

NATIONAL AMERICAN
INDIAN COURT JUDGES
ASSOCIATION



American Indian Justice Conference

**Collaborative Solutions:
Strengthening Legal Support for Communities**

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National American Indian Court Judges Association

NAICJA is a national association comprised of tribal justice personnel and others devoted to supporting and strengthening tribal justice systems through education, information sharing, and advocacy. NAICJA's current goals include:

- Securing needed increases in funding for the daily functioning of tribal justice systems;
- Serving as the national voice of tribal justice systems when advocacy is needed;
- Ensuring that quality, culturally appropriate tribal judicial education is available nationwide;
- Improving cooperation between tribal, state and federal judiciaries; and
- Providing support to tribal judiciaries by creating opportunities for networking and mentorship.



National Association of Indian Legal Services

National Association of Indian Legal Services is a coalition of the Indian Legal Services programs established under the authority of the Legal Services Corporation Act of 1974.

- Oklahoma Indian Legal Services is dedicated to providing empowering & quality legal services to tribal members, ensuring access to justice & supporting tribal sovereignty. We are committed to educating the legal community on Indian law, fostering cultural understanding & empowering Native communities in Oklahoma.
- DNA provides access to justice to those who are low income and vulnerable by providing high quality legal services and education while respecting tribal sovereignty and cultural traditions.



Tribal Civil and Criminal Legal Assistance

The Bureau of Justice Assistance (BJA), through Montana Legal Services Association in partnership with National American Indian Court Judges Association (NAICJA) offers Training and Technical Assistance (TTA) to Tribal Civil and Criminal Legal Assistance (TCCLA) grantees and subgrantees. The TCCLA program seeks to increase and improve access to legal assistance for Native Americans and Alaska Natives by providing TTA for the development and enhancement of tribal justice systems. Further, TCCLA will assist in strengthening the capacity and the quality of indigent criminal defense services and defense strategies for tribal justice systems.

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Learning Objectives

- Identify key stakeholders and potential partners within the community.
- Establish effective communication channels and foster collaborative relationships with partner organizations to leverage resources and expertise.
- Examine how to navigate challenges and overcome barriers to collaboration.



Importance of Collaboration for Legal Support

- Collaboration may be **essential to initiate operations** and program services. Indigent right to counsel is **not** an enumerated right under the Indian Civil Rights Act (ICRA).
- The **enhancement of available services** that can be offered to the community as part of collaborative planning and development.
- The **need for legal support** in our communities reaches beyond the court. Ninety-eight percent of households with recent domestic violence have one or more problems in addition to the domestic violence.



Holistic Defense

A client-centered model that addresses both the civil and criminal legal needs of the clients.



Holistic Defense Defined

- Combines aggressive legal advocacy with a broader recognition that for most people arrested and charged with a crime, the criminal case is not the only issue with which they struggle.
- To be truly effective advocates, the scope of the work needs to be broad to include both collateral consequences and enmeshed penalties and underlying issues, legal and non-legal.
- Started by the Bronx Defenders, continued with the Confederated Tribes of Salish and Kootenai Tribal Defenders Office.



Holistic Defense Pilot Project

- Being implemented with Alaska Legal Services, Oklahoma Indian Legal Services, and Nevada Legal Services.
- Incorporating holistic defense into tribal justice systems.
- Fostering the development of an interdisciplinary skill set within their offices and positions.
- Identifying gaps to adapt practice into practical application.



Tribal Holistic Defense Four Pillars

- Seamless access to services that meet clients' legal, social, and cultural support needs.
- Dynamic, interdisciplinary communication, including collaboration between inter-tribal services.
- Advocates with an interdisciplinary skill set and cultural competency.
- Building trust through a robust understanding of, and connection to, the tribal community.



Community Justice Workers

CJWs will receive training and education in tribal court lay advocacy. CJWs will be mentored and guided by licensed attorneys knowledgeable in tribal law and tribal justice systems. This will ultimately increase support for Tribal members in addressing their legal issues.



Children's Justice Attorney Education

Increase the availability of high-quality legal services to rural children and families in Nebraska, especially low-income, Latinx, and Indigenous populations through an eight-month fellowship of education, expert case consultation, and reflective practice.

