



*Wilton Rancheria Tribal Court*

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**WILTON RANCHERIA JUDICIAL BRANCH  
STRATEGIC PLAN  
2023 - 2025**

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## **INTRODUCTION**

Wilton Rancheria Judicial Branch Strategic Plan was developed in coordination with the Traditional Court Elders, the Appellate Court Panel of Judges, the Chief Judge, the Court Director and the self-help attorney to provide guidance for the future development of programs and services offered by the Tribal Court.

### **Court Strategic Planning Team**

The Judicial Branch is made up of a team of people led by the Chief Judge as follows. These same people served as the Court Strategic Planning Team:

#### Tribal Court Chief Judge

Hon. Christine Williams (Yurok Tribe), Term: 2020-2024

#### Wilton Rancheria Traditional Court

Spokesperson Mary Tarango, Frank Custino, Joyce Dozier, Jeannie McKean, Mary Rangel Current Term: 2022-2024

#### Wilton Rancheria Appellate Panel

Chief Judge Treaver Hodson (Wilton Rancheria), Hon. Nicholas Mazanec, Hon. Victorio Shaw (Hoopa Valley Tribe), and Hon. Joseph Wiseman. We currently have one Appellate Panel vacancy. Current Term: 2020-2024

#### Staff

Samantha Cypret, Court Director (Mountain Maidu of Taylorsville Rancheria)  
AmyAnn Taylor, Self Help Attorney

### **Strategic Planning Process**

Strategic planning is an organization's process of defining its strategy, or direction, and making decisions on allocating its resources to pursue this strategy. This process is used by organizations to identify their goals, the strategies necessary to accomplish those goals and the internal performance management system used to monitor and evaluate progress.

The Department of Administration Establishment and Organization Act requires the Executive Director of the Department of Administration to create a comprehensive strategic plan, including the Tribe's vision statement and mission statement and goals for each department. Tribal Court is separate from the Administrative Branch and needs a complementary plan to build on the Journey and Vision Statements from the Tribe's Strategic Plan.

To develop our plan, the Court held two Town Hall listening sessions, which included a survey, for all

members of the General Council. We posted this PowerPoint on the intranet. We mailed the survey questions to each member as well in an attempt to collect as much information as possible. We received input from 52 members through the town hall and survey process.

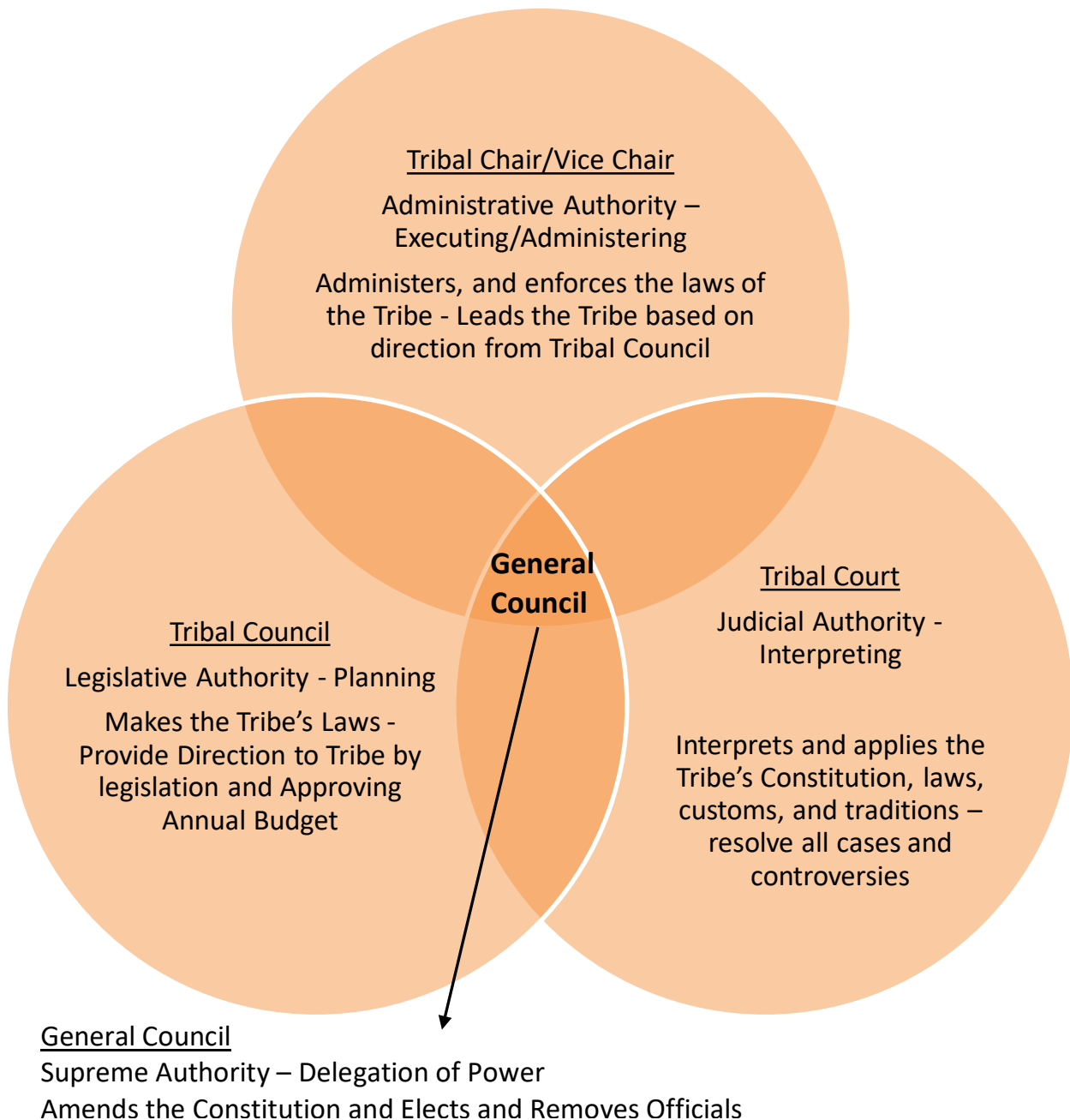
Finally, our Court Strategic Planning Team conducted a two-day Strategic Planning Meeting to develop the Judicial Branch's mission statement, goals and action plans. The Traditional Court and staff were the core team members present for the entire two days. They reviewed the general membership survey results and convened the Appellate Court and our Staff to create the Judicial Branch's inaugural Strategic Plan.

