

**APPROVED AS AMENDED BY JUDICIAL COUNCIL**

**REPORT OF THE JUDICIAL COUNCIL TRIBAL-STATE  
JUDICIAL FORUM ADVISORY COMMITTEE**

**JUNE 3, 2016**

In May 2015, the Kansas Supreme Court Chief Justice Nuss requested the Judicial Council conduct a study regarding the creation of a state and tribal judicial forum. As part of the study, the court asked the Judicial Council to analyze the need and benefit of a state and tribal forum; to recommend whether a forum should be created in Kansas; and if so, make recommendations about the forum's purpose, objectives, and organizational structure. The Judicial Council agreed to undertake the study and formed a new committee for the task.

**COMMITTEE MEMBERSHIP**

The Judicial Council appointed the following persons to the Tribal-State Judicial Forum Advisory Committee:

**Hon. Stephen D. Hill**, Topeka, Chair; Judge on the Kansas Court of Appeals and Judicial Council member

**Hon. Theresa L. Barr**, Lawrence; Administrative Judge for the Prairie Band Potawatomi Nation

**Hon. Blaine A. Carter**, Alma; Magistrate Judge for the Kansas 2<sup>nd</sup> Judicial District

**Prof. Tonya Kowalski**, Topeka; Professor of Law at Washburn University School of Law

**Rep. Charles Macheers**, Shawnee; State Representative from the 39<sup>th</sup> District, Vice-Chair of the House Judiciary Committee, and practicing attorney

**Vivien Olsen**, Mayetta; Attorney for the Prairie Band Potawatomi Nation

**Sen. Ralph Ostmeyer**, Grinnell; State Senator from the 40<sup>th</sup> District, Chair of the Senate Federal and State Affairs Committee

**Hon. James A. Patton**, Hiawatha; Chief Judge for the Kansas 22<sup>nd</sup> Judicial District

\***Hon. Samuel Schuetz**, Hiawatha; Judge for the Sac & Fox Nation of Missouri in Kansas and Nebraska

**Prof. Elizabeth Kronk Warner**, Lawrence; Professor of Law at the University of Kansas School of Law, Director of the Tribal Law & Government Center at the University of Kansas School of Law, and Appellate Judge for the Prairie Band Potawatomi Nation

## **BACKGROUND**

There are five federally recognized Indian tribes with tribal court systems in Kansas – Delaware Tribe, Iowa Tribe of Kansas and Nebraska, Kickapoo Tribe in Kansas, Prairie Band Potawatomi Nation, and Sac & Fox Nation of Missouri in Kansas and Nebraska.

Currently, 12 states have established a tribal-state judicial forum – Arizona, California, Idaho, Michigan, Minnesota, New Mexico, New York, North Dakota, South Dakota, Utah, Washington, and Wisconsin. These forums work to strengthen the relationship between state courts and tribal courts by fostering mutual respect, encouraging cooperation and collaboration, and facilitating education and training. The forums also provide a setting for state and tribal court judges to address issues of common concern. For example, forums have discussed topics that include the recognition and enforcement of tribal court judgments, transfers of cases between state and tribal courts, Indian Child Welfare Act cases, enforcement of state and tribal protection orders, service of process, and enforcement of warrants.

Forum membership varies widely across the nation. Most forums include judges from various levels of both state court and tribal courts. Some forums include members of the public at large, non-judicial representatives from the tribes, members of each judicial system's administrative staff, practicing attorneys, representatives from state agencies, or law professors. Some states also include federal judges and federal agency representatives.

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\* Judge Schuetz withdrew from the Committee on May 3, 2016, and did not participate in creating or approving the Committee's final recommendations.

Tribal-state forums have produced important work, such as training materials on the tribal judicial systems and its interaction with the state judicial system, rules regarding the enforcement of state orders in tribal court and tribal orders in state court, tribal court handbooks and bench books, and memorandums of understanding between tribal courts and state courts. Forums have also facilitated the building of relationships between state and tribal judges. Such relationships have allowed for judges to work out a quick resolution of an issue when it arises in a case or to work together on a long term solution customized to their particular jurisdictions.

## **SCOPE AND METHOD OF STUDY**

The Tribal-State Judicial Forum Advisory Committee met four times between February and May of 2016. The Committee was to study whether Kansas would benefit from the creation of a state-tribal judicial forum and if so, to make recommendations about the forum's purpose, objectives, and organizational structure.

