

Siletz Community Court Progresses

Greetings! As this article goes to press, we are beginning the draft Family

Welfare Code community meetings.

In addition to the meetings, please feel free to give comments any way you can to any project staff member: Diane Henkels, Trish Carey, or Julee Welch in person, by telephone at 1-800-922-1399, ext. 212, or e-mail dianeh@ctsi.nsn.us or trishc@ctsi.nsn.us.

In the meantime, we are working on the Siletz Community Court, a dispute resolution component to Siletz Tribal Court, and have provided some information below. Feel free to contact us if you would like to know more!

Frequently Asked Questions (FAQ) - Siletz Community Court

by Arthur E. Fisher, Associate Judge, Siletz Tribal Court, and Diane Henkels

What is the Siletz Community Court?

The Tribal Council created the Siletz Community Court in 1999. The court's purpose is to resolve disputes in an informal manner with the consent of the parties, using a mediated approach. The court's goal is to offer a means for tribal members to resolve disputes in an informal manner without prolonged and costly litigation. The court provides a community-based resource aimed at restoring the balance in the community rather than punishing a party.

What kinds of cases would the Siletz Community Court hear?

Right now, Tribal Court Rules and Procedures say that the Siletz Community Court may hear cases involving garnishments, tribal housing evictions, homeowner and tenant disputes, private civil disputes between persons or entities not requesting money damages, disputes regarding money claims of less than \$2,500, and minor crimes.

The Siletz Community Court, however, may hear any types of cases that are identified in the statute. These may include misdemeanors, juvenile diversion (alcohol abuse), and other

juvenile cases, neighborhood property lines, etc.

Would a decision by the Siletz Community Court be binding on the parties?

Yes, provided that the parties agreed to binding resolution in advance.

What happens if the process doesn't resolve the dispute?

The parties could decide **before** the final decision that they would rather resolve their dispute through another means and stop the Community Court process.

Who would decide if a case would go to the Siletz Community Court?

The presiding judge of the Siletz Tribal Court could decide if the Siletz Community Court could hear the case, and both parties would have to consent in order to bring the case to this court.

Who is in charge of the Siletz Community Court?

Art Fisher, a Siletz Tribal Court judge, is the Community Court judge. He is a Siletz Tribal member and lives in California.

Who would pay for the Siletz Community Court?

Depending on the case, the parties could agree to split the costs, the judge could decide how the costs should be shared, or the parties could agree on another way to pay the costs.

Why isn't the Siletz Community Court in operation?

