

AGENDA

ARIZONA STATE, TRIBAL & FEDERAL COURT FORUM

Friday, January 13, 2012, 10:00 a.m. - 3:00 p.m.

Arizona Courts Building

1501 West Washington, Conference Room 230

Phoenix, AZ 85007

- I. Registration - (Beginning at 9:30 a.m.)**
- II. Call to Order and Greeting – Hon. Donna Grimsley (10:00 a.m.)**
- III. Introductions by Members and Participants**
- IV. Approval of Minutes**
- V. Next Meeting April 20, 2012**
- VI. New Business**
 - A. SAFESTAR Sex Offense Program Description and Evidence Issues**
 - B. Commission on Minorities - Court Forum Cooperation**
 - C. Opportunities for Local State and Tribal Court Cooperation**

LUNCH (noon)

Documentary Film “Apache 8” (firefighting crew) (12:30 p.m.)

- VII. Ongoing Matters**
 - A. Development of Involuntary Commitment Education Program**
 - B. Formation of Indian Child Welfare Act Committee**
 - C. Tribal Court Protective Orders**
- VIII. Open Forum**
- IX. Adjournment**

IV. Approval of Minutes

ARIZONA STATE, TRIBAL & FEDERAL COURT FORUM
HON-DAH Resort-Casino Conference Center
Pinetop, AZ
Draft Minutes of the September 30, 2011 Meeting

Court Forum Members Present:

Hon. Lisa Abrams Superior Court, Pima County	Hon. Ryan Andrews Salt River Pima-Maricopa Indiana Com. Crt.
Diandra Benally (via phone) State Bar of Arizona	Hon. Victor J. Clyde Chinle Justice Court
Hon. Donna Grimsley, Chair Superior Court, Apache County	Sue Hall Clerk of Superior Court, Apache County
Wendy Hofmann Arizona Office of the Attorney General	Hon. Delfred Leslie, Vice-Chair Hopi Tribal Court
Hon. Michala Ruechel (via phone) Superior Court, Navajo County	Hon. David Widmaier Pinetop-Lakeside Municipal Court

Administrative Office of the Courts (AOC) Staff Present:

David Withey	Brenda Lee Dominguez
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Participants/Visitors Present:

Anthony Cooley	Hon. Kathleen Quigley
Nathaniel J. Harvey	John Major

I. Registration (9:30 – 10:00 a.m.)

II. Call to Order and Greeting

Judge Grimsley, Chair, called the meeting to order at 10:10 a.m.

III. Introductions by Members and Participants

Judge Grimsley welcomed the attendees and invited everyone to introduce themselves.

New members Wendy Hofmann, Arizona Office of the Attorney General, and Judge Butner (not in attendance), Yavapai-Apache Tribal Court, were welcomed to the Forum.

IV. Welcome by Ronnie Lupe, chairman, and Tim Hunter, vice-chairman (White Mountain Apache Tribe)

Due to the celebration of “Indian Day” Ronnie Lupe and Tim Hunter were not able to attend the meeting.

V. Approval of Minutes

MOTION: Judge Clyde made a motion to approve the minutes for April 22, 2011, Judge Abrams second the motion, which was unanimously approved.

VI. Local History – Anthony Cooley

Anthony Cooley gave an informative description of the history and culture of the White Mountain Apache Tribe and the area that became the Fort Apache Reservation and surrounding communities.

VII. Next Meeting Dates for 2012

- **First Meeting: January 13 or 27** (next meeting to be held in Phoenix)
- **Second Meeting: April 20 or May 4**
- **Third Meeting: September 7 or 21**

ACTION ITEM: David Withey requested members email Brenda Lee Dominguez (bdominguez@courts.az.gov) their availability of the proposed 2012 meeting dates.

VIII. Updates on Ongoing Matters

A. Development of Involuntary Commitment Education Program – David Withey

David Withey reported on the two-day curriculum development meeting held August 31 and September 1, 2011. He will work with education staff at the Administrative Office of the Courts to produce a rough draft of the curriculum to be circulated to be supplemented and edited by other participants. When the curriculum is completed, it will be developed and offered in the form of a self-paced webinar available on the internet whenever needed to guide staff of tribal and state courts and attorneys who have not previously handled a tribal court commitment to an off reservation facility.