In undertaking its assignment, the Committee:

- Considered a number of relevant articles, reports, and court rules. (See list of materials at end of report.)
- Discussed the members' own experiences involving issues such as:
  - the recognition and enforcement of state court orders on tribal lands;
  - the recognition and enforcement of tribal court orders outside tribal lands;
  - judicial jurisdiction questions;
  - law enforcement jurisdiction questions, such as service of process and warrants;
  - the establishment and enforcement of child support;
  - child welfare questions and the Indian Child Welfare Act;
  - the establishment and enforcement of protection from abuse or stalking orders; and
  - the prosecution of criminal offense jurisdiction.
- Considered potential resources and funding available to a created forum.
- Reviewed authorization documents and bylaws of forums currently operating across the country.

## COMMITTEE DISCUSSION

The Committee considered the following questions:

- 1) Whether there is a need for a Tribal-State Judicial Forum and what are the benefits of having a Tribal-State Judicial Forum?
- 2) Should Kansas have such a forum?
- 3) If so, what would be the objectives and purpose of the forum? Who would participate in the forum?
- 4) How would the forum be created?
- 5) What resources should be made available to the forum? What would be the source of those resources?
- 6) How would the law schools participate?

### *Purpose of a Tribal-State Judicial Forum*

The Committee agreed Kansas would benefit from establishing a Tribal-State Judicial Forum. The Kansas judiciary generally has a good working relationship with the tribal judiciaries; however, the creation of a forum would provide a medium to strengthen those working relationships and quickly address any issues as they arise. Some state courts already have working arrangements or agreements with area tribes that allow the systems to work together. For example, the Prairie Band Potawatomi Nation prosecutor and the Jackson County prosecutor have an intergovernmental cooperative agreement which helps to avoid double jeopardy situations and the unnecessary duplication of resources. The Committee agreed many other counties, judicial districts, and tribes could benefit from formalized agreements or memorandums of understanding between state and tribal courts or related government agencies.

Issues between state and tribal court orders or processes often involve topics such as service of process, subpoenas, business licenses, protection orders, child support, and the Indian Child Welfare Act. A Tribal-State Judicial Forum could facilitate discussions, education, agreements and/or memorandums of understanding as needed.

The Committee agreed there is a need in Kansas for more training regarding Indian law topics for Kansas judges and attorneys. Some training is already available. The four resident Kansas tribes put on an annual Native Nations Law Symposium which state judges and practitioners are invited to attend. Various training opportunities are also available through organizations such as the Indian Law section of the Kansas Bar Association and Kansas Legal Services' Guardian Ad Litem training programs. The Committee agreed that while some training is available, it is not being offered in a systematic and organized fashion in order for all state and tribal judges and attorneys to benefit. The Committee's state judge members suggested training regarding Indian law should be available at the annual Kansas Judicial Conference. The Committee recommends the Tribal-State Judicial Forum work on creating training materials and providing trainings as needed.

The most common purpose of tribal-state forums across the country is to facilitate the establishment of relationships between tribal and state judges. Based on those relationships, forums can increase the judges' knowledge of the tribal and state judicial systems and identify and discuss issues regarding court practices, procedures, and administration which are of common concern to members of tribal and state judicial systems.

The Committee recommends a Kansas Tribal-State Judicial Forum be established for the following purposes:

- 1) To foster mutual respect, understanding, and collaboration among tribal and state justice communities.
- 2) To serve as a vehicle for establishing and maintaining a long-term, continuing relationship among tribal and state judicial systems.
- 3) To promote improvement in the quality of justice delivered in the context of the overlapping jurisdiction of state and tribal courts through judicial education, professional court administration, education of attorneys and the public about tribal courts, and the sharing of personnel, facilities, and programs, as well as shared state, tribal, and federal funding, as appropriate.

- 4) To promote respect for and recognition of the judicial proceedings and judgments among both tribal and state court systems in order to minimize litigation that might otherwise result.
- 5) To increase operational communication, cooperation, and coordination among state and tribal courts and other justice agencies in Kansas.
- 6) To promote legislative, regulatory, and court rule changes to further the coordination and cooperation between both state and tribal court systems.
- 7) Any other purposes deemed by a majority of forum members to be in the best interest of state and tribal courts and of the justice systems serving the citizens of Kansas and the tribal nations affected by the interaction of these court systems.

