



RIVERSIDE COUNTY TRIBAL ALLIANCE FOR INDIAN CHILDREN AND FAMILIES

October 15, 2010

**Morongo Casino Resort and Spa
Conference Center**
49500 Seminole Drive
Cabazon, CA 92230

Minimize Court and County intervention and increase Tribal participation and control by developing culturally appropriate services for Native American children and families. To create and sustain partnerships founded upon understanding, communication, and cultural awareness among the sovereign tribal nations and community and governmental agencies.

Special recognition goes out to our host, Morongo Casino & Resort, for helping put together RCTA's 5th year anniversary celebration. Morongo provided a great facility, a delicious array of food, and fabulous gifts for the drawings that took place during the meeting. This was a very special moment of history for the Riverside County Tribal Alliance. Thank you Morongo, dignitaries and special guests!

MEETING MINUTES

Walter Holmes Jr., Morongo Tribal Elder gave the invocation prior to the meeting beginning.

Maurice Lyons, Tribal Vice-Chairman, welcomed dignitaries, guests, and Alliance members to Morongo for this very special occasion.

Judge Koosed welcomed attendees and introductions were made with recognition given to the dignitaries and special guests in attendance, which included, but were not limited to:

- Justice Dennis Perluss, Presiding Justice for the Court of Appeal
- Judge Richard Blake, member and Chief Judge of the Hoopa Valley Tribe
- Riverside Superior Court Judges Leonard, Sichel and Rushton from Riverside Superior Court
- Executive Director, Luke Madrigal and Co-Chair of the Riverside County Tribal Alliance, Cahuilla-Anza Indian Tribe
- Greg Cervantes, District Director – Office of 80th Assemblyman V. Manuel Perez
- Vida Castaneda, Court Services Analyst for the Tribal Projects Unit at the Administrative Office of the Courts-Center for Families, Children & the Courts
- Representatives from Senator Emmerson's Office
- Representatives from the office of Brian Nestande Assemblyman, 64th District
- Maurice Lyons, Morongo Tribal Vice-Chairman/Board Chair for Indian Child and Family Services/Board Chair of the National Child Welfare Association
- Michael Golden, Morongo Tribal Court Judge
- Annette Chihuahua, Board Member Torres Martinez & Indian Child Welfare Tribal TANF
- Jackie Wisepirit, Chairwoman Riverside San Bernardino Indian Health
- Sherri Salgado, Board Member from Cahuilla Reservation
- Louise Jones, Tribal Family Therapist Agua Caliente Band of Cahuilla Indians
- Eugene Madrigal, Attorney at Law, Cahuilla-Anza Indian Tribes
- Theresa Villa, Board member from Pala Indian Child and Family Services
- Sheriff Stan Sniff and his assistant Jessica Gore
- Sylvia Deporto, Deputy Director of the Department of Social Services – Child Protective Services and other representatives from the Department of Social Services
- Executive Director, Deborah Sutton and other representatives from Riverside County Court Appointed Special Advocates (CASA)
- Christopher Sheldon, Riverside County Court Appointed Special Advocates (CASA) & Retired Riverside Superior Court Judge
- Assistant Division Director, Okeese Wilcots from Riverside County Probation Department
- Tom Lidot & Margaret Orrantia from Tribal STAR
- Alex Tortes, Sheriff's Department Tribal Liaison Unit
- Riverside County Department of Mental Health representatives

Judge Koosed then invited everyone to help him or herself to the buffet and indicated the meeting would resume once everyone was re-seated.

Due to the table arrangements, excusing himself in advance, Luke Madrigal crawled under the table in order to get into the center of the room where he then performed a beautiful bird song.

In Celebration of RCTA's 5th Anniversary (June 2010)

A look into how it began, where we are now, and future direction.

Judge Jean Leonard began by sharing how the idea of the Riverside County Tribal Alliance for Indian Children and Families began. Judge Leonard shared that while attending an ICWA conference, she and the other attendees watched a video that highlighted the high rate of suicide of Indian Children placed with white families. The video truly touched her heart and thereafter she began talking to the then Presiding Judge, Sharon Waters, and the Executive Officer about her concerns regarding these tragic statistics and her ideas to establish a relationship of communication and trust between the courts and local Indian Tribes.

As Maurice Lyons and Luke Madrigal began talking to Tribal Representatives, Judge Leonard began discussing this issue with the different departments and agencies to see if there would be any interest from them to participate in establishing the lines of communication. *And of course there was...*

Around the same period of time, Judge Becky Dugan who was at that time the Juvenile Presiding Judge had been talking to Judge Leonard about her concerns about how the ICWA cases were being handled in our court. Judge Dugan had asked Judge Leonard to consider heading up a committee, which would include the tribes and agencies to see how we could join forces to improve this situation.