John W. Major, Tribal Prosecutor, briefly described the process he follows in handling involuntary commitment matters. Judge Leslie requested Mr. Major provide a write-up of the process he follows and share this information with the committee members. The Arizona Tribal Prosecutor Association may be a good contact to get more information about experience with the process.

ACTION ITEM: Mr. Major to provide his process for handling involuntary commitment matters via email to Brenda Lee Dominguez.

B. Tribal Judge Access to Arizona Judicial Education On-Line Resources

David Withey provided an update on the availability of the on-line resources. There has been a delay in providing tribal judges access to judicial education material on-line. Currently, state and tribal judges who are not on the Arizona Judicial Information Network (AJIN) are not able to access the on-line materials. The Education Services Division is working on a secure internet interface that can be used by all state and tribal judges.

Due to Paul Julian's inability to participate in meeting, David provided information on new judge orientation costs. Judges who attend both the limited and general

jurisdiction programs for new judge orientation can now receive a package deal of \$1,000 to attend both, instead of the standard cost of \$750 per program. Tribal judges handle all case types unlike state judges who handle the types of cases typically filed in either general or limited jurisdiction courts.

C. Admission on Motion – Incorporation of Indian Law Issues

David Withey updated the Forum on the incorporation of Indian law issues such as Indian Child Welfare Act (ICWA) in the Arizona law course for attorneys licensed in other states who seek admission to the Arizona Bar on Motion. Diandra Benally reported the Indian Law Section had recommended specifically what to incorporate in the existing course curriculum. This course will be even more significant if the court adopts the Uniform Bar Exam (UBE) and requires all new attorneys who take this exam also complete the Arizona law course.

LUNCH Judge Widmaier and Nathaniel J. Harvey were thanked for co-hosting and coordinating the Forum meeting and the White Mountain Apache Tribe for hosting the meeting and the lunch.

ACTION ITEM: Brenda Lee to send out thank you letters.

IX Tour

Nathaniel J. Harvey coordinated a tour of the new juvenile and adult detention center. Mr. Garcia, director, of the detention center gave a short presentation and provided a guided tour of the facility.

X. New Business

A. Indian Child Welfare Act – Hon. Kathleen Quigley, commissioner, Pima County Juvenile Court

Judge Quigley provided a template of a Preliminary Protective Hearing, Minute Entry Order, Indian Child Welfare Act Compliance.

Judge Quigley proposed the Forum form a committee or work group on ICWA to address issues to be identified. This body could sponsor an annual conference and establish an ICWA forum on the web in cooperation with ASU and U of A to answer questions and provide training. The body could foster greater attention to ICWA at new judge orientation and dependency training. AG office staff and tribal attorneys can bring expertise as they did for the ICWA conference held this past year. Identification of tribal agents of notice may need to be addressed. The body would be composed of court forum members, state and tribal judges and other members who would bring ICWA expertise.

MOTION: Judge Leslie made a motion to create a subcommittee on ICWA, Judge Widmaier second the motion, which was unanimously approved.

ACTION ITEM: David Withey to send out an email outlining what the subcommittee would entail and request volunteers. David will set up a conference

call once the volunteers for the subcommittee have been identified with Judge Quigley.

XI. Open Forum for Members to Raise Issues or Concerns

A. Judge Lewis Resignation

Judge Lewis said goodbye to the Forum. He has taken a position as associate judge at Camp Verde, Yavapai-Apache Tribal Court and will no longer be a member of the Forum. The Forum members in attendance thanked him for his years of service.

B. Child Support Orders – Judge Abrams

Judge Abrams informed the Forum regarding jurisdictional issues involved in enforcement of Arizona child support orders. She provided, for example, a letter dated June 30, 2011 from Pascua Yaqui Tribe, Payroll Department regarding a Notice to Withhold, Order of Assignment, or Notice of Levy received by the tribe's casino that advises the state court order cannot be followed by the tribe without domestication in tribal court. An effort to domesticate a state child support order in one tribal court resulted in an order that gave the tribal employer the option to comply rather than ordering compliance. It was suggested that tribal attorneys may assist in advising tribal employers to comply with child support orders entitled to full faith and credit. Tribal judges may not be aware of the federal full faith and credit requirement or the tribe may have a garnishment statute that conflicts with federal law as to child support orders by requiring consent of the tribal employer or garnishee. Judge Abrams identified Assistant Attorney General Mitch Padilla as having statewide experience in addressing these issues.