This document reflects all of the input and strategy gathered above in a comprehensive written plan. A logic model is used to show the relationship between the goals, outcomes and activities for each of the Judicial Branch components. In the future, the Judicial Branch plans to use this Strategic Plan as the basis for the annual report presented to the General Council and for budgeting purposes.

## BACKGROUND

### Wilton Rancheria Government Organization

Pursuant to the Constitution of the Wilton Rancheria, the government of Wilton Rancheria shall be composed of a Chairperson, a Vice-Chairperson, a Tribal Council, a General Council, and a Tribal Court. Except as provided in this Constitution, the Chairperson, Vice-Chairperson, Tribal Council, General Council, and Tribal Court shall be separate and distinct and shall not exercise the powers and functions delegated to any other officer or entity. The Judicial Code provides the Tribal Council's vision for the Tribal Court by defining the Tribal Court's Structure and Jurisdiction.



## **Structure of the Judicial Branch**

The Constitution of Wilton Rancheria provides that the judicial power of the Tribe shall be vested in the Tribal Court. The Judicial Code establishes that the Wilton Rancheria Tribe's Judicial Branch consists of the Tribal Court, The Appellate Panel and the Traditional Court. Together they are known as the Wilton Rancheria Courts. These three courts work together to ensure a fair and accessible system of justice.

The Hierarchy of the Judicial Branch is:

- a. Tribal Court
- b. Traditional Court
- c. Appellate Panel

Each of these levels of the Judicial Branch may have programs that operate within them.

### The Tribal Court

The Tribal Court is the initial level of review when disputes or controversies arise that fall under the jurisdiction of the Tribal Court to resolve.

### The Traditional Court

The Traditional Court serves as a non-adversarial forum for dispute resolution guided by a panel of elders from the Tribe. The Traditional Court shall advise the Tribal Court on matters of custom and tradition, which represent the Tribe's common law. In this manner, the traditional values of Wilton Rancheria are at the forefront of the Tribal Court's decision-making process.

### Appellate Panel

Finally, the Appellate Panel will be available to review decisions of the Tribal Court and decide whether the Tribal Court's decisions were consistent with Tribal law.

## **GUIDING STATEMENTS**

The Judicial Branch of Wilton Rancheria officially adopts the Journey Statement and Vision Statements used in the Administrative Branches' Strategic Plan. The Court Strategic Planning Team has created a Mission Statement that is specific to the court to further define our guiding principles.