#### *Creation of a Tribal-State Judicial Forum*

Most states have created a tribal-state forum through one of two ways – legislative action or by order of the state’s Supreme Court. Due to the time involved and associated costs related to legislative approval, the Committee decided to pursue the latter option to create the forum. The Committee considered creating the forum through a Kansas Supreme Court order but recognized that the Kansas Supreme Court may not have the necessary resources to maintain such a forum. The Committee also considered establishing the forum as an advisory committee to the Judicial Council.

Kansas is unique in that its Judicial Council is specifically tasked with improving the administration of justice in Kansas. To achieve this goal the Judicial Council maintains advisory committees which review specific areas of law. The Committee agreed that the Judicial Council is set up with staff to assist the forum, could administer any grant money awarded to the forum, and would provide flexibility for the forum to evolve as needed in the future to address the changing needs and issues of the state and tribal judicial systems. The Committee recommends the forum be created as an advisory committee to the Kansas Judicial Council but be allowed to operate with slightly more autonomy than the typical Judicial Council advisory committee, since this Committee involves judiciaries of respective sovereign entities.

## *Membership*

The Committee agreed tribal and state interests should be equally represented on the forum. The Committee recommends the voting members of the forum be limited to state and tribal court judges. The forum would invite each tribe to appoint a tribal judge to participate in the forum. The Committee discussed that the forum can invite the tribes to participate but cannot dictate whether a tribe chooses to participate or how it will appoint its representative.

There are four federally recognized resident tribes in Kansas – Iowa Tribe of Kansas and Nebraska, Kickapoo Tribe in Kansas, Prairie Band Potawatomi Nation, and Sac & Fox Nation of Missouri in Kansas and Nebraska. All four tribes have an established judicial system and hold court proceedings within the State of Kansas. The Delaware Tribe (based in Oklahoma) holds court proceedings in Caney, Kansas.

The Committee deliberated whether only the four Kansas resident tribes should be invited to participate in the forum or whether membership should be left open to any federally recognized tribe which holds court in Kansas. The forum's purpose would be to address issues stemming from tribal and state court related processes in Kansas. Nationally, other forums have included tribes whose jurisdiction crosses state lines. For example, the Arizona forum includes tribes whose jurisdiction extends into other states such as New Mexico and Colorado. The Delaware Tribe may face similar court related issues to those experienced by the four resident tribes, as such, its inclusion is considered for membership in the proposed forum.. The Committee recommends the forum membership should include one tribal court judge from each participating federally recognized tribe that holds court proceedings within the State of Kansas.

The Committee agreed that the number of state court judge members should equal the number of participating tribal court judges; and any judge of the district court, including a magistrate judge, could be appointed. The Committee discussed whether state court judge members should be limited to judges from judicial districts adjacent to tribal lands. Such state court judges would be the most likely to have frequent interactions with tribal members, tribal law enforcement, and tribal courts; however, a judge who only rarely encounters situations involving tribal members or tribal law may provide a fresh perspective or highlight areas judges farther from tribal lands need to address. Participation in the forum by state court judges located

farther from tribal lands may assist the forum in its pursuit of judicial training on ICWA which applies across the state and is not limited to jurisdictions close to tribal lands.

The Committee considered how many state court judges are available from the three judicial districts touching tribal land and concluded that due to the limited number, drawing judges from other districts might be necessary. The Committee recommends the forum membership should include not more than one state court judge for every participating tribal court judge and that judges from judicial districts close to tribal land be considered for appointment first.

Other states' forums include non-judicial members, such as law enforcement representatives, court administration representatives, social services representatives, attorneys, and law professors. The Committee agreed the forum would benefit from the participation of such individuals but they should not be permanent voting members. The Committee recommends the forum's judicial members be the only voting members but be allowed to invite others to participate in the forum in an advisory capacity as needed. This would prevent the forum from growing to an unmanageable size, facilitate efficient decision making, and allow an advisory member to only participate when the forum is working on a project requiring that particular advisory member's expertise.