ACTION ITEM: Invite AAG Mitch Padilla to address the Forum regarding the child support order enforcement issues he has encountered and his understanding of the applicable law.

C. Entering Protective Orders – David Withey

David reported on entering Protective Orders on behalf of Judge Passey, who has been pursuing the ability for the tribes to enter Protective Orders into the NCIC and ACIA justice networks. Judge Passey discovered that an entity must be classified as a criminal justice agency and the court must have an ORI number in order for Protective Orders to be entered into these systems. Tribal court should be recognized by DPS as a qualified criminal justice agency. Do tribes have systems for tribal or BIA law enforcement to access orders of protection issued by a tribe's own court?

D. Lack of Law Enforcement by BIA and Programs at Tribal Jails And Detention Centers

Judge Leslie raised the problems of the lack of law enforcement by BIA and of detention centers just warehousing inmates rather than provide education and other rehabilitation programs. Typical pretrial detention is brief, 20 days, but incarceration following conviction may extend to 90 days and up to one year. Tribes qualifying under the Tribal Law Enforcement Act will be able to incarcerate offenders for longer periods. Some tribes, such as the Salt River Pima Maricopa Indian Community

(SRPMIC), have such programs at jails and detention centers. The state judicial department operates programs in state juvenile detention centers. These programs may serve as models and be transferable to tribal jails and detention centers that lack such programs.

ACTION ITEM: Judge Grimsley requested this matter be placed on the next meeting's agenda for further discussion of examples of model programs. Judge Andrews offered to host a meeting and that at which information could be provided about SRPMIC programs.

XII. Adjournment

The meeting adjourned at 2:58 p.m.

VI. New Business

B. Commission on Minorities – Court Forum Cooperation

More Information

Susan Pickard
Commission Staff
1501 W. Washington St., Ste. 410
Phoenix, Arizona 85007
602.452.3252
spickard@courts.az.gov

Commission Web Site:
<http://www.azcourts.gov/cscommittees/CommissiononMinorities.aspx>

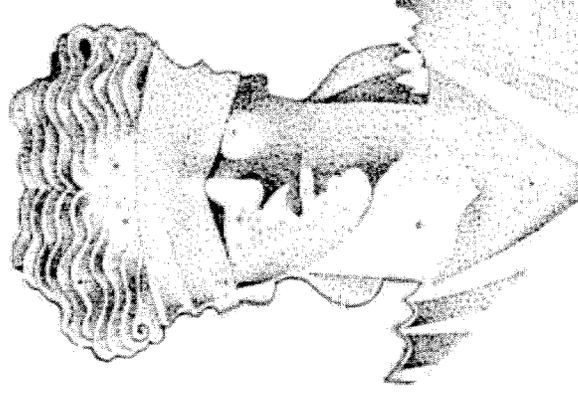
Other Resource Links:

- Arizona Judicial Branch - <http://azcourts.gov/>
 - Judicial Vacancies - <http://azcourts.gov/Default.aspx?alias=azcourts.gov/judicialjobs>
 - Juvenile Justice Service Division - <http://azcourts.gov/Default.aspx?alias=azcourts.gov/jisd>
- State Bar of Arizona - <http://www.azbar.org/>
- Maricopa County Bar Association - <http://www.maricopabar.org/>
- Pima County Bar Association - <http://www.pimacountybar.org/>
- Arizona Asian American Bar Association (AZAABA) - <http://www.azasianbar.org/>
- Arizona Black Bar Association (formerly known as the Hayzel B. Daniels Bar Association) - <http://arizonablackbar.org/>
- Arizona Women Lawyers Association - <http://www.awla-maricopa.org/>
- Los Abogados Bar Association - <http://www.losabogados.org/>
- Native American Bar Association – Arizona Chapter (NABA-AZ) - <http://naba-az.com/>
- American Bar Association Judicial Intern Opportunity Program - <http://www.abanet.org/litigation/jiop/>
- National Bar Association Arizona Diversity Pipeline Program - <http://www.nbapipeline.org/index.html>