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Identifying Stakeholders and Partners



Mapping the Community Landscape

Community
Organizations

Educational
Institutions

Government
Agencies

Businesses

Healthcare
Providers

Media
Outlets

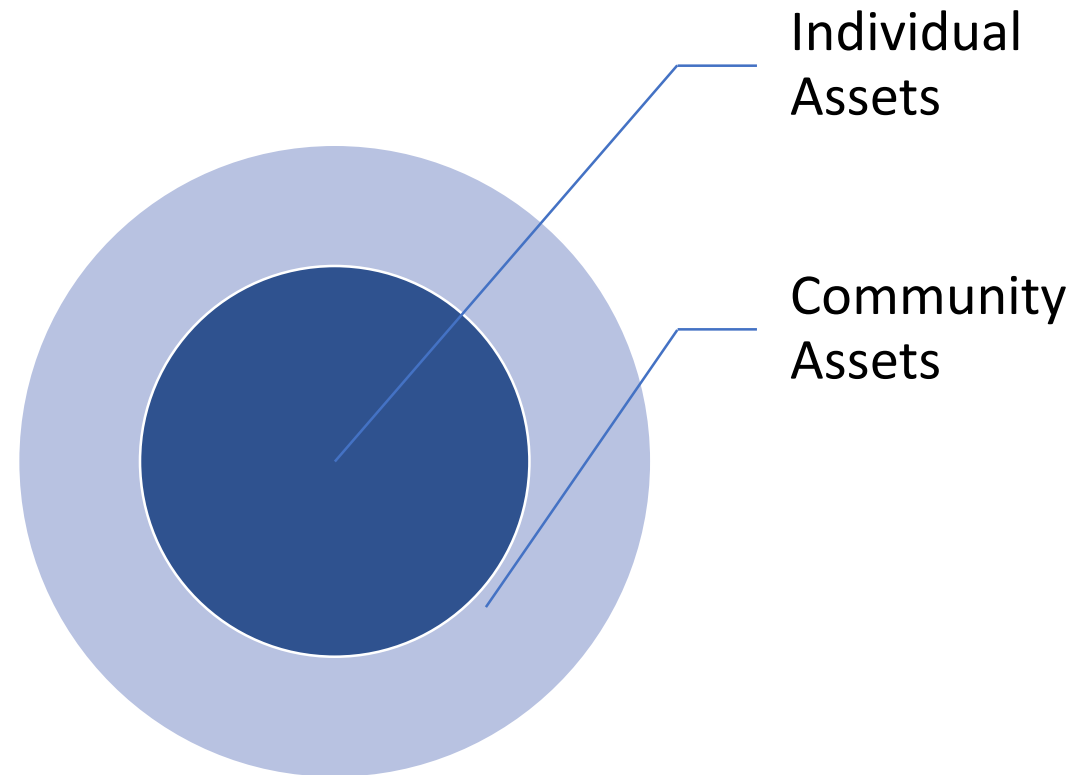
Participatory Asset Mapping

Process where community members collectively create asset maps by identifying and providing the information about their own community's assets on a map.



Participatory Asset Mapping

- What do you consider an “asset”?
- What are some of your community assets?
- What types of legal assets exist in your community?





Participatory Asset Mapping

Methods

- Community-Engaged Mapping
- Social Investigation
 - Interviews
 - Surveys
 - Community Walks

