



**LEECH LAKE TRIBAL COURT
RESTORATIVE JUSTICE PROGRAM**
Bamenim Anishinaabeg "Care for The People"
- Healing Spirit, Mind & Body -

THE TRIBAL COURT'S MISSION:

The Mission of the Leech Lake Tribal Court is to establish a fair and effective justice system incorporating research-based best practices and Ojibwe culture and values; to protect the rights of the Leech Lake Band of Ojibwe people; to preserve natural and Band resources; and to promote peace, health and public safety within the Leech Lake Reservation.

OUR APPROACH:

Incidents of drug and alcohol abuse, gang activities, violence of all kinds, truancy, unsupervised juveniles, and dysfunctional families continue to escalate and head the list of problems faced by all governments, tribal and state. Both court systems share the goals of improved outcomes for families, fewer children in out of home placement, and decreased incarceration and recidivism rates. Unfortunately, neither system can claim complete success in reaching these goals on its own, and “justice as usual” has not always resulted in acceptable outcomes for those involved in the juvenile and adult justice systems. Over time, it has become clear that the solution to adequately addressing the needs of system-involved youth and adults and breaking the cycle of drug and alcohol dependence is inter-governmental and inter-agency collaboration. Each jurisdiction, be it tribal or state, brings to the table tools unique to its system, and by exercising jurisdiction cooperatively the courts can leverage scarce resources and achieve better results.

The *Bamenim Anishinaabeg* program provides system-involved youth and their families with a court-supervised alternative that emphasizes culturally-appropriate restorative justice practices. Program’s continuum of care consists of prevention, adult, juvenile, and family programming. *Bamenim Anishinaabeg* staff use a teamwork approach to address needs of program participants using a culture-specific, trauma-informed, strengths-based approach; and creating individualized case plans that focus on treating co-occurring disorders (mental and chemical health). Case plans address participants’ criminogenic needs, which include: antisocial/ pro-criminal attitudes, values, and beliefs; pro-criminal associates; temperament and personality factors; a history of antisocial behavior; family factors; and low levels of educational, vocational or financial achievement. While some of these factors cannot be changed or influenced (eg. prior record or family history of criminality), others can be. These “dynamic” factors include who a person hangs around with, a person’s attitudes and values; their lack of problem solving skills; their substance use; and their employment status. All these are correlated with recidivism, and all can be targeted for change.

Bamenim Anishinaabeg staff use a collaborative, community-based approach, maintaining office space in various locations, including area schools. Regular status hearings are held before the Leech Lake Tribal Court Judge to review participants’ program progress, celebrate success, and provide graduated sanctions for non-compliance. Partners include LLBO Divisions, Cass County District Court, Cass County Probation, Northwestern Minnesota Juvenile Center, Oshki-Manidoo

(New Spirit) Center, and Local School Districts. *Bamenim Anishinaabeg* staff utilize the Ten Principles of the Wraparound Process:

1. *Family voice and choice.* Family and youth/child perspectives are intentionally elicited and prioritized during all phases of the wraparound process. Planning is grounded in family members' perspectives, and the team strives to provide options and choices such that the plan reflects family values and preferences.
2. *Team based.* The wraparound team consists of individuals agreed upon by the family and committed to them through informal, formal, and community support and service relationships.
3. *Natural supports.* The team actively seeks out and encourages the full participation of team members drawn from family members' networks of interpersonal and community relationships. The wraparound plan reflects activities and interventions that draw on sources of natural support.
4. *Collaboration.* Team members work cooperatively and share responsibility for developing, implementing, monitoring, and evaluating a single wraparound plan. The plan reflects a blending of team members' perspectives, mandates, and resources. The plan guides and coordinates each team member's work towards meeting the team's goals.
5. *Community-based.* The wraparound team implements service and support strategies that take place in the most inclusive, most responsive, most accessible, and least restrictive settings possible; and that safely promote child and family integration into home and community life.
6. *Culturally competent.* The wraparound process demonstrates respect for and builds on the values, preferences, beliefs, culture, and identity of the child/youth and family, and their community.
7. *Individualized.* To achieve the goals laid out in the wraparound plan, the team develops and implements a customized set of strategies, supports, and services.
8. *Strengths based.* The wraparound process and the wraparound plan identify, build on, and enhance the capabilities, knowledge, skills, and assets of the child and family, their community, and other team members.
9. *Persistence.* Despite challenges, the team persists in working toward the goals included in the wraparound plan until the team reaches agreement that a formal wraparound process is no longer required.

