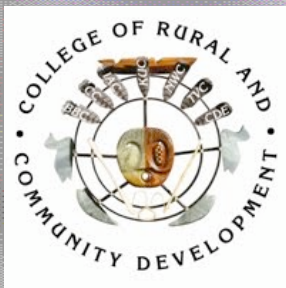


Working with Youth in Tribal Court



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Tribal Authority: Jurisdiction



- Tribes have inherent authority over their youth- in the same way they have inherent authority over child protection and adoption



Some Types of Cases Involving Youth

- Juvenile Delinquency
- Vandalism
- Underage Drinking
- Fighting
- School Problems
- Bullying
- Curfew



Why are Tribes Hearing these cases?



- To repair the harm done to the community and families.
 - To repair harm done to victims.
 - To help the kids- help make better choices.
- ✓The idea is to design specific consequences that benefit the community, the victim, and the offender.

Involving the Youth



- If you really want to be successful in working with youth, you must get them involved!
- They may not act interested, but kids really do want to know what's going on and to have a say in their lives.
- Go to the school, give presentations.
- Work with teachers to make thinking about this a class project.
- Have workshops on tribal court and developing tribal laws at the school.
- Do circles at the school.
- Make the kids a part of what's going on!

Ways Tribes are Hearing Cases

1. Tribal Court
2. Tribal Youth Court
3. State Diversion- Partnering with Magistrates



1. Tribal Court

- Tribal Court is the most common way cases involving youth are heard.
- Can be through the normal process before tribal court judges.
 - Or a special process for juvenile cases, like a peacemaking circle or a tribal youth court.



2. Tribal Youth Court



- A Tribal Youth Court is a special court set up under tribal law to hear certain types of cases involving youth.
- There is not only one correct way to set up youth court, but all of them include other youth as judges or as participants in the circle.
- The idea is to make the youth responsible for themselves and their peers.



3. Diversions- Partnering with the State



- Many Magistrates and law enforcement are eager to work with communities on cases involving youth.
- Sometimes these cases are given to tribal court (and then become tribal court cases).
- Often these cases can be heard through a partnership between the State and the community, where sentencing recommendations are made using a circle process.

Ideas for Consequences~ Not usually just punishment, but good thinking about ways to help this person be better



- Traditional and Cultural activities
 - Skills such as hunting, fishing, preparing food, skin sewing, beading.
 - Activities like dance group or language classes
 - Spending time with Elders learning stories and history
 - Participate in talking circles
- Apologies- Oral or written apologies to victims, parents, or to the whole village
- Restitution- Helping to repair or pay for damage done
 - Organize a fund raiser to help cover repair costs, help organize village events
- Counseling- by professional counselors, peer counseling, and Elders
- Assessments and treatment of various sorts
- Write essay and/or give presentations in the school

Ideas for Consequences



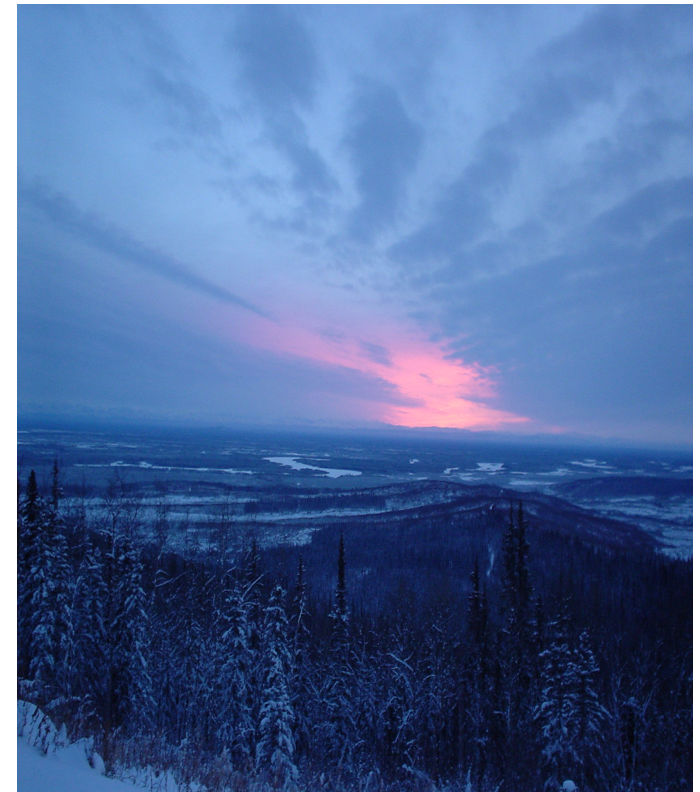
- Community work service:
 - Helping Elders
 - Working at a community event
 - Cleaning repairing tribal building or community hall
 - Assist VPSO and Tribal Council
 - Organize activities for youth
 - Give presentations in the school or do other work with the school or head start program
- Community work service can be designed to help the person build skills/self esteem, like working with a carpenter, or plumber, natural resource/lands officer.
 - Learning job skills
 - Seeing/hearing that others care
 - Connecting with the community, a mentor
 - Building self-confidence



Healing

Is the Tribe focused on punishment or healing?

- For most communities, The idea is to design specific consequences that help the offender to heal and find a better path, and that repair the harm to the victim and to the entire community.



Compliance- follow through!



- Make a daily schedule- where they should be and what they should be doing.
- Have a mentor assigned to each consequence and sign-off completion.
- Encourage youth by keeping them involved and staying interested in their progress.
 - Keep family and friends involved and encouraging them.
 - Stay positive.
 - Hold parents responsible for their kids.
- Take away community privileges for non-compliance.

Thank You!