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Commission on Minorities in the Judiciary



Collaboration
and Outreach

Cultural
Competency

Diversity

Over
Representation
of Minority
Youth

COMMISSION ON MINORITIES IN THE JUDICIARY



The Commission on Minorities in the Judiciary (Commission) is a standing commission of the Arizona Judicial Council (AJC). The work of the Commission is given direction by *Justice 2020*, the Strategic Agenda for Arizona Courts, 2010-2015 and Arizona Code of Judicial Administration (ACJA) § 1-107.

Central to the Commission's purpose is assisting the Arizona Judicial Branch in achieving the goals of maintaining a professional workforce by expanding cultural awareness and sensitivity training for judges, court staff, probation officers and volunteers, and improving communications with minority and local bar associations and communities.

Since 1990, the Commission, through its members' efforts, recommendations to the AJC and collaborations with other stakeholders, has accomplished great things. These accomplishments include:

- Hosting the *Color-blind Justice? Minority Youth Over-representation in the Arizona Juvenile Justice System* Conference
- Developing the 1993 Equitable Treatment of Minority Youth Report and subsequent Statewide Report Cards
- Providing technical assistance and support to local court jurisdictions who desire to address the issue of over representation of minority youth in the juvenile justice system.
- Initiating Building Blocks Program in the Maryvale community - now a project of Maricopa County's Tinker Toys Initiative
- Initiating Project RESTORE (a civil rights restoration project) in Maryvale
- Establishing the Committee to Study Interpreter Issues
- Establishing the Arizona Court Interpreter Funding Committee
- Conducting the Chris Nakamura Judicial Appointment Workshop biannually at the Minority Bar Convention and standalone seminar in Pima County
- Conducting the Judicial Clerkship Workshops at the U of A and ASU Law Schools
- Instituting a cultural competency component in New Judge Orientation
- In 2003 the Commission was awarded the Justice Award for Community and Court Involvement for *Community Outreach with Justice Zlaket*
- Developing a Diversity Statement and Cultural Competency Definition.
- Collaborating with the Administrative Office of the Courts' Education Services Division to provide a Cultural Competency broadcast.

The Commission collaborates with other stakeholders:

- Arizona Juvenile Justice Advisory Commission
- Coalition for Juvenile Justice
- Committee on Judicial Education and Training
- Council on Legal Education Opportunities (CLEO)
- Statewide Disproportionate Minority Contact Committee
- State Bar of Arizona
- Arizona Asian American Bar Association
- Arizona Black Bar Association
- Los Abogados Bar Association
- Native American Bar Association – Arizona Chapter (NABA-AZ)

Commission Members

Judge Roxanne K. Song Ong, Chair
Phoenix Municipal Court

Lisa S. Loo, Esq.
Arizona State University

Jesus Diaz, Vice-Chair
Pima County Juvenile Court Services

Judge Marie "Toni" Lorona
Eloy Justice Court

Judge Maria M. Avilez
Sahuarita Municipal Court

Judge Leslie Miller
Superior Court in Pima County

Mike Baumstark
Administrative Office of the Courts

Judge Monyette Nyquist
Phoenix Municipal Court

Diandra D. Benally, Esq.
Fort McDowell Yavapai Nation

Kendall D. Rhyme
Gila County Probation Department

Judge Peter Eckerstrom
Arizona Court of Appeals, Division II

Patricia Seguin
Superior Court in Maricopa County

Joi Hollis, M.Ed.
Superior Court in Pima County
Conciliation Court Services

Margarita Silva, Esq.
Navidad, Leal & Silva, PLC

Karin Humiston
Cochise County Juvenile Court
Services

Arthur Wilkerson
Arizona Department of Juvenile
Corrections

Judge Mitchell D.K. Kalauli
Mocasin Justice Court

Professor Penny L. Willrich
Phoenix School of Law

Nicole L. King, Esq.
Salt River Pima-Maricopa Indian
Community

VI. New Business
C. Opportunities for Local State and Tribal Court Cooperation

Opportunities for Local State and Tribal Court Cooperation

Court Forum efforts to promote cooperation between state and tribal court have included:

1. Enforcement of tribal court involuntary commitment orders – statute, court rules, superior court protocol, and CBT
2. Recognition of tribal court judgments – court rules
3. Wellness/Drug/Specialty court cross-jurisdictional collaboration – models identified
4. Probation supervision collaboration – NE regional meeting proposed
5. Indian Child Welfare Act compliance in dependency cases – checklist/order
6. Child support order enforcement – full faith the credit requirement
7. Enforcement of orders of protection – Project Passport
8. Juvenile detention - IGAs

Documentary Film “Apache 8”

Published on *NAPT* (<http://www.nativetelecom.org>)

[Home](#) > [Resources](#) > Producer Profile: Sande Zeig

Producer Profile: Sande Zeig

By [Ben Kreimer](#) [8]

Sande Zeig's most recent documentary, *Apache 8*, is a product of happenstance.

A few years ago, while walking through her hometown in Phoenix, Ariz., Zeig noticed a group of women, ages 20 to 50, all dressed in firefighter shirts. "The energy was amazing as I was passing through this group," said Zeig, a writer, director, producer and film distributor.

Zeig discovered they were members of *Apache 8*, an all-women wildland firefighting crew from the Fort Apache Indian Reservation in Arizona.

"Immediately out of my mouth came the words 'I want to make a movie about you!'" Said Zeig.

Zeig is the producer and director of the new documentary, *Apache 8*. The film unveils the unique and untold history of *Apache 8* firefighters, including the lives of four crew members and their captivating stories from both on and off the fire line.

"*Apache 8* was, I believe, the very first all-women firefighter crew in the United States, and I am completely sure it is the longest lasting [all-women] crew," said Zeig.

Despite their unique status and 30 years of firefighting excellence in Arizona and throughout the Western U.S., very few people know about *Apache 8*.

"The history of *Apache 8* is unknown to the world at large, even to the world near Whiteriver [Ariz.] where the firefighters are based," said Zeig.



[Sande Zeig](#)

[1]

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[Artistic License Films \(Zeig's distribution\)](#)

After her airport encounter with the Apache 8 women, Zeig approached their crew boss, Cheryl Bones, about making a film. Bones was enthusiastic about the idea, and invited Zeig to begin filming the following day.

“I had no idea what the film would be [about],” said Zeig. “I thought it would be the history of Apache 8... but it really moves into the lives of these firefighters.”

For example, firefighter Katy Aday was sent to California by her parents at age 8 to live with a Mormon family and go to school. Despite her protests, “her father said, ‘you have to go, you have to get an education and you have to come back and be the voice of the people,’” Zeig said, quoting Aday. She lived with the Mormon family through her high school years.

“That story was one story that was a complete surprise,” said Zeig.

Zeig’s path to becoming a filmmaker is also one of happenstance. She majored in theatre, and had been producing, directing, writing and acting in theatre while living in New York City. “I’m more the entrepreneurial type, so I wasn’t the kind of actor that wanted to wait for roles,” she said. “I started writing my own theatre pieces and producing them.”

In need of employment, Zeig worked as a marketing assistant, publicist and programmer for Bleecker Street Cinema, a prominent 1980s art house movie theater in New York. Her work in the film business landed her a job in film distribution. She eventually started her own distribution company, Artistic License Films.

After working behind the scenes of the film industry, Zeig tried filmmaking. “I decided the creative work I was doing in theatre was easily moved to film,” she said. “That’s when I decided to make that first short film [entitled Central Park].”

Central Park premiered at the Sundance Film Festival, and went on to appear at over 30 other festivals. Zeig’s next film, *The Girl*, was a collaborative effort with her partner, French writer Monique Wittig. *The Girl* is a feature film and film noir based on a short story by Wittig. Zeig’s first documentary, *Soul Masters: Dr. Guo and Dr. Sha*, is a film about a doctor of Chinese medicine and his teacher.