A planning committee was formed, which consisted of just a few individuals. These individuals were responsible for drafting an invitation letter, compiling a list of those to invite, finding a meeting location, and drafting a the agenda for the very first meeting of its kind in Riverside County. The meeting of the Riverside County Tribal Alliance for Indian Children and Families (formerly known as "Partnership re: Services to Indian Children and Families") was held on June 10, 2005, at the Southwest Juvenile Hall facility.

The first meeting was a big success, and included participants from some of the local tribes, Riverside Superior Court, Riverside County Probation Department, Riverside County Department of Social Services, staff from the Riverside and Southwest Juvenile Hall facilities, Attorneys, and Court Appointed Special Advocates (CASA). Presentations were made by the various agencies in attendance, and then the focus of the meeting was turned to recognizing the needs and resources within these groups, discussing challenges and identifying solutions.

And here we are today...celebrating the 5th year of existence, seeing continued growth and numerous accomplishments. Judge Leonard indicated that it has been an honor and privilege to work with the Alliance and its members. Appreciation goes out to everyone involved, however, Judge Leonard gave thanks to Maurice Lyons for his leadership, support and encouragement for Tribal Representation; Annette Chihuahua for being the "bridge" that links the Alliance to the Tribes; Donna Burt for being the "glue" that holds the Alliance together; and special recognition to Judge Sichel for being the "riveter" that fastens everything together, firmly holding us in place. Flowers were presented to Annette and Donna, and Judge Sichel was presented with a plaque, as she will be retiring from the Alliance after having been involved since 2005.

In Celebration of RCTA's 5th Anniversary (June 2010) - *continued*
A look into how it began, where we are now, and future direction.

Vida Castaneda, Court Services Analyst for the Tribal Projects Unit at the Administrative Office of the Court – Center for Families, Children & the Courts shared that her very first business trip after being on the job for only two days was to attend an Alliance meeting, which was five years ago.

Vida stated that the counties that seem to succeed are those counties that build good working relationships and that have strong collaboration. She said it takes time to build trust and applauds everyone for the hard work and indicated the Alliance is recognized at a State level for the work we have done and the relationships we have built.

Chief Judge Richard C. Blake, member and Chief Judge of the Hoopa Valley Tribe. Judge Blake was first elected by his membership in June 2002 and was re-elected in June 2010 for an additional four-year term. He is also the contractual Judge for the Smith River Rancheria and appointed Chief Judge for Redding Rancheria on July 27, 2010. Prior to election as Chief Judge, Judge Blake was employed with the County of Solano for 17 years.

Judge Blake serves as 1st Vice President of the National American Indian Court Judges Association and Region 2 Board Member, representing Tribal Court Judges located in California, Nevada and Hawaii, and a member of the California Juvenile Court Judges Association. He was also appointed to the California Blue Ribbon Commission addressing issues of youth in foster care in California, being appointed by Chief Justice Ronald George. Additionally in October of 2009, Judge Blake drafted a letter to California Chief Justice Ronald George asking for a face-to-face meeting between the Chief Justice and California Tribal Court Judges, this historic meeting took place on December 21, 2009 and further meetings are scheduled. The idea of a "Teague Protocol" mirroring the agreement in the State of Wisconsin and Wisconsin Tribes is the focus of this group.

In April of 2010, Judge Blake was appointed to the 9th Circuit Court of Appeals Commission Federal/Tribal Commission. Judge Blake also works with the National Center for State Courts as staff in the development of State-Tribal Court Domestic Violence issues, arising from Project Passport and participates in trainings around the United States.

Judge Blake is also the founder of the Northern California Tribal Court Coalition, consisting of developed or developing Tribal Courts in the Northern California region. A vision of such an organization is now a non-profit organization Directed by Attorney Stephanie Dolan.

Judge Blake thanked the Alliance members for the invitation to attend our 5th year celebration and is honored to be.

In Celebration of RCTA's 5th Anniversary (June 2010) - *continued*
A look into how it began, where we are now, and future direction.

Sylvia Deporto, Assistant Director of Public Social Services, stated that the development of the Tribal Alliance has had a significant positive impact on the relationships in Riverside county between the Tribes and the Department of Public Social Services. One of the first issues identified by the Alliance was the poor noticing on ICWA cases in Riverside County and the high volume of appeals that were being lost due to poor noticing. As a result the department created a noticing unit, which now completes all ICWA noticing and there is now about 98% compliance on ICWA noticing, reducing the number of appeals dramatically.

