

1. **Identify the problem(s) you proposal addresses. (20 points)**

The Three Affiliated Tribes is a federally recognized Tribal entity with an existing Tribal court system. The Tribes hereby apply for an award for enhancement and operation of the court of up to \$220,000 under Tier III of the Competitive Grant Announcement. If awarded, the Tribes intend to use the funds for the following purposes:

Improving case management and tracking fines. The Court is currently operating a hybrid computer system, using DOS-based Siberian Software for case management and Office Quick Books software to track fines. In the past year, the Court has seen approximately 6,000 new cases filed, including 1,800 criminal, 3,600 civil and 600 juvenile. The Siberian case management software is ten years old and was not made to handle this level of activity on an annual basis. In addition, in the older DOS format, it is difficult to use and troublesome to network. This case management system has no capacity to handle the tracking and receipt of fines creating the need for a second system within the Court.

To track fines, the Court has utilized Quick Books accounting software. Although not designed for a court setting, the accounts receivable features can be adapted to track fines. However, the Quick Books system will not share information with the Siberian case management system and vice versa. When a fine is charged, it must be manually entered into the accounting system and likewise when fines are satisfied they must be manually entered into the case management software to close out the file. This creates a tremendous potential for errors and omissions from the system. It also has created double

and triple the workload to maintain both systems adequately. Historical case information is not always being accurately preserved for the use of future courts.

Technology. As noted above, the Court is operating in a networked computerized environment on a peer to peer setting. The Court network stands alone from other departments within the Tribes. The current network is operating outside of its capacity with up to fifteen users and is sorely in need of a file server. A tape backup system was recently added, but there are no backup power units to protect individual machines. Because the Court network stands alone, they are unable to share information (i.e.- email) with other departments within the Tribes and are unable to share the benefits of the overall Tribal network.

Develop court procedures manual and standard forms. Current court policies and procedures are not compiled in a manual available to all court employees. This can create inconsistencies in dealing with Tribal members using the Court and make training new employees difficult if not impossible. In addition, standard forms with detailed instructions should be readily available to help ease cumbersome filings and reduce the burden currently placed on court employees to provide assistance which may border on legal advice.

Arraignments. Unlike many Tribal courts, the Three Affiliated Tribes jail is not located adjacent to the courthouse, but across town. At the present time, to facilitate the arraignment of multiple prisoners on a daily basis, the police department must free up the time of an officer to have the prisoners driven to the Tribal Court for arraignment or trial. With limited funding available for law enforcement officers, this procedure requires the removal of one police officer from active duty to handle this assignment. At times, due

to illness or vacation, this may leave the Tribes without an active police officer for several hours during the day, as he/she must remain to supervise prisoners until the last case is heard. In other cases, defendants are forced to stay longer in an already overcrowded jail until an officer becomes available for the transportation detail. Many prisoners have escaped during the transport over the years.

Public Defense. The Court does not currently employ a qualified full-time public defender. The public defender's office has been staffed on a part-time basis by a paralegal whom has been able to offer limited assistance to some defendants, but in general indigent persons have not been offered the opportunity to be properly defended by a court appointed attorney.

**2. Describe what you are proposing to do and your plans to accomplish it.
(30 points)**

Improving case management, tracking fines and technology: Funds from the enhancement program will be utilized to purchase and install a state of the art computerized case management system. Hardware will be updated on an as needed basis, but will include at a minimum; a file server, large capacity printer, daily backup system and an emergency power supply system. All employees will be thoroughly trained on the new system and court policies and procedures will be updated accordingly to comply with the needs of the new system.

All data included on the Siberian case management system will be evaluated and converted into the new system. The fine records from the Quick Books system will be reviewed, verified for accuracy and completeness, checked against data compiled in the Siberian system and converted into the new system. All old case files not in the Siberian

system will be reviewed and evaluated for inclusion as historical data in the new system. A destruction/archival system will be established and adhered to as files are reviewed and entered in the new system.

In connection with the installation of the new software system, upgrades will be made to the network and network capacity of the Tribal Court. Funds will be utilized to purchase and install software on a new file server that will run the Tribal Court network. In addition, a dedicated T1 line will be installed and the computers configured to give the Court direct access to the Tribal computer network enabling access to the internet for various court resources and inclusion in the Tribal e-mail system.

In order to facilitate the change in software systems and upgrade in technology within the Tribal Court, a Grant/Technology Coordinator will be hired to assist the Court Administrator. This position will serve as the network and technology manager and be in charge of onsite hardware and network training. Other duties will include coordination and reporting on other elements of the grant as noted below.

