

# Tribal Court Advocates, They Care About Your Rights



TRIBAL COURT ADVOCATE JOHN ALLEN

In reviewing the accomplishments of the Tribal Court this past year, one of the most visible changes within the system is the addition of two Tribal Court Advocates.

Daisy Ike and John Allen, whose offices are in the trailer behind the old agency building, have been representing people as lay attorneys in Tribal Court and are winning about 75 per cent of their cases, according to Judge Irene Wells.

Both advocates stress that they are there to serve the people, and that they want to make everyone aware of their rights in Tribal Court. "Many do not know they have any rights, and need assistance in understanding the court system," they agree.

Judge Wells has a great deal of praise for the work done by John and Daisy. "They've done a terrific job representing people," she says. "I think the advocates have been an asset to people who come into court. They have helped in educating and protecting individual rights and the court system here."

The new feature to the Tribal Court enables advocates to speak in behalf of their clients. "They speak up and bring out points for the individual who may be reluctant to speak for himself," Judge Wells remarked.

Daisy Ike, who became an advocate in February, and John Allen in May, both attended intensive training sessions put on by the American Indian Lawyers Training Program.

Judge Wells became aware of the program in 1976 and decided that since practicing attorneys are now allowed into Tribal Court, that this could be one way of helping the people who could not afford attorneys.

So Warm Springs got in on the ground floor and was the first tribal court in the United States to hire advocates under this type of training program. Both advocates are paid on a

nine-month stipend program funded through AILTP. After nine months, the Tribal Court picks up their salaries.

The initial training program at Kah-Nee-Ta proved enlightening for both advocates. Everything was new.

"They videotaped us which showed us our good and bad points," recalls Daisy. "We studied arraignments, how to prepare for trial, jury trial, and how to prepare witnesses." At the end of the course there was a mock trial which both found interesting.

But the learning process has been a continuous and on-going thing. They consult regularly with AILTP staff and receive lessons through correspondence. They also receive recent court rulings which can be referred to in court, and have the opportunity to attend additional workshops.

Throughout the year, in on-the-job courtroom experience, John and Daisy switch roles — each is a part-time prosecutor and part-time defense.

"If you just work defense, you see cases from only one viewpoint," notes Daisy. "It's a hard position to be in when you're prosecuting, but it gives you an outlook on your opposition — you know what to look for, where to dig."

John agrees that there is value in learning how to prosecute. "It helps me to see what the prosecution is planning and how they are looking at a case — 'They are guilty.'"

But he says the cases he has had to prosecute were a job. "My instincts are basically humanitarian — I'm not a piranha. A prosecutor has to have a killer instinct."

John feels he applies himself more in defense. "The defense role makes you dig a lot. You have to get the information yourself."

The two advocates share one main concern. "We would like a person to come in at an early

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BY SANDY RANGILA



TRIBAL COURT ADVOCATE DAISY IKE

date to see us. Some come in only five or ten minutes before court and we can't accomplish much that way. We need time to prepare a presentation for court."

John strongly feels that everyone should realize that they have an equal right and should pursue that right to its fullest extent. "I feel that when people start being aware of their rights that it will be beneficial."

He feels that the advocates have now reached the point of building confidence in people. "Clients say they are glad the program is here." He says he does a lot of counseling, as well as representing people in court.

He points out that there have been no complaints so far,

that most people think having court advocates is a good idea. "People want to be understood and not misinterpreted," he contends. "The basic truth should be brought out."

But bringing out the truth can be difficult and time-consuming. "Sometimes you have to build a factual case from almost nothing through recall and witnesses," he explained.

"Imagination helps," he remarked. "For example, if a person was too drunk to remember, I try to put myself in that position and ask, what would I have done? Then I ask them, 'Did you do this? Would you have done that?' There is a great deal of investigation and interaction with people, accord-

never using it." The most important qualification according to Calica is the willingness to devote time at odd hours.

In order for an EMT certificate to remain valid, at least ten hours of training per year are required, reminded Calica, which is an additional investment of time.

EMT training is mandatory for all tribal police officers. Long-term employees at Kah-Nee-Ta are also being encouraged to enroll because of the distance involved in ambulance calls to the resort. And of course any serious citizen is welcome to apply.

Calica advised that an advanced first aid course will be offered soon for those people in health-related jobs who need to know life-saving techniques but do not need the intensive, paraprofessional EMT training.

People interested in becoming active EMT's are asked to contact Ray Calica before the end of December, at 553-1161 ext. 272 or 553-1171.

## EMT Class Offered

The Warm Springs Ambulance Program is looking for volunteers to participate in the critical service they offer to the community. A course in emergency medical techniques will be offered in mid-January for interested people.

Sponsored by the Tribal Police Department in conjunction with Central Oregon Emergency Medical Services, the class consists of 80 hours of intensive study and practical exercise. It is expected to last about three months.

Police Chief Jeff Sanders said that the ambulance program desperately needs serious people to help. "Only those who are genuinely interested in the program, who feel they can benefit the community through participating in the ambulance service, should take the EMT course. We'll help those individuals in any way we can with training."

Sergeant Ray Calica, who will be screening applicants, said, "What we don't want is a housewife getting into it and

ing to both advocates.

Both Daisy and John agree that each case is different. Some of the differences are subtle, and you have to bring out the whole truth.

There are different elements and levels that have to be examined and taken into consideration. Some may not be as guilty or may be more guilty than appearances and reports indicate.

Says Judge Wells, "There has been a tremendous change in people's attitudes. Before, they would just plead guilty — now they seem to fight for their rights."

She attributes this change to the Tribal Court Advocates and wants people to be aware that they are here to help at no cost.