### **Journey Statement**

As Miwok and Nisenan people of Wilton Rancheria, original stewards of the Sacramento Valley and Foothills, we shall protect and enhance our Tribal sovereignty, cultural traditions, and homelands. By promoting health, wellness, economic success, and education, the Tribe will continue to build a sovereign nation that honors its history and ancestors, while securing the future for following generations.

### **Vision**

A culturally and economically thriving community of self-governing, resilient people united by shared values and traditions, reflective of our ancestors' dreams.

### **Mission Statement**

The Judicial Branch is dedicated to enhancing the sovereignty of the Wilton Rancheria by providing a service-oriented justice system aiming for peaceful resolution of legal disputes and questions in a non-adversarial way. The Court strives to be inclusive, welcoming, and friendly, always considering the generational trauma present in the Wilton Rancheria Community and promoting a gentle approach to justice. The Court will ensure fairness to all participants by ensuring accessible court processes and procedures; maintaining standards of confidentiality; and providing everyone an opportunity to share their story and be heard. The Judicial Branch shall be governed by the rule of law, operating without bias, independently from other branches of government while still maintaining accountability to all elected officials and the General Council of the Tribe through transparent planning and reporting.

## **JUDICIAL BRANCH JURISDICTION**

### **Jurisdiction Defined**

Jurisdiction is the authority to hear and decide matters granted by a constitution and legislation of a sovereign government. The Wilton Constitution and the Judicial Code establishes the jurisdiction of the Tribal Court as follows:

- A.** Generally, the Tribal Court shall have original jurisdiction over all cases and controversies, both criminal and civil, in law or in equity, arising under the Constitution, laws, customs, and traditions of Wilton Rancheria, including cases in which Wilton Rancheria, or its officials and employees, shall be a party. The jurisdiction of the Wilton Rancheria Courts extends to the fullest extent authorized by the Tribe's Constitution, the Tribe's laws and federal law.
- B.** Territorial Jurisdiction defines the geographic scope of the Tribal Court's authority. The territorial jurisdiction of the Wilton Rancheria Courts shall include all land owned by the Tribe, whether or not held in trust for the benefit of the Tribe, and shall include but not be limited to lands, waterways, roadways, easements and rights-of-way.
- C.** Subject Matter Jurisdiction defines the types of cases that the Tribal Court can hear and decide. The Wilton Rancheria Courts are courts of general jurisdiction and have jurisdiction to hear all civil and criminal actions authorized by the Tribe's laws or federal law, including all actions arising in law and equity.
- D.** Personal Jurisdiction governs which people the Tribal Court can exercise authority over in specific cases. The Wilton Rancheria Courts' personal jurisdiction extends, to the furthest extent permitted under the Tribe's law and federal law.
- E.** Juvenile Jurisdiction involves specific matters that fall under each of the other types of jurisdiction listed above when a minor is involved. The Wilton Rancheria Courts shall have exclusive original jurisdiction of all proceedings arising under the Tribe's child placement policies.

### **Types of Cases in the Wilton Rancheria Laws**

The Following types of cases are currently supported in the Tribal Court by Tribal law:

- Review of government decision – appeals of decisions made by a tribal entity filed by a tribal member or in some cases employee.
- Government violation action – petitions or citations filed by the Tribe for violations of tribal law.
- Civil claims – petitions related to recovery of money or other damages if supported in tribal law.
- Violations of the Conduct and Ethics Act by Government Officials – private actions against government officials for misconduct.
- Appeals – asking the Tribal Court Appellate Panel to review a decision from the Tribal Court.
- Juvenile cases – cases involving the welfare of a child; foster care, guardianships, or adoptions – no specific Tribal Law but authorized in the Judicial Code.



## **Barriers to Exercising Full Jurisdiction**

There are barriers and challenges to the Tribal Court exercising the full authority it has been granted under the Constitution and Judicial Code. These challenges are outlined below.

### Limited Land Base

The Tribe's trust land is dedicated to the Tribe's economic sustainability housing the casino and future related ventures. The Tribe has land that is not in trust that creates some jurisdiction but currently this land has not been fully developed. The Tribe does not have "tribal" housing so there is no central land base where members reside. This affects the exercise of the Tribal Court territorial and personal jurisdiction.

