

TRIBAL LAW AND POLICY INSTITUTE



**Tribal Healing to Wellness Court
5th Annual Enhancement Training**

September 27-29, 2016
Hotel Albuquerque
Albuquerque, NM

**Tuesday, September 27th
Agenda**

8:30AM – 9:00AM **Opening Remarks** Tribal Law and Policy Institute Alvarado E

9:00AM-10:15AM **The Tribal Ten Key Components –
National Drug Court Standards: The Best Practices** Alvarado E

Hon. Carrie Garrow (*Akwesasne Mohawk*), Visiting Professor, Syracuse University College of Law; Chief Appellate Justice, St. Regis Mohawk Tribal Court

Hon. Charlene Jackson (*Diné*), Owner/Managing Attorney, Jackson Law Firm, PLLC; Associate Judge, Town of Paradise Valley, Arizona; Chief Judge, Fort Mohave Tribal Court of Appeals; Chief Judge, Cedarville Rancheria Court of Appeals; Associate Justice, Colorado River Indian Tribe; Judge Pro Tem, Tonto Apache Tribe; Judge Pro Tem, Washoe Tribe of California and Nevada

Description: Healing to Wellness Courts have been in operation since 1999. While research on Wellness Courts remains limited, research on drug courts have revealed best practices that most effectively and efficiently serve participants. The Tribal Ten Key Components, adopted from the state drug court key components, are the ten foundational principles upon which Healing to Wellness Courts are based. The National Drug Court Standards are research-based specific, practitioner-focused Drug Court guidance. This plenary will overview the Tribal Ten Key Components and how the National Drug Court Standards inform these guideposts through specific best practices.

10:15AM - 10:30AM **Break**

10:30AM-11:45AM **Break Out Session #1**

Healing to Wellness Courts as Good Governance Alvarado E

Hon. Carrie Garrow (*Akwesasne Mohawk*), Visiting Professor, Syracuse University College of Law; Chief Appellate Justice, St. Regis Mohawk Tribal Court

Hon. Charlene Jackson (*Diné*), Owner/Managing Attorney, Jackson Law Firm, PLLC; Associate Judge, Town of Paradise Valley, Arizona; Chief Judge, Fort Mohave Tribal Court of Appeals; Chief Judge, Cedarville Rancheria Court of Appeals; Associate Justice, Colorado River Indian Tribe; Judge Pro Tem, Tonto Apache Tribe; Judge Pro Tem, Washoe Tribe of California and Nevada

Description: The Healing to Wellness Court is non-adversarial alternative to incarceration, challenging the status of quo of Anglo-based judiciaries. But crucially, it is still a key element of the tribal judiciary. This workshop will overview how Wellness Court contribute to the overall nation-building of tribes, as well as practical strategies for good governance, including Wellness Court codes, Memorandums of Understanding, and possible structures within the tribal justice system that protect the integrity of the Wellness Court and the civil rights of participants.

Responses to Client Behavior: Incentives, Sanctions and Therapeutic Adjustments Alvarado FG

Mark Dyea, (*Laguna*), National Association of Drug Court Professionals

Description: This presentation outlines the basic behavior modification principles and their applicability in incentives, sanctions and therapeutic adjustments. It identifies the importance of incentives, both formal and informal, and their application in the program. The presentation recognizes the effect of immediate consequences in modifying client behavior, and identifies the distinctions between court-imposed sanctions and incentives and treatment responses. The presentation discusses the importance of formulating a strategy for the application of graduated sanctions and incentives and appropriate treatment responses, along the importance of the consistency in those responses.

11:45AM – 1:15PM

Lunch

On Your Own

1:15PM - 2:30PM

Break Out Session #2

**Using Collaboration to Change the “System”:
The Importance of Family Wellness Courts** Alvarado E

Hon. Mary Jo Hunter (*Ho Chunk*), Family Healing to Wellness Court Judge, Ho Chunk Nation

Nicole Homer, (*Oneida of the Thames, Ontario, Canada*), Tribal Counsel, Ho-Chunk Nation Department of Justice

Description: The Ho Chunk National Family Wellness Court serves Ho Chunk parents with civil child welfare cases that have identified substance abuse dependency issues. As a challenge to conventional western adversarial child welfare court system, this Wellness Court using collaboration as an alternative approach to change the “system” for the betterment of children, of parents, of

families, and of the Nation. This workshop will explore the strategies and experiences of Ho Chunk, presented by the Court's Judge and Tribal Counsel. The workshop will discuss what a Tribal Family Wellness Court is, explore ways to incorporate culture into the child welfare court, and discuss struggles that the Ho Chunk Nation Family Wellness Court has experienced and continues to experience.

