



AMENDED RESOLUTION IN SUPPORT OF POLICY RECOMMENDATIONS FOR TRIBAL ACCESS TO FEDERAL COURT IMPROVEMENT PROJECT (CIP) FUNDS

WHEREAS, Congress created the Court Improvement Project (CIP) in 1993, a grant program to assist state courts in improving their handling of child abuse and neglect cases. Unlike previous federal grant programs, Congress explicitly recognized the effect of a federal mandate on the state judicial systems and provided for the funds to go directly to the highest court in each state, instead of funneled through a state executive agency;

WHEREAS, tribes have been ineligible to receive Court Improvement Project funds since the inception of the program and throughout the years during which the program has been reauthorized;

WHEREAS, American Indian and Alaska Native (AI/AN) children have a unique political status as citizens of sovereign nations, which are inherently best equipped to identify, understand, and effectively respond to their needs;

WHEREAS, it is imperative to increase tribal governmental capacity to address their children's and family's pressing needs;

WHEREAS, a Government Accountability Office study found that states are often dependent upon tribal governments to ensure that child welfare services and protections, as required under federal law, are sufficiently provided, it specifically cited the lack of federal funding as a barrier to states receiving this important assistance;

WHEREAS, building tribal court capacity is an important component to ensure that American Indian and Alaskan Native children are served in their own communities;

WHEREAS, tribes remain both underfunded and ineligible to administer federal Court Improvement Programs directly; and

WHEREAS, the NCJFCJ encourages the Conference of Chief Justices and Conference of State Court Administrators to forward these same recommendations to Congress;

BE IT THEREFORE RESOLVED that the National Council of Juvenile and Family Court Judges recommends that Congress *appropriate new funding* to provide direct Court Improvement funding to tribal governments, honoring their government to government trust relationship with tribes and empowering tribal governments to change the causal factors that bring children, youth, and families into child welfare systems. Moreover, making federal funding available to tribal governments is the surest way to ensure that these vital services are made available to tribal children and families and that the services are based in the most effective methods for this population.

Adopted by the NCJFCJ Board of Trustees, July 21, 2010, San Diego, CA; amended by the NCJFCJ Board of Trustees, January 21, 2011, St. Petersburg, FL.