10. *Outcome based.* The team ties the goals and strategies of the wraparound plan to observable or measurable indicators of success, monitors progress in terms of these indicators, and revises the plan accordingly.

OUR PROGRAMS:

Joint Tribal-State Adult Wellness (DWI/Drug) Courts:

Formed in 2006, the Leech Lake-Cass County Wellness Court was the first joint jurisdiction Wellness Court in the nation. The Wellness Court is a post-conviction, post-sentencing DWI Court founded on the 10 principles of drug courts, the handles the cases of both tribal members and non-Indians. Its mission is to enhance public safety by providing hope and opportunities for appropriate treatment with accountability, thereby improving the quality of life within families and in the community. The Wellness Court team consists of multi-jurisdictional, multi-disciplinary core teams made up of representatives from tribal, county, state and other agencies. Wellness Court sessions run simultaneously in Cass Lake (in the tribal courtroom) and in Walker (in the district courtroom). Clients have the option of appearing for court hearings either in Cass Lake or Walker, whichever is most convenient, and the courtrooms are connected by interactive videoconferencing (ITV) for hearings. In 2007, a similar Wellness Court was formed in collaboration with the Ninth Judicial District's Itasca County District Court to work with offenders charged with controlled substance crimes. All court sessions for the Leech Lake-Itasca County Wellness Court are held at the Itasca County Courthouse in Grand Rapids. For more information on program eligibility, please contact the Leech Lake Tribal Court.

Juvenile Diversion:

The Juvenile Diversion Program is a collaboration between the Tribal Court and the Cass County Attorney's Office and Cass County Probation that provide system-involved youth an alternative to adjudication that emphasizes culturally-appropriate restorative justice practices with the goal of reducing recidivism among diverted youth. The program is open to tribal members and non-Indian juveniles residing on the Leech Lake Reservation who are eligible for diversion through the Cass County Attorney's Office. If a juvenile opts to participate in the Tribal Court Diversion Program, they will meet with a team that includes representatives from the Tribal Court, Tribal Police, legal profession, schools, and community members. Supervision and support services are provided by Cass County Probation working together with the *Bamenim Anishinaabeg* staff.

Juvenile Reentry:

The Juvenile Reentry Program is a collaboration between the Tribal Court, Cass County Probation, and area juvenile detention and treatment facilities. The Program is open to up to 25 youth between the ages of 12 and 17 who have been court-ordered into in-patient treatment or to a juvenile detention facility and are high risk/high needs. *Bamenim*

Anishinaabeg staff work with the youth and their families while the youth is in placement to create a service plan for the family, and continue to provide services once the youth leaves placement.

Juvenile Delinquency:

The Juvenile Delinquency Program targets high risk/high needs youth between the ages of 12 and 17 (if a court case was pending prior to the youth turning 18, services may continue on a case-by-case basis), who are at risk of being placed out of home because of their behavior. Juvenile delinquency cases (which include, for example, truancy, minor consumption, disorderly conduct, to name a few) may originate in Leech Lake Tribal Court or in Cass County District Court. If the case originated in Cass County District Court, the courts work together under the Joint Powers Agreement and Cass County Probation assists with supervision of youth.

OUR TEAM MEMBERS:

Gary Charwood – Cultural Coordinator/Team Supervisor
Deonne Pansch MSW, LICSW – Clinical Team Leader
Spencer Shotley LADC – Assessor
Julie Paulson MSW, LICSW – Mental Health Therapist
Kayla Renney – Reentry Care Coordinator
Cynthia Madigan – Prevention Services/Court Development

OUR REFERRAL PROCESS

Referrals to the *Bamenim Anishinaabeg* program should be made directly to the Leech Lake Tribal Court by faxing the attached Referral Form to the Tribal Court at 218-335-3685, or hand-delivering the Referral Form to the Tribal Court. Referrals are staffed each Wednesday (unless a crisis situation exists, in which case an emergency staffing will be conducted). A decision will be made by the team as to program eligibility, and the referring agency will be notified in writing. Once formally accepted into the program, *Bamenim Anishinaabeg* staff will coordinate with existing service providers and begin working with participants.