

CONFERENCE OF CHIEF JUSTICES

Resolution 27

In Support of the “Walking on Common Ground: Pathways to Equal Justice” Federal/State/Tribal Symposium

WHEREAS, the Conference of Chief Justices has recognized the need to reduce jurisdictional conflict among tribal, state and federal courts and has established a Committee on Tribal Relations; and

WHEREAS, the Conference has a long and distinguished history of supporting efforts to reduce jurisdictional conflict, including:

- Cosponsoring two national tribal/state/federal conferences;
- Helping to convene tribal-state court forums in Washington, Oklahoma, Arizona, Michigan, North Dakota and South Dakota;
- Contributing to the development of a national agenda entitled: “Building on Common Ground: A National Agenda to Reduce Jurisdictional Disputes Between Tribal, State and Federal Courts;” and
- Endorsing the joint NCSC/SJI Publication entitled “A How-To-Do-It Guide to Prevent and Resolve Jurisdictional Disputes and Improve Cooperation Between Tribal and State Courts;” and

WHEREAS, as a result of this groundbreaking work, many states continue to hold Tribal/State Court Forums or “Tribal Forums” which operate independently, on a state-by-state basis throughout the country, and have made great strides in improving relationships; and

WHEREAS, the Committee on Tribal Relations, with the assistance of the National Center for State Courts, has been seeking funding and other assistance to:

- Continue the examination of jurisdictional issues;
- Help coordinate other activities pertinent to tribal, state and federal relations such as joint state/tribal judicial discussion meetings; and
- Promote educational programs; and

WHEREAS, the Department of Justice has agreed to fund a national meeting on tribal land for the express purpose of identifying and implementing solutions to improve Federal/State/Tribal court relations; and

WHEREAS, the Advisory Committee that guides this project is composed of a distinguished group of federal/state/tribal judicial representatives including the Chief Justice of South Dakota and the State Court Administrator of Utah; and

WHEREAS, the Committee on Tribal Relations has been informed of the progress made to date in the planning of this national meeting, reaffirms its conviction as to the importance of the meeting, and strongly recommends that the project continue to completion so that its full benefits may be realized by federal, state and tribal courts; and

WHEREAS, the Conference, along with the U.S. Department of Justice, the National Tribal Judicial Center, the Northern Plains Tribal Judicial Institute and the Criminal Justice Center at Fox Valley Technical College is co-sponsoring a symposium entitled “Walking on Common Ground: Pathways to Equal Justice” in Green Bay, Wisconsin on July 27-29, 2005;

NOW, THEREFORE, BE IT RESOLVED that:

- the Conference endorses and supports the symposium entitled “Walking on Common Ground: Pathways to Equal Justice”; and
- the Conference urges each chief justice, especially from those states that surround or adjoin tribal nations and communities, to attend “Walking on Common Ground: Pathways to Equal Justice”.

Adopted as proposed by the Tribal Relations Committee of the Conference of Chief Justices at the 28th Midyear Meeting on January 26, 2005.