

The First New York Listening Conference

April 26 – April 27, 2006

The New York Tribal Courts Committee

April 26 – 27, 2006
The Marx Hotel, Syracuse, New York

WEDNESDAY, APRIL 26, 2006

Conference Opening, Dinner and Program on Restorative Justice 7:00 P.M. – 9:30 P.M.

THURSDAY, APRIL 27, 2006

REGISTRATION AND BREAKFAST 7:30 – 8:00 A.M.

Welcome and Opening Ceremony 8:15 A.M.

Morning Sessions

- PLENARY SESSION: Indian Country Jurisdiction 101
- PLENARY SESSION: Native Justice Systems in New York State

Lunch and Keynote Speaker

- Oren Lyons (*Faithkeeper, Onondaga Nation; Professor, American Studies, SUNY Buffalo*)

Afternoon Sessions

- Indian Children in State Family Courts: *Understanding and Applying ICWA*
- Criminal Jurisdiction in Indian Country: *The Application of 25 U.S.C. §232*
- WRAP-UP: Problem-Solving: *Hopes & Wishes for Justice Systems and Interface Between Native and Non-Native Justice Systems*

Conference Ends 5:00 P.M.

The New York State Judicial Institute


84 N. Broadway, White Plains, New York 10603

The New York Tribal Courts Committee

The New York State Judicial Institute

The Center for Indigenous Law, Governance and Citizenship

In the 1990s, the National Conference of Chief Justices began a project to encourage conversation and cooperation between and among state, federal and tribal courts. In 2003, New York State Chief Judge Judith S. Kaye and Chief Judge John Walker of the U.S. Court of Appeals for the Second Circuit established the New York Tribal Courts Committee to explore ways in which the state, federal and tribal court systems can work to improve our understanding of one another's justice systems and establish better ways of sharing information.



The **New York Tribal Courts Committee** is chaired by New York Supreme Court Justices Marcy Kahn and Edward Davidowitz and includes representatives from the state and federal courts. The Committee has met twice a year since May 2003 with members of the nine recognized Indian Nations and Tribes in New York to establish the New York Federal-State-Tribal Courts Forum. The nine Nations and Tribes are: the Cayugas, the Oneidas, the Onondagas, the St. Regis Mohawks, the Senecas, the Shinnecocks, the Tonawanda Senecas, the Tuscaroras, and the Unkechaugs. Currently the Forum includes as permanent members designated representatives from the New York state and federal courts and from Indian Nations and Tribes throughout the State. The purpose of the Forum is to educate and share information about the different court and justice systems in New York in order to minimize and prevent conflicts. The Forum expressly does not address issues involving gaming, taxation, land claims, or matters in litigation.

Among the nine Nations and Tribes in New York State there are several court and justice systems. As some of the Nations and Tribes transition to written law systems from oral traditions, or create new courts, the state and federal courts will be confronted with complex new issues of jurisdiction. State and federal judges will increasingly face issues requiring the resolution of conflicting legal provisions and decision-making in the areas of family, criminal, matrimonial and business law.

On April 26 and 27, 2006 the New York Tribal Courts Committee will hold the first-ever Listening Conference in New York State bringing together state and federal judges, as well as tribal court judges and justice representatives. The New York State Judicial Institute and the Center for Indigenous Law, Governance and Citizenship at Syracuse University College of Law are co-sponsors of the event. The Listening Conference offers a unique opportunity to identify the developing issues in this area and work toward ways to minimize and resolve conflicts among these justice systems.

The **Listening Conference** will take place at The Marx Hotel in Syracuse, New York and will begin on Wednesday April 26, 2006 at 7:00 p.m. with a dinner and an informative program on native restorative justice traditions. On Thursday April 27, 2006, there will be a morning plenary session on jurisdiction which will combine an historical review of seminal cases and treaties with a review of government policy and discussion of current jurisdictional concerns. A second morning plenary will provide an introduction to the different tribal court and justice systems currently in existence in the State. Following lunch and a keynote by Oren Lyons (Faithkeeper, Onondaga Nation), the afternoon will feature two breakout sessions, one on criminal law and jurisdiction over Indians in the state, federal and tribal courts, and one on issues arising under the Indian Child Welfare Act (ICWA). The Conference will end with a wrap-up session which will address ways to resolve identified issues and develop concepts for the Forum's future work.

REGISTRATION

We encourage the participation of New York State and federal judges, tribal elders, tribal leaders, tribal judges, tribal child welfare personnel, tribal law enforcement officers, tribal housing personnel and tribal court representatives. Attendees are eligible to receive continuing judicial education and continuing legal education credits. If you would like to attend the Listening Conference, please pre-register by contacting **Joy Beane, Esq.** at the **New York State Judicial Institute** via e-mail, jbeane@courts.state.ny.us, or via telephone, (914) 993-4201. In-person registration begins on Wednesday April 26, 2006 from 5:00 p.m. to 7:00 p.m. and continues on Thursday April 27, 2006 at 8:00 a.m. If you have any questions or have special needs, please contact Joy Beane.

SCHOLARSHIPS

Scholarships for travel and lodging are available to tribal participants on a first come-first serve basis. For more information, please contact **Michelle Parks** at the Northern Plains Tribal Judicial Institute via e-mail, mrivard@gra.midco.net, or via telephone, (701) 777-6303.