Dear Colleagues:

W hat a boring world it would be if all people were just like me. We are all different, but we are surely one people, created of the same cloth, and conditioned into cultures and subcultures that have developed around our common needs and interests, or sometimes by our differences.

One of the rich blessings of being involved with NCJFCJ is the opportunity to be part of the cultural exchange that takes place when we work together to give life and meaning to our vision for “a society in which every family and child has access to fair, equal, effective, and timely justice.” The solution to the problems confronting our children and families will not be found in our commonalities because we bring nothing of value to the table if we bring only what others at the table already have. The solution will be found in our differences in ideas, ideals, values, and life experiences. The work is too important not to do all that we can, not just to accommodate diversity, but to embrace it.

Weaving diversity into all that we do should not be viewed as something we have to do as part of a project or strategy. Diversity should not even be something that we talk about or that we do. Diversity should be who we are as an organization, and then that diversity should be naturally reflected in all that we do. That is the place we need to be and we are committed to getting there. We set time aside at our March Board meeting to talk about how we can get to that place, and we continue to look for ways to be more inclusive in our operations, programs, and outreach. It is in that spirit and with that commitment that NCJFCJ has reached out to our brothers and sisters sitting in the Native American Tribal Courts.

This exciting journey began to gain momentum last October when all of our Model Courts brought a Tribal Court representative with them to the All-sites meeting as a member of their team. The next significant step was bringing tribal judicial leaders together at the Tribal Judicial Leadership Gathering at the Gila River Indian Community, held in Arizona, Dec. 14 and 15. Many exciting things have happened since then:

- Our Board of Trustees adopted two resolutions at the January Mid-Winter meeting, which are discussed in Judge Raquel Montoya-Lewis’ article on page 12 in this issue [the resolutions are available online at http://www.ncjfcj.org/content/view/1381/347/].
- The Conference of Chief Justices adopted a resolution encouraging greater collaboration between State Courts and Tribal Courts.
- The National Association for Court Management adopted a resolution in support of the NCJFCJ resolution.
- Six scholarships for our Child Abuse and Neglect Institute in June have been made available to Tribal Judges.
- In Mississippi, NCJFCJ Model Court Lead Judge Michael McPhail in Hattiesburg and Tribal Model Court Judge Kevin Briscoe (the Choctaw Justice Center is recognized in Indian Country as a Model Court) have joined together with Dennis Perkins, the Mississippi Court Improvement Project Director to offer a multidisciplinary training in June on ICWA and Choctaw Tribal Heritage. State and Tribal Courts will be invited, and the training has the support of the Mississippi Judicial College. With permission from Mississippi Band of Choctaw Indians Tribal Chief (Miko) Beasley Benson, the training will take place in Indian Country.

At the December Gathering, I heard a lot of important things said, and I was asked a lot of difficult and honest questions, but none more difficult than “Why now?” Given the history, that was a fair question coming from a member of a sovereign nation that has too long been denied the respect and deference to which it is due. One obvious answer is that funding has been made available to do this work, a point that should be celebrated. But more importantly, NCJFCJ’s current leadership has been made aware of our past errors, though made in good faith, and the need for NCJFCJ to make things right. And we are

LISTENING TO FOSTER KIDS

In my last column, I asked for input from our members about the lessons you have learned from young people in the foster care system. Judge John B. Sumner of Canton, Ga., responded to my invitation with an impassioned and thoughtful message about what he’s learned from foster kids in his court about their thoughts, hopes, and needs as he worked to improve how his court helped older foster children.

According to Judge Sumner, “... although the basic needs and goals were being met for the youth and their permanency, we were not doing a good job to prepare them well for life. I sat down and thought what a monumental day the 18th birthday must be for a child in foster care. At 18, I too was making major life decisions, but I had a family to support me as I made those decisions, to catch me if I was wrong, and the ability to change my mind. The kids in our courts do not have those advantages.” Judge Sumner continues to be guided by the thought that “I have learned that one judge with one idea can impact a child’s life forever.”

Although we don’t have space to publish his entire letter here, he has given permission for us to post it online at http://www.ncjfcj.org/dir/source/judgesumnerltr.pdf.
President’s Message

committed to doing that. On a larger scale, the issue is one that needs to be addressed. Generations of wrongs cannot be righted just by the courts. But by acknowledging Tribal Courts as equal and parallel justice systems and working with the Tribal Courts as allies to ensure equal treatment of, and resources for, all native families and children at all levels of government as stated in our Resolution, we have made a great start. I am grateful for the opportunity that tribal judges have given me to acknowledge the past and be a part of the solution, walking arm-in-arm as partners and allies to do better for our children now and in the generations to come.

I cannot end this article without recognizing one of our own. Gina Jackson, one of our Model Court Liaisons and a Native American from the Temoke Western Shoshone Tribe, has been phenomenal in this outreach.

When I was a child playing with friends in the woods behind my house, we would sometimes encounter a gully that seemed to us as deep and wide as the Grand Canyon. To get to the other side, we would find a long log, stand it up, and let it fall across to the other side, bridging the gully. Gina has given of herself and bridged the gully between two nations. Now that we can cross over, we can draw from the best of what we all have to offer and build permanent bridges so that passage can be sustained for the mutual benefit of generations to come.

Best regards,

Judge R. Michael Key
LaGrange, Georgia

Contents

9 Scare Tactic Interventions: What Happened to “First, Do No Harm”? By Shawn Marsh, Ph.D., and Melissa Sickmund, Ph.D.

12 Tribal Judicial Leadership Gathering: Working Together for Native Children and Families
By Judge Raquel Montoya-Lewis

14 National Conference on Juvenile and Family Law Convenes in Reno

16 COVER STORY: Intake Decisions and the Juvenile Court System
By Judge Leonard Edwards (ret.)

20 Recommendations from the Juvenile Delinquency Guidelines Take Flight in the Erie County Family Court
By Judge Paul G. Buchanan and Thomas M. Lillis

IN THIS ISSUE

3 President’s Message

5 Notes from the Executive Director

6 Briefs

8 Bench Marks

10 Member Spotlight: Judge Carl Anthony Walker

DEPARTMENT NEWS

24 National Center for Juvenile Justice

26 Family Violence

28 Juvenile and Family Law

30 Permanency Planning for Children