#### *Member Selection and Terms*

The Committee recommends each participating tribal judge be appointed by the respective tribe and the state court judges be appointed by the Judicial Council. Due to the very practical and hands-on tasks the forum would be performing, the Committee agreed members should only serve on the forum while actively holding the judicial office which qualified the judge to be appointed to the forum. Typically Judicial Council Advisory Committee members do not have set term limits; however, in order to facilitate new ideas and build relationships between many state and tribal court judges, the Committee recommends the members should serve for a three-year term and each term begin July 1<sup>st</sup>. Reappointment at the end of a member's term would be in the same manner as the original appointment. If a vacancy occurred during a member's term, the successor should be appointed in the same manner of the original appointment to serve for the remainder of the term. Due to the limited number of state and tribal

court judges, the Committee decided against establishing a limit to the number of consecutive terms one member could serve.

To preserve institutional knowledge, the Committee recommends the terms of the initial forum members be staggered to prevent all members being subject to reappointment at the same time. If all qualifying tribes elect to participate, the initial 10 forum members should be staggered in the following manner:

- Two state court judges and two tribal court judges shall serve for a three-year term beginning July 1, 2016.
- Two state court judges and one tribal court judge shall serve for a two-year term beginning July 1, 2016.
- One state court judge and two tribal court judges shall serve for a one-year term beginning July 1, 2016.

The elected chair and vice-chair of the forum would assign the staggered terms to the initial members at the forum's first meeting.

Since the forum membership should equally represent state and tribal interests, the Committee recommends the forum evaluate whether state and tribal interests are equally represented as of July 1<sup>st</sup> of each year. If any change creates an inequality between state and tribal interests any adjustments to the number of members should not take effect until the immediately following July 1<sup>st</sup>. If a participating tribe decides to no longer participate, the forum would not be required to adjust the district court judge's membership numbers until the following July 1<sup>st</sup>. Since the number of state judge members would be dictated by the number of participating tribes, if a tribe chooses not to participate and which creates an unequal representation of state and tribal interests, the state judge who most recently joined the forum should no longer be a voting member of the forum. However, the Committee recommends that the former member be allowed to continue to participate in the forum as an advisory member if the former member and the forum approves.

### *Forum Chair and Vice-Chair*

The Committee considered whether to have the forum led by co-chairs or a chair and a vice-chair. The Committee agreed the forum should select one state judge member and one tribal judge member by a majority vote for a two-year term. The two selected members should alternate between being the chair and vice-chair each calendar year. The state court judge would be the chair in even numbered years and the tribal court judge would be the chair in odd numbered years.

### *Meetings*

The Committee recommends the forum meet at least twice per year with additional meetings called by the chair as needed. The Committee also recommends the forum meetings be held far enough in advance of the Judicial Council's June and December meetings to allow anything needing the Council's consideration or approval to be added to the Judicial Council's meeting agenda. The location of meetings should be left up to the forum with the hope that the location would alternate between state and tribal locations. Meeting in various locations would encourage deeper relationships between forum members and increase the members' familiarity with state and tribal courts, buildings, or other locations. The law professors on the Committee indicated it would be a good experience for students if the forum decided to meet at the law schools, from time to time.

The Committee discussed whether decisions should be made by a majority of the voting members present at the meeting or only by a true majority of all the voting members. It recommends all decisions require a true majority of all the voting members.

### *Reports*

The Committee recommends the forum report its findings and activities to the Judicial Council and the participating tribes at least once per year in a written report.

### *Operation of Forum*

The Committee recommends the attached bylaws govern the forum. The Committee agreed changes to the bylaws should be made by the approval of the majority of the forum's voting members.

The Committee also recommends the Judicial Council give the forum the authority to decide which tasks or projects the forum will address by approval of a majority of the forum members. If the forum drafts proposed legislation, court rules, training materials, or any document to be published or distributed outside the forum, the Committee recommends it be required that such document be presented to the Judicial Council for review and approval. The forum may choose to assist judges, judicial districts, law enforcement, counties, or other such entities in negotiating and drafting agreements or memorandums of understanding. The forum and the Judicial Council would not be parties to such agreements. The Committee recommends the forum be authorized to assist on such projects without submitting the final agreement or memorandum of understanding to the Judicial Council for approval. The forum would be responsible to report to the Judicial Council on such projects.

### *Funding*

As an advisory committee to the Judicial Council, the forum would not necessarily need special funding for the administrative expenses typically provided to advisory committees; however, the Committee explored grant funding opportunities that may subsidize administrative costs and assist the forum in its goals of building relationships and training. The Committee recommends the forum apply for funding from the Edward Byrne Justice Assistance Grant Program (Byrne JAG).