Domestic Violence in Healing to Wellness Court

Alvarado FG

Mark Panasiewicz, Founder/Counselor, Hope Works Counseling

Description: Healing to Wellness Courts target participants with significant substance abuse dependency issues. However, participants often bring a variety of co-occurring issues. The beauty of Wellness Courts is that our multi-disciplinary team is designed to identify and treat these issues in immediate and impactful ways. This workshop will explore a devastating yet common issue in Wellness Court, domestic violence. This can include the participant as both victim or perpetrator. The workshop will explore strategies for identifying DV, safety strategies, as well as strategies for addressing DV within the Wellness Court.

2:30PM - 2:45PM

Break

2:45PM – 4:00PM

Break Out Session #3

**Neuropharmacology of Substance Abuse:
Your Brain on Drugs**

Alvarado E

Hon. Kim McGinnis, PhD., Esq., Chief Judge, Pueblo of Pojoaque Tribal Court

Description: People who abuse substances cause substantial changes to the anatomy of their brains. Chemically-dependent people have trouble learning and making decisions. This talk will explore the current thinking on how/why addictions develop. Evidence of the acute and chronic physical changes to the brain caused by alcohol, heroin, and other drugs of abuse will be shown with the aim of explaining why it is so difficult to work with many addicts. Attendees will be able to discuss definitions of addiction, explain basic neuroanatomy/pharmacology of the reward pathway, and describe the acute and chronic effects of drugs and alcohol on the brain.

HIPAA and Confidentiality

Alvarado FG

Hon. Carrie Garrow (*Akwesasne Mohawk*), Visiting Professor, Syracuse University College of Law; Chief Appellate Justice, St. Regis Mohawk Tribal Court

Description: The Health Insurance Portability and Accountability Act (HIPAA) governs medical confidentiality, including for Healing to Wellness Courts. The Wellness Court team is bound to protect a participant's confidentiality,

including most importantly, what is discussed within treatment settings. However, HIPAA does not preclude the sharing of vital information amongst team members, nor does it prevent judicial participation in staffing. This workshop will discuss how HIPAA impacts and interacts with the Healing to Wellness Court, how judges can serve a Healing to Wellness Court and still abide by their judicial ethics, and what forms must be incorporated into our practicing procedures.

4:00PM – 4:15PM

Break

4:15PM – 5:00PM

Closing Reflections: The Bench Cards

Alvarado E

Hon. Carrie Garrow (*Akwesasne Mohawk*), Visiting Professor, Syracuse University College of Law; Chief Appellate Justice, St. Regis Mohawk Tribal Court

Hon. Charlene Jackson (*Diné*), Owner/Managing Attorney, Jackson Law Firm, PLLC; Associate Judge, Town of Paradise Valley, Arizona; Chief Judge, Fort Mohave Tribal Court of Appeals; Chief Judge, Cedarville Rancheria Court of Appeals; Associate Justice, Colorado River Indian Tribe; Judge Pro Tem, Tonto Apache Tribe; Judge Pro Tem, Washoe Tribe of California and Nevada

Mark Panasiewicz, Founder/Counselor, Hope Works Counseling

Wednesday, September 28th

8:30AM – 9:00AM **Opening Remarks** Tribal Law and Policy Institute Alvarado E

9:00AM-10:15AM **Interagency Collaboration: Navajo Veterans Outreach Project** Alvarado E

Regina Begay – Roanhorse (*Diné*), Alamo – To’Hajiilee Healing to Wellness Court
Robertson Yazzie Jr., (*Diné*), Veterans Outreach Coordinator, New Mexico
Department of Veterans Services

Description: Participants will learn how to strengthen planning for on and off reservation service delivery for Native American veterans particularly those who served in combat and who are justice involved. The information and presentation will provide examples of how to collaborate with state, federal and tribal organizations to improve the existing service array tailored for Native American veterans through the Indian Health Services, tribal programs and the Veterans Affairs. Participants will learn how the coordination and collaboration efforts of the Navajo Nation Judicial Branch’s Healing to Wellness Court’s Veterans Justice Outreach with the New Mexico Department of Veterans Services Rural Coordination Program with the Military Support Group Collaborative has improved access for veterans seeking services particularly for veterans in rural and frontier areas of the Navajo Nation.