Zeig met Dr. Sha when he performed a spiritual healing for her ailing father. “We felt a lot of things on a vibrational level... a lot was happening,” said Zeig, talking about being in the room during the healing. When her father’s condition improved following Dr. Sha’s healing, she became interested in his work. On an impulse, she decided to join him on a trip to China to meet his teacher, Master Guo.

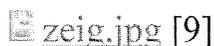
“Two weeks later I was in China with Master Sha, meeting his teacher, Master Guo,” she said. Seeing the two men together, the same familiar words came tumbling from Zeig’s

mouth.

“I want to make a movie about you!” She said.

What Soul Masters and Apache 8 share for Zeig, she said, was her “instinctual feeling” upon meeting Master Sha, Master Guo and the Apache 8 firefighters, that “there was something more there than you could see at the surface.”

Both films have resulted in lasting friendships that transcend the films themselves, Zeig said. “My life has been profoundly changed by meeting these people and being deeply involved in their lives.”





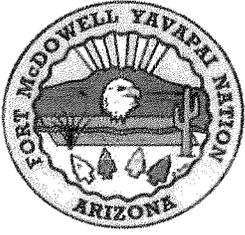
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VII. Ongoing Matters
C. Tribal Court Protective Orders



Fort McDowell Yavapai Nation Tribal Court

10755 N. Fort McDowell Rd., Suite 1, Fort McDowell, AZ (480) 789-7604 Fax (480) 789-7605

Kerry G. Passey, Acting Chief Judge

July 12, 2011

Ms. Lena Bryant
ACJIS Compliance Specialist
Access Integrity Unit
Arizona Department of Public Safety
2102 West Encanto Blvd.
P.O. Box 6638
Phoenix, Arizona 85005-6638

Dear Ms Bryant:

In Re: Your Letter dated April 12, 2011.

This Court has requested an ORI number for the Department of Public Safety to enable our Law Enforcement Officers of the Fort McDowell Yavapai Nation (FMYN) to enter Protective Order Codes for our Orders of Protection into the ACJIS and NCIC database. Our Fort McDowell Tribal Police apparently have their own ORI number, but our Tribal Court here does not have one. I am told that our Court must have one in order for other agencies to know which Court issued the Tribal Protective Order.

I wonder if any other Arizona Indian Tribal Courts are able to successfully enter their Orders of Protection with the appropriate Protective Order Codes (with their ORI Number) directly into ACJIS or NCIC to receive full faith and credit and Federal and State prosecution under Violence Against Women Act of 1994 (VAWA)? I have been told that we can't. I wonder if other Tribal Courts have the same difficulty. This request is an attempt to help fix that problem at least in our Indian Tribal Court so our Project Passport Protective Orders receive true faith and credit under the VAWA.

I believe we first requested an ORI number in March of 2000. I became involved on February 17, 2011 when I emailed Joyce Dehnert of your office at the prompting of Sgt. Jesse Crabtree, FMYN PD. When I received your letter of April 12, 2011, in response, I immediately called you at the number you gave me in your letter and left a message. I wanted to find out what it was that you wanted that would verify that this court is a court,

Page Two Letter to Lena Bryant ACJIS Compliance Specialist, Access Integrity Unit dated July 12, 2011 (continued)

that we are a criminal justice agency and that 50% of our budget is used on criminal justice. Not hearing anything, pursuant to the "three part test" requirements outlined in your April 12, 2011 letter,

1) I can assure you that our Fort McDowell Yavapai Nation's Tribal Court is a "court" under your definition. Attached is a copy of our Tribal Constitution, which defines and discusses the Judicial Branch of government in Article VII of the Fort McDowell Yavapai Nation Constitution. This Constitution, as you may be aware, and which the FBI is most certainly aware, was adopted and approved by the U.S. Secretary of the Interior and Deputy Commissioner of Indian Affairs on November 12, 1999.

2) I can also avow that the Fort McDowell Yavapai Nation Tribal Court qualifies as a criminal justice agency pursuant to your definition under the FMYN Tribal Court's Constitutional mandate and Bill of Rights. (See the Nation's Constitution attached.)