Another issue identified was the lack of certified Native American resource family homes for Native children being placed outside of the home. A subcommittee was developed and began working with the tribes on these issues. Individual tribal relationships have improved as social service staff in all of our regions meet regularly with tribal members to discuss roles and working together to provide the best services for Native children and families. We are working with some tribes to look at certifying emergency Native American homes that could be available for emergency placements when necessary.

Most recently the alliance put out a request to all tribes to help us to identify within the local tribes individuals who could serve as expert witnesses on ICWA cases. We are looking forward to developing a list of local ICWA experts here in Riverside county.

Deborah Sutton, CEO of Court Appointed Special Advocates (CASA) Riverside County, introduced herself and shared that CASA has been involved with the Alliance for over two years. Deborah indicated that CASA trains people from the community to be the voice in court for foster youth and shared a story about a case that she is currently working on with Nancy Currie from Soboba. The Alliance has been very beneficial in developing the relationships CASA workers have with the agencies and Tribes.

Deborah said there is a great need for Native American volunteers and welcomes those interested to contact her directly at 909-904-1861 or visit the CASA website at: www.casariversidecounty.org.

Riverside County Sheriff's Department – Tribal Liaison Unit Presentation

Alex Tortes said the Riverside County Sheriff's Department – Tribal Liaison Unit was Sheriff Stan Sniff's idea. Having known of the prior work of the Tribal Liaison, Sgt. Ed Harvey, Sheriff Sniff wanted to expand the unit and incorporate the Community Policing philosophy into the unit, wanting to concentrate on tribal issues, not casino issues.

The unit was established in July of 2008, to develop relationships and building partnerships between the Riverside Sheriff's Department and the Native American communities in Riverside County. The unit is also committed working together and utilizing Community Policing to help the tribes improve the quality of life on their reservations.

The goal of the Riverside County Sheriff's Department – Tribal Liaison Unit is to continue to develop relationships and partnerships with the tribal members. Train department personnel about policing in Native American communities and teach Tribal communities about the mission and responsibilities of the Riverside County Sheriff's Department. Expand teaching allied agencies and communities about tribes in Riverside County.

Approval of Meeting Minutes from the May 21, 2010 meeting

Approval of the May 21, 2010 meeting minutes was requested and hearing no objections, the minutes were approved.

Community Needs Assessment

(Department of Social Services / Prevent Child Abuse – Riverside County)

Eileen Packer, Executive Director of Health Assessment Resource Center (HARC, Inc.), provided information regarding the 2010 Needs Assessment, which included:

- **Purpose of the Needs Assessment**

Every 3 years, all CA counties are required to develop a System Improvement Plan (SIP). Planning for use of CAPIT/ CBCAP/ PSSF funds is part of the SIP process.

- **Specific Purpose of the Needs Assessment**

Each county, in partnership with their community and prevention partners, develops a SIP that focuses on services to families from prevention through the continuum of care.

Planning for use of the Child Abuse Prevention and Intervention (CAPIT) / Community Based Child Abuse Prevention Services (CBCAP) / Promoting Safe and Stable Families (PSSF) funds has been coordinated with the Child Welfare Services/Probation SIP process to eliminate duplicative processes, maximize resources, increase partnerships and improves communication.

This year, the CAPIT/ CBCAP/ PSSF needs assessment is a joint activity of the Riverside County Department of Public Social Services (DPSS) Children's Services Division (CSD), Prevent Child Abuse Riverside County (PCARC)—which serves as the county's Child Abuse Prevention Council (CAPC)—and the Health Assessment Resource Center (HARC).

- **Needs Assessment Design**

HARC is collecting qualitative and quantitative data from a wide range of stakeholders across Riverside County: PCARC Advisory Group, PCARC Local Collaborative, DPSS-identified Workgroups, Key Informant Interviews, On-line Provider Survey, and a Community Survey.

Tribal STAR “Creating Connection, Culture, Community and Resources for Tribal Foster Youth”

Tom Lidot, Tribal STAR / American Indian Enhancement Project Faculty and Margaret “Rose” Orrantia, Tribal STAR Program Manager, gave a short presentation, sharing information on its mission, resources, and training opportunities. Highlights included information on Research; Training information; Policy, Legislation & Law; Promising Practices; and Resource information.