The presenters will also provide information on a new effort to develop a culturally appropriate Native Veterans behavioral health curriculum that utilizes Navajo fundamental law, customs and traditions through the Judicial Branch’s Peacemaking program. The information and presentation will also give important strategies and information on how to include community in the design of the collaborations, activities and events. A program logic model will be introduced that tribes can use to design their outcomes when servicing Native American combat veterans returning from Afghanistan and Iraq or other foreign wars.

10:15AM – 10:30AM **Break**

10:30AM-11:45AM **Break Out Session # 4**

Marketing Our Wellness Court Alvarado E

Donna Humetewa Kaye, (*Hopi*), Consultant, Tribal Law and Policy Institute

Hon. Charlene Jackson (*Diné*), Owner/Managing Attorney, Jackson Law Firm, PLLC; Associate Judge, Town of Paradise Valley, Arizona; Chief Judge, Fort Mohave Tribal Court of Appeals; Chief Judge, Cedarville Rancheria Court of Appeals; Associate Justice, Colorado River Indian Tribe; Judge Pro Tem, Tonto Apache Tribe; Judge Pro Tem, Washoe Tribe of California and Nevada

Description: Key Component #9 calls for continuing community education. The effectiveness of the Healing to Wellness hinges not just on the team and the participant, but the participant’s family and the community-at-large. This workshop will detail some strategies for better engaging the community within the Healing to Wellness Court, including website information, graduation ceremonies, newsletter write-ups, community outreach events, etc.

Treatment: Developing Phased Treatment Alvarado FG

Mark Panasiewicz, Founder/Counselor, Hope Works Counseling

Description: Tribal Key Component #4 states that Healing to Wellness Court provide access to holistic, structure, and *phased* alcohol and drug abuse treatment. But what should the phases look like? This workshop will detail key considerations for building Wellness Court phases, including balancing intensive supervision with participant accountability, key markers of participant progress, potentials for over or under-supervision, and how to effectively integrate custom and tradition into the phases.

11:45AM – 1:15PM

Lunch

On Your Own

1:15PM – 2:30PM

Break Out Session #5

Treatment: Relapse Prevention Alvarado E

Mark Panasiewicz, Founder/Counselor, Hope Works Counseling

Description: Healing to Wellness Court often provides such structured supervision and accountability that a participant can grow accustomed to the Wellness Court safety net. Simultaneously, the road towards sobriety often includes the potential for or actual relapse, regardless of Wellness Court. Too often, relapse has been viewed as failure, returning clients to the revolving criminal justice door. It is critical, therefore, that Wellness Courts be able to identify relapse warning signs, and have strategies for both preventing and coping with relapse. This workshop will detail those warning signs, discuss common policies that have the potential to enable relapse, and discuss effective strategies for returning a participant to a good path.

Improving Family Drug Court Systems to Provide Comprehensive Family-Centered Care – Lessons from the Prevention and Family Recovery (PFR) Initiative Alvarado FG

Kimberly Dennis, M.P.A.A., Senior Program Associate, Children and Family Futures

Ashay Shah, M.S.W., Research Associate, Children and Family Futures

Description: Prevention and Family Recovery (PFR) seeks to advance the capacity of Family Drug Courts (FDCs) to provide and sustain a comprehensive

family-centered care approach that improves outcomes for children, parents and families affected by substance use disorders and child abuse and neglect. This session will discuss the experiences of the first round of four PFR FDC grantees in integrating evidence-based parenting programs and children's services into their larger FDC systems of care, which represent geographically and culturally diverse populations. The presenters will highlight the major, cross-cutting PFR lessons learned and provide examples of practice and policy changes that the four grantees made at the project, organizational and systems levels to move towards more family-centered care. The presenters will also briefly touch on the upcoming expansion of PFR to four new sites, including a Tribal Healing to Wellness Court.