Develop court procedures manual and standard forms: Funds will be utilized to compile all existing court procedures, evaluate and make necessary revisions based on changes in the current system. Procedures will be written for previously undocumented court activities and compiled into a handbook for court operations. One section will be devoted to standard forms and instruction developed that may be disseminated to the general public as the need arises.

Arraignments: In order to alleviate the need to transport prisoners, the court will develop a plan including forms and procedures to conduct video arraignments over the

newly upgraded computer network. All potential software and hardware options will be evaluated and the best and most cost effective will be installed.

Public Defense. A qualified full-time public defender will be hired to serve indigent persons needing legal assistance. A panel made up of the current court judges will revise the public defender's job description to include qualifications involving legal education and experience. In addition, this panel will also determine and establish eligibility requirements for defendants' use of the public defender. During the grant period, the public defender will assist in the enlistment of pro bono services from registered tribal advocates including changes to Tribal Court admission requirements to include minimum service donation.

3. **Describe your strategy to collaborate with other tribal and/or non-tribal agencies. Discuss who your partners will be, what role they will play and whether these partnerships will be new. Partnerships or consortia with other tribal, non-tribal and community based groups are strongly encouraged. (20 points)**

The new case management system and expanded network will greatly improve the Court's working relationship with other Tribal entities. Additionally, the increased efficiency brought about by the new system and user friendly forms and procedures will greatly affect the general public's view of the Court.

By hiring a full time public defender the Court hopes to form new partnerships with members of the legal community while at the same time increasing the level of legal protection afforded indigent persons.

The two-way video sentencing will help to further solidify the working relationship between law enforcement and the Court.

Court employees will also be able to take advantage of Bureau of Justice Assistance sponsored training sessions and build new partnerships with other tribes in similar situations. Connection to the internet will further help to facilitate this communication and exchange of ideas and information.

4. Describe the current operation of your tribal court. Include funding, case load, staffing and services. (10 points)

The Tribal Court is housed in one central location and handles criminal, civil and juvenile cases. The Court is staffed by a full-time magistrate, four associate judges, a court administrator, three clerks, a receptionist, adult and juvenile probation officers and a juvenile case manager. The court hears cases involving criminal complaints, civil matters, probate and a wide range of juvenile issues totaling about 6,000 new filings every year.

The Tribal Court is fully funded by self-governance funds totaling \$400,000.

5. Briefly describe the costs associated with the initiative as well as the cost benefits to be derived. (10 points)

Purchase and installation of software including training and conversion of case data and review/audit and conversion of fines - \$60,000. The change to a fully integrated system will enable current court staff to operate more efficiently and reduce the cost associated with each case.

Upgrade hardware including tribal network including grant/technical coordinator - \$78,000. The upgraded computer hardware will create a more efficient operating environment within the Court. By including the Court on the Tribal network

with e-mail capabilities, the Tribes will save on the cost of other forms of communication including mail fax and copying.

Policies and procedures manual. - \$12,000. Consistency in the operation of the Court will save time and provide better service to the public for less money.

Video arraignments - \$20,000. Current arraignments require the use of a Tribal vehicle to transport prisoners and the time of one police officer for what could be several hours a day. None of these costs will be incurred under a system involving video sentencing. Documents can be e-mailed over the newly expanded network or faxed to complete the arraignment procedure.

Hire public defender - \$35,000. The benefit to indigent defendants and the inception of pro bono services will greatly outweigh the cost associated with this position. Funds in the current Tribal budget for the previous public defender position will be utilized to upgrade the code of professional ethics including donated defense services for all attorneys appearing in the Tribal Court.

Attend BJA sponsored training sessions - \$15,000.

6. Describe how you will sustain the tribal court initiative after the award period ends. (10 points)

The case management system upgrade and conversion is a one-time expenditure that other than annual maintenance fees will be completed when the award period ends. Similarly, the hardware and network upgrades will involve mostly one-time costs except for the annual cost of the T1 connection to the main tribal system. Both the software maintenance fee and cost of the dedicated line will be included in subsequent tribal

budgets and should be offset by decreasing costs of operation. Video arraignments will also require no additional funding after the initial start up.

At the end of the award period, the court will review the positions of the grant/technology coordinator and full time public defender and make a recommendation to the council as part of the future budget. For the public defender position, the court may consider the addition of an indigent defense court cost to fund future costs of this position.