3) I can also avow that the more than half of the Tribal Court Budget is used for the administration of criminal justice including search warrants, arrest warrants, arraignments, pretrial release and supervision, bench trials, jury trials, sentencing, post conviction review, probation violations, and post conviction relief, extradition, and writs of habeas corpus and restitution for incarceration fees incurred by the Nation. (Attached is the Court's FY Budget for 2011 (attached), as well as a FY2011 budget summary by line item for the FMYN Juvenile, Tribal and Supreme Courts.

The Nation's 1999 Constitution is also located on-line at <http://www.narf.org/nill/Constitutions/FtMcDowellConst/fmcdowellconsttoc.htm>. I have also attached a copy for your review. An older version of the Fort McDowell Yavapai Nation Law and Order Code is also located on-line on this same website but should be updated once the SMART office in Washington, D.C. approves our Nation's submittal to implement the new Fort McDowell Yavapai Nation sex offense and sex offender legislation here, as well the standards recommended for Indian Tribes' Sex Offender Registration and Notification (SORNA) to implement the Adam Walsh Act. . (I believe this Tribe is one of only two or three tribes nationwide to implement the SORNA guidelines and statutes timely for the July deadline.)

In addition, our Tribal Court runs a very successful and nationally recognized Drug Court Program since 2004 for adults and juveniles. We adopted Project Passport for our Orders of Protection way back in 2007. We passed our own Rules of Criminal Procedure in 2007, and will be adopting shortly our own Rules of Civil Procedure and Rules of Probate Procedure. We are considering the adoption of recent Obama Tribal Act which allows our Tribal Court to sentence offenders to 3 years of Federal Prison per count up to a 9 year maximum. This next week our Tribal Court will be sending six people at our expense from other Tribal Departments within the Fort McDowell Yavapai Nation (FMYN), including FMYN Community Services counselors and treatment providers,

Page Three - Letter to Lena Bryant, ACJIS Compliance Specialist, Access Integrity Unit, dated July 12, 2011 (continued)

prosecutor, police officer, and other Tribal departments and court representatives to attend the 17th Annual Drug Court Conference in Washington, D.C. from July 16-July 20, 2011. I met recently with the Presiding Criminal Judge in Maricopa County, Judge Rayes, to discuss possibility of allowing FMYN tribal members who are on probation in Maricopa County Superior Court to access services and our intensive outpatient treatment program at no cost to the State which are more cultural successful through our Healing to Wellness (Drug) Court.

Lastly, our Court is represented on the Arizona Supreme Court's Arizona Forum (<http://www.azcourts.gov/Default.aspx?alias=www.azcourts.gov/stfcf>) to help resolve State, Local, Federal, and Tribal issues like this one where we are simply trying to allow our people the same rights and equal protection under the VAWA for Tribal Protective Orders that are apparently available to Non Native Americans living off the reservation. We want to make sure that our Tribal Orders of Protection are entered statewide into ACJIS and nationwide into NCIC as are other Orders of Protection issued elsewhere throughout the Country. I am told that to do this, my Court must have an ORI number issued by AZ DPS.

Attached for your review is a copy of the Nation's Constitution, a copy of our FY 2011 Budget Request, a past Annual Report for the Fort McDowell Yavapai Nation including a report of the Court on page 5 for FY 2008, and a copy of the Court's budget summary dated April 30, 2011. You may also wish to review our Nation's Website at www.ftmcdowell.org. Please note that every line item in our budget is required for criminal case processing, which is the bulk of what we do here, by far.

If you, or the FBI, need additional information to process this request, please do not hesitate to call me by telephone Monday through Thursday during our business hours from 7:30 a.m. to 5:30 p.m. at 480-789-7604 at the office, or at home at 480-844-0066, or you may call any of the telephone numbers listed on the Nation's website.

Sincerely,



Kerry G. Passey
Acting Chief Judge

CC:

Joyce Denhart, Supervisor, Access Integrity Unit, DPS
Jesse Delmar, Chief, FMYN Police Department
Jesse Crabtree, FMYN Police Department
Stephanie Beebe, FMYN Police Department
Hon. Rebecca White Birch, Chief Justice, Arizona Supreme Court
David Withey, Esq., General Counsel, Arizona Supreme Court