
ARIZONA STATE, TRIBAL & FEDERAL COURT FORUM MEETING REPORT

**Wednesday, June 19, 2002
10:00 a.m. - 3:00 p.m.**

**Arizona Supreme Court, Room 119 A&B
Phoenix, AZ 85007**

Call to Order

The meeting was called to order at approximately 10:30 A.M. on Wednesday, June 19, 2002 at the State Court Building, 1501 West Jefferson Street , Phoenix, Arizona.

Attendance at the meeting was as follows:

Members Present

Hon. Sherry Hutt
Hon. Earl Carroll
Kathlene M. Rosier
Frederic Kay, Esq.
Frederick Steiner, Esq.
Hon. Marjorie Talayumptewa
Hon. Charles T. Brandel, Jr.
Sue Hall

Participants

David L. Withey, Staff

Members Absent

Hon. William C. Canby, Jr.
Hon. William R. Rhodes
Hon. Cornelia Cruz
Hon. Gary LaRance
Hon. Malcolm Escalante
Hon. Neil Flores
Hon. Kathleen Gratz
Hon. Leroy S. Bedonie
Diane Humetewa
Hon. Michael C. Nelson
Hon. Gloria Kindig
James Redpath
Mark Curry

I. Approval of March 26, 2002 meeting report

II. Status Reports

A. Tribal Laws and Courts Work Group

It was noted that a new Chair would be needed for this work group to replace Judge Hutt who announced she would be leaving the bench. Kate Rosier was suggested to chair this group. She serves as the coordinator for meetings of the Arizona tribal judges association. Judge Kindig offered to Chair the Education Work Group currently chaired by Ms. Rosier.

1. Availability of opinions of regional appellate courts for reference or for compilation and publication.
 2. Availability of requirements for admission to practice of law in tribal courts. Kate Rosier provided for distribution a list of tribal courts that includes for each court: the address, judges' names, practice requirements and appellate opinions tribal code availability. This list is available on the ASU Indian law Programs (ILP) web site.
 3. Publication of tribal legal documents on the ILP web site. David Withey reported that Kate Rosier advised him of receipt of codes form four Arizona tribes: Cocopah, Fort McDowell, and Salt River.
 4. Compilation and publication of laws of most interest to Non-Indians - commercial, hunting and fishing, traffic
Members observed that this may be a good project for a law student.
- A. Intergovernmental Cooperation
 1. New Chair of work group.
David Withey reported that Jim Redpath had agreed to serve as chair of this work group.
 - B. Education Work Group
David Withey received a report from Kate Rosier that a review of Arizona judges bench books has begun.
 - C. Service of Process Rule Proposal
Members received a copy of the note by Katosha Nakai published in the Arizona State University Law Review. Ms. Nakai is not available to work with the Forum on development of a rule.
 - D. Staff Report
 1. Indian Law question on Bar exam.
David Withey relayed an explanation from the staff of the Arizona Bar Exam Committee as to why only "core subjects" are included on the Arizona Bar Exam. As recommended by the National Conference of Bar Examiners and the ABA Section of Legal Education and Admission to the Bar, the committee periodically considers adding matters that are "basic and fundamental subjects..regularly taught in law schools.." across the nation, not just in Arizona. Members questioned what subjects are currently covered on the Bar Exam, what Indian law courses are currently offered by Arizona law schools and whether any of these courses are required. Mr. Withey suggested that a possible alternative to proposing a question devoted to Indian law would be to propose that common Indian law issues be integrated into questions regarding the core subjects as these issues might arise in Arizona practice.

2. Tribal court domestic violence protective orders incorporation into state database.

Sue Hall reported that the Clerks are supportive of tribal courts including their orders in the state database but do not have the resources to input the data. David Withey reported that it is technically possible for tribal courts that maintain case information on a standard database and have internet access to send data to the AOC for integration into the state database. Judge LaRance and Judge Brandel indicated that their courts have cases on a database.

IV. New Business

Judge Carroll asked Mr. Withey to schedule the next meeting at a location where members could learn about tribal court operations. Judge Brandel suggested Salt River Tribal Court.

V. Work Group Meetings

A. Communication

It was suggested that list serves be established on the internet for work groups.

B. Meetings

David Withey offered assistance in setting up conference calls for work groups.

VI. Adjournment

The meeting was adjourned at about noon.