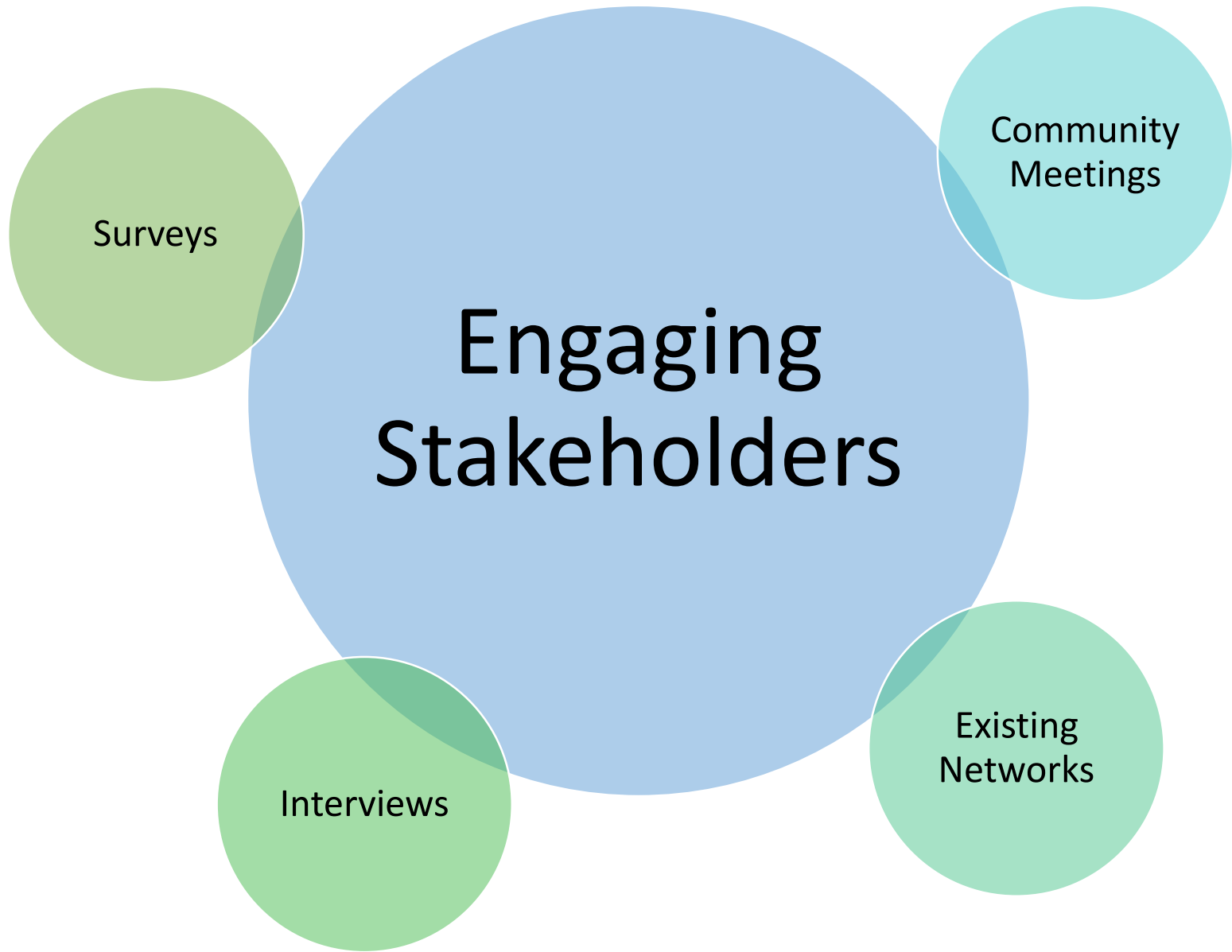
Tools

- Online Mapping
- Healthy City – Wikimaps
- Google Maps – My Maps

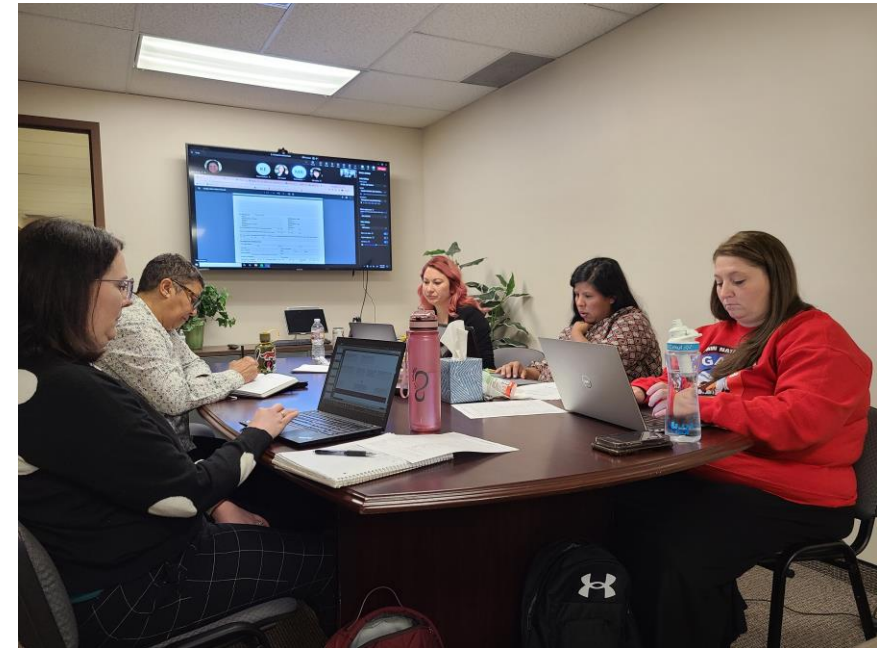


Community Resources for Legal Support

- Legal Services Organizations
- University Law School Clinics
- Pro Se Resources
- Libraries
- Veterans Administration



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Assessing Potential Partners

- Identifying partners with similar missions and objectives.
- Assessing what resources (financial, human, technical) potential partners can bring.
- Reviewing past collaboration success and challenges.

