal Court System (NICS). Representatives of the two tribes participate in the Local Indian Child Welfare Advisory Committee (LICWAC) of the local Shelton Office of the Department of Social and Health Services.

The Squaxin Island Tribe lies approximately 7 miles south of Shelton, WA with a service population of 856. The Skokomish Tribe, with a service population of 1008, lies 17 miles to the north, on Highway 101. Fishing, hunting and gathering were, and continue to be, the traditional means of subsistence in both communities. Logging and the related forest products industry also serve as major employers of tribal members.

Each tribe has received funding through the BIA for implementation of the Indian Child Welfare Act for the past three years. Staff from the two tribes have cooperated in providing services to the two communities, such as case development, consultation, and exchanging of resources such as parenting classes and The Talking Circle. Both programs have emphasized the prevention of child abuse and neglect in their planning. Squaxin Island Tribe has not been refunded for their ICW Program for the coming year, creating a serious gap in community services.

As members of the Northwest Intertribal Court System, both tribes have been in the process of developing tribal youth codes and procedures. The Tribal Council recently approved the Squaxin Youth Codes, and the final draft of the Skokomish Youth Codes has been prepared for presentation to the Skokomish Tribal Council. Mediation has been identified within both tribes as the most appropriate process for resolution of child welfare cases. NICS has received funding for training of tribal members in the process developed by the Community Boards of San Francisco. A Skokomish tribal member participated in the trainers' training, along with NICS staff, in April 1983. Training for tribal members was conducted in May and June 1983, with 15 participants from both tribes completing 24 hours of Community Boards training. The training was enthusiastically received by the participants, and both communities look forward to implementation.

PROJECT DESCRIPTION

Rationale:

The San Francisco Community Boards model utilizes trained community volunteers as panel members and case-developers. Because of the participation by members of both tribes in the initial training, it is felt that the best implementation would be a cooperative project of both tribes. This would ensure fairness and



Skokomish Indian Tribe

Fisheries Bldg. (206) 877-5213 — Fire Hall (206) 877-5118

Rt. 5, Box 432

SKOKOMISH TRIBAL COUNCIL
RESOLUTION NO. 83 -

Shelton, WA 98584

WHEREAS, the Skokomish Tribal Council is the governing body of the Skokomish Indian Tribe, pursuant to the Constitution and By-Laws of the Skokomish Indian Tribe, approved by the Secretary of the Interior, March 17, 1980; and

WHEREAS, the Indian Child Welfare Act provides a means for re-assumption of jurisdiction over the welfare of Indian children; and

WHEREAS, the Skokomish Indian Tribe is a member of the Northwest Intertribal Court System, which has assisted the Skokomish Tribe to develop Youth Court Procedures; and

WHEREAS, the Skokomish Indian Tribe sees a Tribal Community Board as an appropriate means for hearing child welfare cases, in a manner which ensures the best interests of the child, family and tribal community; and


WHEREAS, members of the Skokomish Tribe and the Squaxin Island Tribe have received training for participation on Community Board panels; now therefore


BE IT RESOLVED, that the Skokomish Tribal Council approves the submission of an Indian Child Welfare Mini-Grant proposal to the American Indian Lawyer Training Program, Inc. (AILTP) in conjunction with the Skokomish Tribe, for establishment of Tribal Community Boards in both communities; and

BE IT FURTHER RESOLVED. that the Skokomish Tribal Council authorizes Mary M. Stephenson, ICW Coordinator, Skokomish Indian Tribe, to serve as the contact person for this contract and to prepare and sign all necessary reports and invoices.

C E R T I F I C A T I O N

I, Lucy Schaefer Chairperson of the Skokomish Tribal Council, hereby certify that the foregoing resolution was adopted by the Tribal Council at a regular meeting held on June 7 1983 at which a quorum was present, by a vote of 3 for and 0 against, 0 abstain.


Lucy Schaefer, Chairperson
Skokomish Tribal Council


Diane Gouley, Secretary
Skokomish Tribal Council