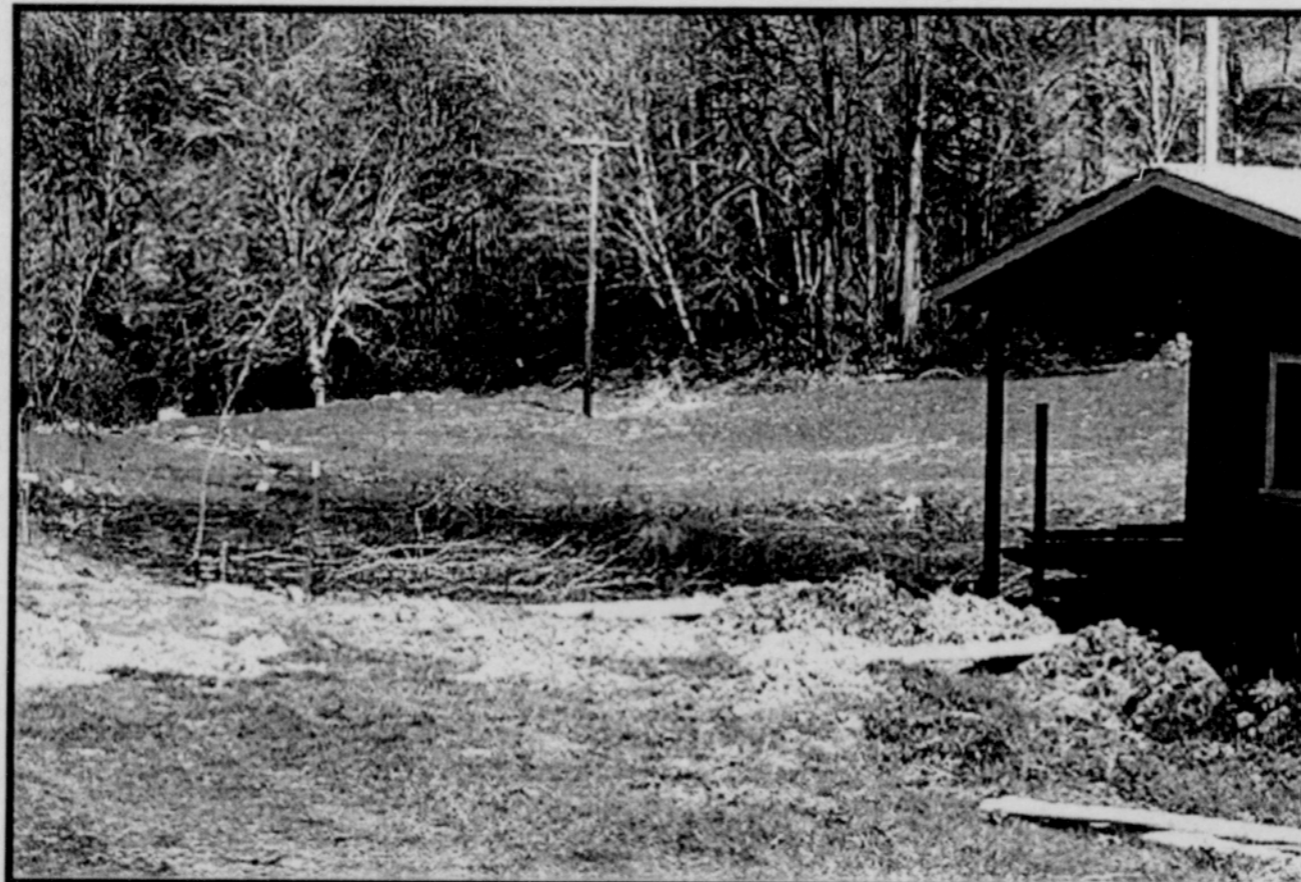
Tribal law must be enacted to allow the Siletz Community Court to actually operate. It's like the Siletz Tribal Court Rules and Procedures permits the Siletz Tribal Court and the Court of Appeals to hear cases, except an ordinance for the Siletz Community Court will be

Siletz Tribal Court and Code Development

simpler. The TCCD project is working on a short ordinance for the Siletz Community Court and will hold public meetings in April or May.

If you were resolving a dispute between two tribal members, what information do you think the judge would need to make a good decision?

The next article will include FAQ on the Family Welfare Code, gathered at the community meetings conducted in March.



The new pond at the Llukee Illahee Hatchery has been completed. In early February, the pond was stocked with 42,000 coho salmon smolts. They started heading for the ocean in early March and will continue this trek through June.



Walt's Words of Wit and Wisdom

A long time ago, before time even, seven girls and a boy were playing in the forest, now the Ochoco National Forest. While they were playing, something started happening to the boy. He started growing hair, he started growing teeth and claws. He had turned into a great bear.

Now, the girls were afraid of him. They began to run and the bear started chasing them. They came to a flat rock maybe three feet high and they jumped on the rock.

The bear jumped for the rock but

didn't quite make it. He slid down, leaving claw marks as he slid. The bear made a run for it and jumped, but the rock had grown. Again, he didn't quite make it and did the same thing sliding down the side. This kept on for some time, maybe a thousand years. Finally the rock became so high that the bear just gave up.

Now the girls were on top of the rock safe from the bear, but with no food or water. There was no way down as the rock was shear all the way to the ground.

The Great Spirit took mercy on the girls and decided to take them to the star world. So tonight, when you are outside on a clear night when the stars are shining, look for the Big Dipper. Seven stars make up the Big Dipper, this is the seven little girls.

Now between Prineville and Burns (I think) along the highway there's a rock about 300 feet tall and maybe a 100 feet or more across where the girls were. This is called Steins Pillar. It shows the marks where bear slid down trying to get to the girls.