2:30PM – 2:45PM

Break

2:45PM – 4:00PM

Break Out Session #6

Prescription Drug Abuse: Understanding a Global Epidemic and How Tribal Nations Are Working to Combat It

Alvarado E

Precious Benally, (*Diné*), Senior Associate, Drug Court Programs and Tribal Exchange, Center for Court Innovation
Sarah Reckess, Senior Associate, Center for Court Innovation

Description: Approximately 7% of American Indian/Alaska Natives used prescription drugs for non-medical reasons last year. This workshop will highlight drug use trends and the ways tribes are addressing the misuse of prescription drugs. Audience members will learn about initiatives and programs that have been effective in curbing prescription drug abuse.

Incorporating Culture and Community in Wellness Recovery: A Penobscot Perspective

Alvarado FG

Rhonda Decontie, (*Penobscot*), Clerk of Court, Penobscot Tribal Court
Hon. Eric Mehnert, Chief Judge, Penobscot Tribal Court

Description: Many addicts are ostracized and isolated by their communities because of the behaviors that come with their addiction. That isolation is a trigger for further self-medication. This program explores the ways the Penobscot Nation Wellness Court has re-connected Wellness Participants with their culture and community.

4:00PM – 5:00PM

Closing Reflections: Healing to Wellness in Action

Alvarado E

Donna Humetewa Kaye, (*Hopi*), Consultant, Tribal Law and Policy Institute
Mark Panasiewicz, Founder/Counselor, Hope Works Counseling
Hon. Charlene Jackson (*Diné*), Owner/Managing Attorney, Jackson Law Firm, PLLC.

Thursday, September 29th

8:30AM – 9:00AM **Opening Remarks** Tribal Law and Policy Institute Alvarado E

9:00AM-10:15AM **Break Out Session #7**

**The Latest Research on Tribal Healing to Wellness Courts:
What do we know so far?** Alvarado E

Juliette Mackin, PhD., Co-President and Director of Quality and Training, NPC Research

Description: What are the practices and procedures in Healing to Wellness Courts? Do Healing to Wellness Courts reduce recidivism? What are the cost impacts? In this presentation we will discuss how Healing to Wellness Courts uniquely follow the drug court model and how different tribal cultures can impact policies and procedures. Recidivism and cost-benefit findings from a recent Healing to Wellness Court study will also be presented.

**Recovery in a Drug Court Environment –
How to Meet the New Standards** Alvarado FG

Jeffrey Kushner, Statewide Drug Court Coordinator, Montana Supreme Court/Office of the Court Administrator

Description: The presentation will begin by discussing Alcohol and other Drug Dependence as a chronic care disease and how the response differs from an acute care model which has been used by the treatment field for decades. I will discuss the need and understanding for a new language (Recovery, Recovery Maintenance, Recovery Management, Recovery Capital, Recover Oriented Systems of Care). We will discuss the research on relapse and the variables that lead to long-term abstinence. We will then discuss how the New Adult Drug Court Standards begin to reflect this new paradigm. What are the specific standards and how drug courts can meet them. Lastly, we will discuss what Drug Courts can do before discharge, and after discharge to support this new paradigm and their drug court participants who have achieved abstinence above and beyond the standards

10:15AM – 10:30AM **Break**

10:30AM-11:45AM **What's New in Juvenile Drug Courts and
Juvenile Healing to Wellness Programs:
Focusing on Individualizing Services** Alvarado E

Jessica Pearce, Site Manager, Juvenile Law Program, National Council of Juvenile and Family Court Judges

Evan Elkin, National Executive Director, Reclaiming Futures

Description: Juvenile drug courts share many characteristics with juvenile healing to wellness programs. Because of this, innovations that work in juvenile drug courts may also be effective in the healing to wellness setting. This session will discuss the efforts juvenile drug courts have made in treating each youth as an individual with their own strengths and challenges. In addition, this session will discuss promising approaches for creating a continuum of care in juvenile healing to wellness programs by introducing brief interventions.

11:45AM-1:15PM

Lunch

On Your Own

1:15PM-3:00PM

Team Building and Self-Care

Alvarado E

Donna Humetewa Kaye, (Hopi), Consultant, Tribal Law and Policy Institute and **Dr. Marla Kokesh**

Description: The strength of our Wellness Court stems from the strength of its team members. This closing session will reflect on some of the innovative and effective strategies Wellness Courts have used to incorporate custom and tradition into their program. This session will close with strategies for our own self-care.