### No Tribal Law Enforcement

The Tribe employs security guards for the safety and security of the administrative offices and contracts with Elk Grove Police Department for security services at the Casino. Neither of these entities has the authority or ability, currently, to cite violations of Tribal Law into the Tribal Court. Additionally, neither of these entities can enforce Tribal Court Orders. This affects the exercise of the Tribal Court territorial, subject matter, personal and juvenile jurisdiction.

### Limited ICWA Department

There is a limited Indian Child Welfare Act department currently authorized to work on cases under the Indian Child Welfare Act filed in County Court. This department has no official authority in Tribal Court cases. This affects the exercise of the Tribal Court subject matter, personal and juvenile jurisdiction.

### No Attorney General/Prosecutor

The Tribe does not have a legal representative designated to enforce the tribes' laws by filing cases in the Tribal Court. The tribe depends on the County prosecutor, state Attorney General and Federal counterparts. This affects the exercise of the Tribal Court territorial, subject matter, personal and juvenile jurisdiction.

### No Juvenile Codes

The Court receives inquiries for assistance in juvenile protection cases such as guardianship cases but there is no tribal law governing these cases. This prevents the Tribal Court from effectively hearing contested cases. This affects the exercise of the subject matter, personal and juvenile jurisdiction.

### No Family Law Codes (Child Custody and Support)

The Tribe has no laws relating to "family law matters" including divorce, child custody and child support. These cases all go to the County Court. This affects the exercise of the Tribal Court subject matter, and personal jurisdiction.

### No Protection Codes

The Tribe does not have any laws to protect tribal members in family/intimate violence situations. Family abuse and protection cases all go to the County Court. This affects the exercise of the Tribal Court subject matter, and personal jurisdiction.

## GOALS, OUTCOMES AND ACTIVITIES

### Tribal Court Logic Model

Goal/Objective	Outcomes	Activities 2023 - 2025
<u>Culturally Informed</u> Court reflects and responds to the Community	<ul style="list-style-type: none"> <li>Increased focus on traditional court resolution</li> <li>Youth involved in court programs/planning</li> </ul>	<ul style="list-style-type: none"> <li>Open house event at the court</li> <li>Propose changes to rules to encourage informal cases in traditional court (pre-filing cases)</li> <li>Provide Administrative assistance to Traditional Court &amp; Youth Court</li> </ul>
<u>Access to Justice</u> Court is fair and accessible to the community	<ul style="list-style-type: none"> <li>Increased awareness of court process</li> <li>More cases filed by community</li> <li>Expanded self-help services</li> <li>Court Process is followed consistently</li> </ul>	<ul style="list-style-type: none"> <li>Publish laws online</li> <li>Utilize law students for court projects</li> <li>Hire bailiff for service of process</li> <li>Engage tribal bar association</li> <li>Recruit and train court advocates</li> <li>Create Clerks Manual</li> <li>Create Bench Guides</li> </ul> <p><u>Self-help:</u></p> <ul style="list-style-type: none"> <li>Create policies and procedures</li> <li>Add types of services to website</li> <li>Create guides for case types</li> <li>Provide clinics on common topics</li> <li>Hire paralegal to assist with self help</li> <li>Coordinate with state court self help</li> <li>Data collection - evaluations</li> </ul>
<u>Tribal Sovereignty</u> Court is Exercising Full Jurisdiction	<ul style="list-style-type: none"> <li>Additional tribal court case types</li> <li>Increased partnership with justice system stakeholders</li> <li>More cases filed by the tribe</li> <li>More collaboration with tribal departments</li> </ul>	<ul style="list-style-type: none"> <li>Propose abuse prevention/protection laws</li> <li>Explore family law program – child support and custody</li> <li>Partner with county and federal authorities on cases (joint jurisdiction)</li> <li>Utilize law students for research</li> <li>Support expansion of tribal departments, law enforcement, A.G. &amp; social services</li> <li>Develop process for intra-tribal referrals</li> </ul>
<u>Health and Wellness</u> Court maintains Safe and Appropriate Facilities	<ul style="list-style-type: none"> <li>Improved court security</li> <li>New Justice center is constructed on tribal lands</li> </ul>	<ul style="list-style-type: none"> <li>Hire bailiff for court events</li> <li>Active shooter training for all tribal staff</li> <li>Utilize metal detectors</li> <li>Review mail processing procedures</li> <li>Assist in land acquisition and planning</li> <li>Identify construction funding</li> </ul>