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Establishing Communication Channels and Fostering Collaborative Relationships

Creating Communication Frameworks

- Regular meetings
- Communication tools
- Newsletters and updates



Building Trust and Rapport

- Maintaining transparency in decision-making processes and sharing information openly.
- Valuing the contributions and expertise of all partners.
- Establishing protocols for addressing and resolving conflicts amicably.



Resource and Expertise Sharing

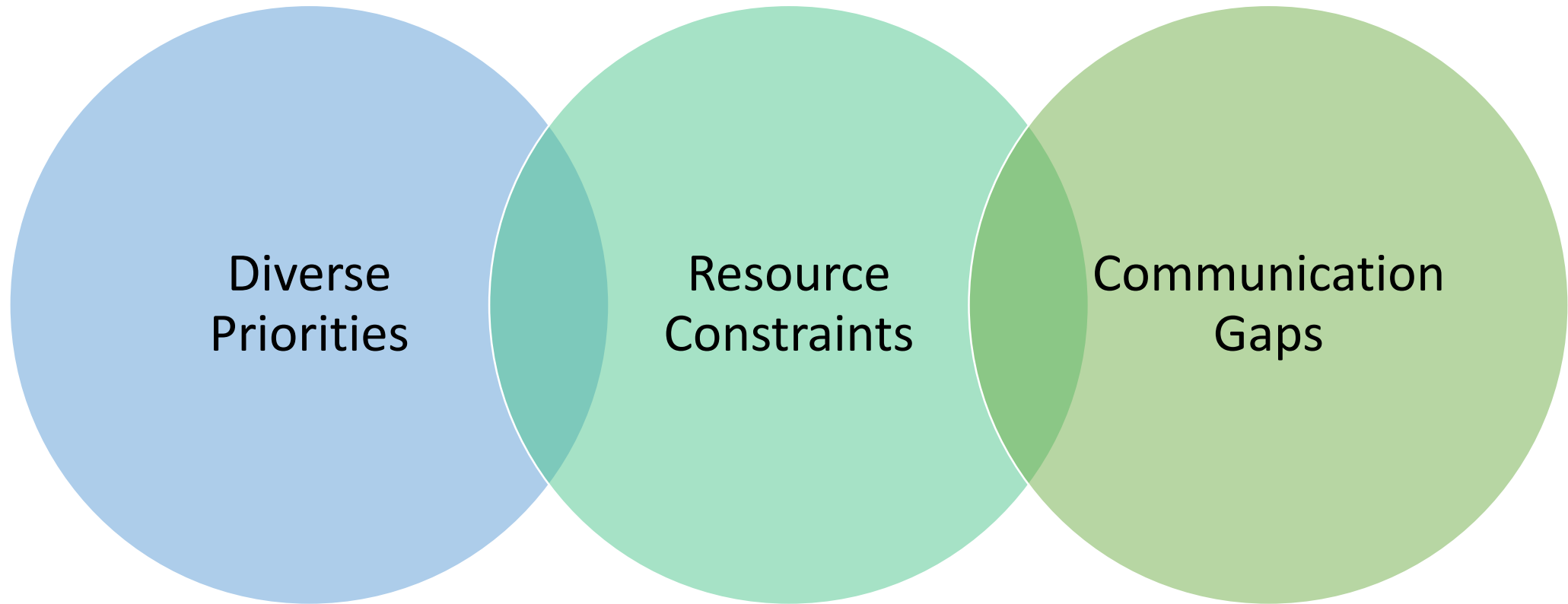
- Organizing training sessions and workshops to build capacity across organizations.
- Creating shared resource pools for things like funding, equipment, and personnel.
- Developing and implementing projects that leverage the strengths of each partner.

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Navigating Challenges and Overcoming Barriers

Identifying Common Challenges





Challenges

- Lack of resources to meet all the needs.
- Overall lack of knowledge regarding holistic defense.
- Buy-in from service providers and other tribal departments.
- High turnover can stall progress.



Strategies for Overcoming Barriers

- Establishing a shared vision and common goals to align efforts.
- Adopting flexible approaches to accommodate different working styles and capabilities.
- Investing in capacity building to address skill gaps and resource constraints.



Maximizing Engagement and Resource Utilization

- Tap into urban resources.
- Engage the local community.
- Experiment with volunteer recruitment strategies. Be willing to get them training and recognize their efforts.
- Involve tribal, state, and local bar associations.



Sustaining Collaboration

- Implementing regular feedback mechanisms to assess the effectiveness of collaboration.
- Developing performance metrics to measure progress and impact.
- Being open to adjusting strategies based on feedback and changing circumstances to continuously improve the collaboration.
- Ensuring all partners are committed to the long-term success of the collaboration.
- Recognizing and celebrating successes to maintain motivation and engagement.



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