Tribal STAR is a program of the Academy for Professional Excellence, a project of San Diego State University's School of Social Work. Funded for five years by the United States Department of Health & Human Services Administration on Children, Youth & Families (ACYF), Children's Bureau, Tribal STAR is now funded by State and Federal funds and is administered by the Academy for Professional Excellence. Tribal STAR provides a comprehensive, competency-based, interdisciplinary training and technical assistance program.

Tribal STAR's mission is to ensure that Tribal foster youth are connected to culture, community, and resources, throughout their stay in foster care and through their transition to adulthood.

For more information on Tribal STAR, you can visit their website at:

<http://theacademy.sdsu.edu/TribalSTAR/index.htm>

Tom Lidot stated that the final document Social Work Practice Tips For Inquiry and Noticing - Reasons Why People Do Not Claim To Be American Indian has been completed and posted on AOC's website at: <http://courinfo.ca.gov/programs/cfcc/pdf/Tribal-ReasonsNotBACAIRSF2010.pdf>. This document will also be part of the toolkit being developed to assist counties in addressing disproportionality of American Indian/Alaska Native children in Child Welfare Services. The hope is that this will increase accurate and culturally appropriate inquiry and notice in fulfilling ICWA requirements. Ensuring culturally appropriate social work practice that follows the Spirit of ICWA and allows children in the system to remain connected to their culture and tribal identity assures them a greater sense of belonging and increases protective factors. A special thanks to Vida Castaneda and Jennifer Walter of the AOC for finalizing the document and putting this up on their website, and to BACAIR – the Bay Area Collaborative of American Indian Resources, ICWA Workgroup, San Francisco County, Alameda County, Casey Family Programs, Child and Family Policy Institute of California, CalSWEC, CA DSS, and Tribal STAR for the commitment to proper identification of Indian children and families.

Workgroup/subcommittee Reports

Expert Witnesses Workgroup/Subcommittee:

Tammy Palmer reported for the Expert Witnesses Workgroup/Subcommittee, stating that the Expert Witness letter went out at the end of May to the Tribes, however, there has not been any responses to the same. Tammy asked that if anyone is interested in becoming a Tribal Expert Witness or has any questions, she could be contacted at (951) 358-3975.

The Expert witness letter that was sent to the Tribes included the following highlights:

- The Indian Child Welfare Act (ICWA) requires that the courts use an Expert Witness in cases where Native American children are removed from a parent, or Indian custodian. The Expert Witness provides testimony in court for ICWA cases as to whether continued custody of the child by the parent, or Indian custodian, is likely to result in serious emotional or physical damage to the child. All parties are allowed to have their own Expert Witness (Tribe, Child, Parents, Social Worker/Probation Officer). We currently have one contracted Expert Witness in Riverside County. (There are several other expert witnesses that are being used, however, Tribes sometimes bring in their own expert witness).
- Riverside County Public Social Services (DPSS) asks you to help. The task of identifying persons willing to perform as Expert Witnesses is not easy, but that tribes are likely to be in the best position to know who would best serve in their community. DPSS will be compiling a list of candidates for each tribe who chooses to participate. This contact list will then be made available for our social workers to use to contact Expert Witnesses when a child from your tribe becomes involved with our agency. This list would be available to any court, tribe, parents, etc. This list will not preclude the Tribe from identifying or requesting an expert witness not on the list.
- Qualifying an Expert Witness

The Bureau of Indian Affairs has established guidelines as to who is most likely to meet requirements for a qualified expert witness under the ICWA. California Welfare and Institutions Code 224.6 list essentially the same qualifications, stating "Persons with the following characteristics are most likely to meet the requirements for a qualified expert witness in Indian child custody proceedings." Please keep in mind, these are recommendations possibly in order of preference and are not binding. You may be able to identify other acceptable criteria.

Affiliation: Must be a member of a tribe or someone who is recognized by your tribal community as knowledgeable in tribal customs as they pertain to family organization and child rearing practices. Examples would be a tribal spiritual leader, tribal historian, or tribal elder. We look to you to identify tribal community members who can serve as an expert witness.

OR

Experience: Has had substantial experience in Native American child and family services and extensive knowledge of the social and cultural standards and child-rearing practices of your Native American tribe. These might be tribal social workers.

OR

Education: Must be a professional person, with substantial education and experience in the area of his or her specialty.

Courts have the responsibility to declare individuals as experts and their testimony as admissible. The role of DPSS is to pay for the services provided by the Expert Witness.