Byrne JAG funding is awarded to states and territories by a formula based on population and Part 1 violent crimes. Sixty percent of a state's total allocation flows from the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), and Bureau of Justice Assistance (BJA) to the state's criminal justice planning agency, the State Administering Agency (SAA). The SAA, in turn, passes a designated percentage (called the Variable Pass Through) to local governments and, through them, to non-profit service providers. The remaining 40 percent flows directly from BJA to local governments based on part 1 violent crime as reported to the Federal

Bureau of Investigation (FBI). The SAAs develop statewide strategic plans to prioritize needs and guide their funding decisions. The strategic planning process differs by state but involves outreach by the SAA to all segments of the criminal justice system and their stakeholder community to seek input on policy priorities and feedback on imbalances in the criminal justice system.

The Committee was in contact with Kansas' SAA which indicated a state-tribal judicial forum would be an eligible concept for application for Byrne JAG funds, under the "prosecution and court programs" area. The forum should apply for funds for the 2016-2017 fiscal year.

*\*[After the Committee approved this report, new information about the Byrne JAG funds was received and presented to the Judicial Council. The Byrne JAG funds could not be used to subsidize administrative costs of forum meetings; therefore, the Judicial Council will not pursue Byrne JAG funding for the 2016-2017 fiscal year. The Judicial Council agreed to consider future grant funding opportunities for the forum on a case-by-case basis.]*

## **CONCLUSION**

The Committee recommends a Tribal-State Judicial Forum be established as an advisory committee to the Judicial Council. The forum should foster mutual respect, understanding and collaboration among tribal and state justice communities, and work to increase operational communication, cooperation, and coordination among state and tribal courts and other justice agencies in Kansas. Each member should be appointed to the forum for a three-year term without a limit to the number of consecutive terms a member may serve. The forum should consist of an equal number of state and tribal court judges who may request additional individuals to participate in the forum as advisory members only.

The forum members should elect one state court member and one tribal court member to serve as the forum's chair and vice-chair. The elected members should alternate between serving as the chair and vice-chair each calendar year. The forum should meet at least twice a year and issue at least one written report of its findings and activities to the Judicial Council and participating tribes. The forum should apply for grant funding as it sees fit. The creation of the Kansas Tribal-State Judicial Forum will benefit the citizens of the State of Kansas and the tribal nations by expanding tribal and state court judges' knowledge of the respective judicial systems;

identifying and discussing issues regarding court practices, procedures, and administration which are of common concern to members of tribal and state judicial systems; and cultivating mutual respect for and cooperation between tribal and state judicial systems.

## MATERIALS

Arizona Supreme Court Administrative Order No 2004-36.

North Dakota Supreme Court Administrative Rule 37.

Paul Stenzel, *Full Faith and Credit and Cooperation Between State and Tribal Courts: Catching Up to the Law*, *Journal of Court Innovation*, 225 (2009).

*Promising Strategies: Tribal-State Court Relations* Tribal Law and Policy Institute (2013).

South Dakota Tribal Court Handbook (2006).

*State and Tribal Courts: Strategies for Bridging the Divide* Aaron F. Arnold, Sarah Cumbie Reckess, Robert v. Wolf, Center for Court Innovation (2011).

*Tribal-State Court Forums: An Annotated Directory* Tribal Law and Policy Institute (2016).

*Tribal-State Court Forums Do's and Don'ts*, [www.NCJP.org/tribal-collaboration/court-forums/tips](http://www.NCJP.org/tribal-collaboration/court-forums/tips).

*Tribal Court-State Court Forums: A How-To-Do-It Guide to Prevent and Resolve Jurisdictional Disputes and Improve Cooperation Between Tribal and State Courts* H. Clifton Grandy, H. Ted Rubin, National Center for State Courts.

## **Kansas Tribal-State Judicial Forum Bylaws**

Kansas Tribal-State Judicial Forum is created to encourage greater understanding and exchange of information between the tribal and state judicial systems in Kansas. The Kansas Tribal-State Judicial Forum is a vehicle for expanding tribal and state court judges' knowledge of the respective judicial systems; identifying and discussing issues regarding court practices, procedures, and administration which are of common concern to members of tribal and state judicial systems; and cultivating mutual respect for and cooperation between tribal and state judicial systems.