## Traditional Court Logic Model

Goal/Objective	Outcomes	Activities 2023-2025
<u>Culturally Informed</u> Court reflects and responds to the Community	<ul style="list-style-type: none"> <li>• More cases heard in the Traditional Court</li> <li>• Youth involved in Court Programs/Planning</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct Hand Games Tournament</li> <li>• Planning for youth group/court – supervision and oversight</li> <li>• Participate in Open House</li> <li>• Hear informal cases</li> <li>• Assist with incorporating traditional language into the Tribal Court</li> </ul>
<u>Access to Justice</u> Court is fair and accessible to the community	<ul style="list-style-type: none"> <li>• All Traditional Court Elders prepared to hear cases fairly and impartially</li> <li>• Parties feel process is transparent and fair</li> </ul>	<ul style="list-style-type: none"> <li>• Develop training requirements for all peacemakers</li> <li>• Complete additional peacemaking training</li> <li>• Complete confidentiality training</li> <li>• Start hearing with relationship disclosure or any other conflicts, explain that they will be related to the parties</li> <li>• Review grievance board policies for ideas on process</li> </ul>
<u>Tribal Sovereignty</u> Court is Exercising Full Jurisdiction	<ul style="list-style-type: none"> <li>• Provided support for legislation to increase case types</li> <li>• The Traditional Court is serving all possible parties</li> </ul>	<ul style="list-style-type: none"> <li>• Review and comment on new laws</li> <li>• Meet with tribal council as needed to support new case types</li> <li>• Consider expanding services to include non-native participants</li> <li>• Consider informal family law peacemaking/mediation</li> <li>• Develop rules and policies for cases with non-natives (as needed, if approved)</li> </ul>
<u>Health and Wellness</u> Court maintains Safe and Appropriate Facilities	<ul style="list-style-type: none"> <li>• Tribal culture is reflected in court facilities and functions</li> <li>• Respect for the Court is balanced with friendliness</li> </ul>	<ul style="list-style-type: none"> <li>• Provide culturally appropriate blessings for court facilities proceedings, and functions.</li> <li>• Provide advice on accessibility to all community and elders.</li> <li>• Name tags or plaques for tribal elders</li> <li>• Create Tribal Color Guard</li> </ul>

## Appellate Court Logic Model

Goal/Objective	Outcomes	Activities 2023-2025
<u>Culturally Informed</u> Court reflects and responds to the Community	<ul style="list-style-type: none"> <li>Traditional court is utilized in appellate court</li> <li>Appellate judges participate in court community events</li> <li>Appellate judge demeanor reflects tribes' values</li> </ul>	<ul style="list-style-type: none"> <li>Develop process for cultural advisory opinions</li> <li>Participate in open house</li> <li>Participate in hand games tournament</li> <li>Meet with traditional court to discuss format for appeals – how to interact with participants</li> </ul>
<u>Access to Justice</u> Court is fair and accessible to the community	<ul style="list-style-type: none"> <li>Court Precedent is recorded and followed</li> <li>Court is Independent from other government branches</li> </ul>	<ul style="list-style-type: none"> <li>Publish judicial opinions to members/public</li> <li>Provide constitutional training to elected officials and general council</li> <li>Create appellate judge orientation – tribal laws and customs</li> </ul>
<u>Tribal Sovereignty</u> Court is Exercising Full Jurisdiction	<ul style="list-style-type: none"> <li>Developed capacity to hear time sensitive case types</li> <li>Judges are qualified to hear every case brought on appeal</li> <li>Advocates/Attorneys are qualified to appear in Tribal Court</li> </ul>	<ul style="list-style-type: none"> <li>Assist as pro-tem/specially assigned judges as needed in Tribal Court</li> <li>Create process to fill judge vacancies</li> <li>Create training plans/requirements for tribal court judges and attorneys</li> <li>Attend trainings/conferences</li> <li>Sponsor a Tribal Bar Association education event</li> </ul>
<u>Health and Wellness</u> Court maintains Safe and Appropriate Facilities	<ul style="list-style-type: none"> <li>Hearings are welcoming and follow all procedures</li> <li>Court Mission is reflected in the Court facilities</li> </ul>	<ul style="list-style-type: none"> <li>Create policies and procedures for conducting in-person and hybrid appeals</li> <li>Create written and video instructions for court appearances</li> <li>Post the Wilton Rancheria Constitution on the wall in the “Court Room”</li> <li>Review/revise contempt procedures</li> </ul>