Work Group/subcommittee Reports (continued)

▪ Duties of an Expert Witness

Duties would include 1) meeting with mother; 2) meeting with father; 3) meeting with the county social worker or probation officer; 4) meeting with the tribal social worker or ICWA advocate; 5) reviewing the case file; 6) writing a declaration; 7) testifying in court. Testifying in court often occurs on the telephone with the judge. However, some judges or attorneys will request the Expert Witness to actually appear in court to testify. Testimony centers on tribal customs as they relate to children and families. Testimony must occur in court unless all parties waive this requirement in writing.

▪ How Do Expert Witnesses Get Paid

Expert Witnesses will be paid by DPSS through a program, which will avoid the need for Expert Witnesses to purchase insurance policies that can be expensive. However, if a witness exceeds \$10,000.00 in compensation in a year from DPSS for Expert Witness services, they may be required to be contracted and obtain insurance policies. In order to be paid as an Expert witness, submit your invoice to the requesting social worker. The social worker will complete a Purchase Authorization for Services (PAS) and forward to our Accounting group for processing and payment. Expert Witnesses should receive payment approximately 30 days after submitting the invoice.

▪ Training

There is a State level subcommittee working on a training program for Indian Expert witnesses. Many members of the subcommittee are tribal members and are involved to ensure global tribal cultural practices will be included in the training program. We are not aware of a formal training program currently in existence. In Riverside County, those interested in becoming Expert Witnesses will be provided an orientation until a formal training program is in place. During the orientation, several judges and commissioners will provide guidance on what information should be contained in the declaration submitted to the court. This information will include the cultural practices of the affected tribe as it pertains to child rearing.

The Riverside County Tribal Alliance for Indian Children and Families, in conjunction with Riverside County DPSS, has reviewed and approved this document.

Domestic Violence Workgroup/Subcommittee:

Wendy Yasinski reported that the purpose of Domestic Violence Workgroup is to figure out:

1. Can we help the tribes/alliance members with any types of Domestic Violence issues?
2. If we can help, how can we help?

Possible current goals of the group include:

- Discussing and addressing issues of DV services;
- Advocating needs; and
- Legislative changes

The current goal of the Workgroup is to look at Domestic Violence/Anger Management therapeutic resources that are culturally appropriate for the tribes.

The Workgroup has had two meetings so far, with four people participating in the first meeting and six in the second meeting. *Thank you to Judge Dugan who is a member of the group.* The Domestic Violence Workgroup is currently recruiting for more group members and an interest sign up sheet was passed around.

Wendy also indicated that the Workgroup members are wondering if there is any DV topics the Alliance would want presented at future meetings? Wendy will send an e-mail through Donna Burt to the Alliance members asking for suggestions.

Work Group/subcommittee Reports (*continued*)

Standing Education Workgroup/Subcommittee:

There was no report from the Standing Education Workgroup.

Placement/Foster Care Workgroup/Subcommittee:

Sylvia Deporto reported that the Placement/Foster Care subcommittee has not been successful in scheduling a meeting and they will be re-evaluating the necessity of this committee.

Nehreen Ayub, Interim Director with Morongo Band of Mission Indians Social Services and Mary Ellen Johnston, Regional Manager of Children's Services Division reported that Morongo Social Services (MSS) invited Riverside County Department of Social Services (DPSS) (Banning office) for a collaboration meeting with all their front line Emergency Response workers in an effort to develop and build collaboration between the two entities. About 35 DPSS workers attended and they discussed various ways by which we could work more effectively to provide services to our mutual clients. MSS also provided DPSS with a procedural protocol on how to respond to ER referrals on the Reservation.

Morongo Social Services also hosted another meeting with the DPSS Regional Managers from the Relative Assessment Unit, Adoptions and Foster care units to gain a better understanding of the protocol and procedures of the respective departments when providing services to families.

Morongo Social Services is in the process of planning another meeting with the Eligibility team from Riverside DPSS to help clarify and share information about their department qualification criteria for foster care benefits when working with Morongo families.

Future Meeting Information

Future meeting date(s) and location(s) to be determined. Once scheduled, Donna Burt will send notice to Alliance members.

Proposed future agenda items

1. Native American Evidence Based Practices for Prevention and Early Intervention to be presented by Myriam Aragon Cultural Competency Manager with Riverside County Mental Health Department and Dr. Renda Dionne.
2. Grandparents rights

Adjournment

There being no further business, the meeting was adjourned at 3:08 p.m.

The foregoing represents my understanding of the actions taken and decisions made at the Riverside County Tribal Alliance for Indian Children and Families meeting.

Respectfully submitted,
Donna Burt
Superior Court of California
Riverside Juvenile Division Manager