### **Section 1. Purpose**

The Kansas Tribal-State Judicial Forum is established as a subcommittee of the Kansas Judicial Council for the following purposes:

- 1) To foster mutual respect, understanding, and collaboration among tribal and state justice communities.
- 2) To serve as a vehicle for establishing and maintaining a long-term, continuing relationship among tribal and state judicial systems.
- 3) To promote improvement in the quality of justice delivered in the context of the overlapping jurisdiction of state and tribal courts through judicial education, professional court administration, education of attorneys and the public about tribal courts, and the sharing of personnel, facilities, and programs, as well as shared state, tribal, and federal funding, as appropriate.
- 4) To promote respect for and recognition of the judicial proceedings and judgments among both tribal and state court systems in order to minimize litigation that might otherwise result.
- 5) To increase operational communication, cooperation, and coordination among state and tribal courts and other justice agencies in Kansas.
- 6) To promote legislative, regulatory, and court rule changes to further the coordination and cooperation between both state and tribal court systems.

- 7) Any other purposes deemed by a majority of forum members to be in the best interest of state and tribal courts and of the justice systems serving the citizens of Kansas and the tribal nations affected by the interaction of these court systems.

## **Section 2. Membership**

The Kansas Tribal-State Judicial Forum consists of the following members:

- One tribal court judge from each participating federally recognized tribe that holds court proceedings within the State of Kansas.
- Not more than one judge of the state district court for every participating tribal court.

## **Section 3. Member Selection and Terms**

### *Member Selection*

State court judges shall be appointed by the Kansas Judicial Council. Tribal court judges shall be appointed by their respective tribe. The state court and tribal court judges may only serve while actively holding the judicial office which qualified the judge to be appointed to the forum.

Upon a vacancy during a member's term, a successor shall be appointed in the same manner as the original appointment to serve for the remainder of the term. Upon the expiration of the term of office of any member of the forum, a successor shall be appointed in the same manner as the original appointment.

### *Terms*

State court and tribal court judges shall serve three-year terms. Each term begins July 1<sup>st</sup>. The initial terms for the forum's initial members shall be staggered as follows (*numbers based on if the forum has 10 members*):

- Two state court judges and two tribal court judges shall serve for a three-year term beginning July 1, 2016.

- Two state court judges and one tribal court judge shall serve for a two-year term beginning July 1, 2016.
- One state court judge and two tribal court judges shall serve for a one-year term beginning July 1, 2016.

The elected chair and vice-chair of the forum shall assign the staggered terms to the initial members at the forum's first meeting.

#### *Equal Representation of State and Tribal Interests*

To the extent possible, state and tribal interests shall be equally represented by the forum's membership. The forum shall evaluate whether state and tribal interests are equally represented as of July 1<sup>st</sup> of each year. If the forum memberships changes to create an inequality between state and tribal interests any adjustments to the number of members shall take effect the immediately following July 1<sup>st</sup>. If a tribe chooses not to participate in the forum resulting in an unequal representation of state and tribal interests, the state judge who most recently joined the forum shall no longer be a voting member of the forum. The former member may continue to participate in the forum as an advisory member if the former member and the forum approves.

#### **Section 4. Chair and Vice-Chair**

The Kansas Tribal-State Judicial Forum shall be led by a chair and a vice-chair. The forum members shall elect one tribal court judge and one state court judge. The two elected members shall serve as the chair and vice-chair for a two-year term. The elected members shall alternate between being the chair and vice-chair each year. The state court judge shall be the chair in even numbered years and the tribal court judge shall be the chair in odd numbered years.

#### **Section 5. Advisory Members**

As agreed upon by a majority of the forum members, the forum may invite other individuals to participate in the forum in an advisory capacity. Examples of individuals include but are not limited to: law professors, court administrators, law enforcement representatives, social services representatives, prosecutors, practicing attorneys. The forum shall decide the

length and scope of the advisory member's participation. Advisory members shall not have the right to vote.

### **Section 6. Meetings**

Meetings shall be held at least two times per year at the call of the chair. Decisions shall be made by a majority of all voting members.

### **Section 7. Reports**

The Kansas Tribal-State Judicial Forum shall report its findings and activities in a written report submitted at least annually to the Judicial Council and to the participating tribes. The written report may include recommendations for legislative, regulatory, or court rule changes.

### **Section 8. Amending Bylaws**

The Kansas Tribal-State Judicial Forum Bylaws may be amended by agreement of a majority of its members *\*and approval of the Judicial Council.*

*\*amendment by Judicial Council*