

Lack of understanding confuses many

Gene Smith, tribal prosecutor, stated that a general lack of understanding how the tribal justice system works causes delays, personal hardships, adverse judgments and general public resentment towards tribal program personnel. That lack of understanding not only frustrates individuals integrated into or using the Justice system but is also costly to the tribe in resolving conflicts, disputes and adjudicating allegations of illegal activity.

The General public needs to be aware that once they become a participant in any litigation before the tribal court they have an obligation and responsibility to be completely prepared at the scheduled date and time for trial. The general rule of thumb is to coordinate your time and efforts with the individual who will be presenting your testimony before the court. Depending on the type of case and the content of your testimony you should be talking with the tribal prosecutor, legal aide, court advocate, juvenile coordinator or possibly an individual who is presenting their own case. The pre-trial conference or meeting with anyone of these individuals needs to be done well in advance of the date and time for trial. This will give the individual presenting your testimony ample time to properly prepare the information for trial and investigate any information which might be refuted by the opposing party. Many times a case has been lost or a judgment ren-

dered in favor of the opposing party because of individuals showing up at the time for trial and giving spontaneous testimony. Smith added that spontaneous testimony only works in the Perry Mason T.V. drama and has little effect in the real life drama of a trial in the Warm Springs tribal court. Preparation and presenting those facts before the court is the most consistent way of assuring a favorable decision in your behalf.

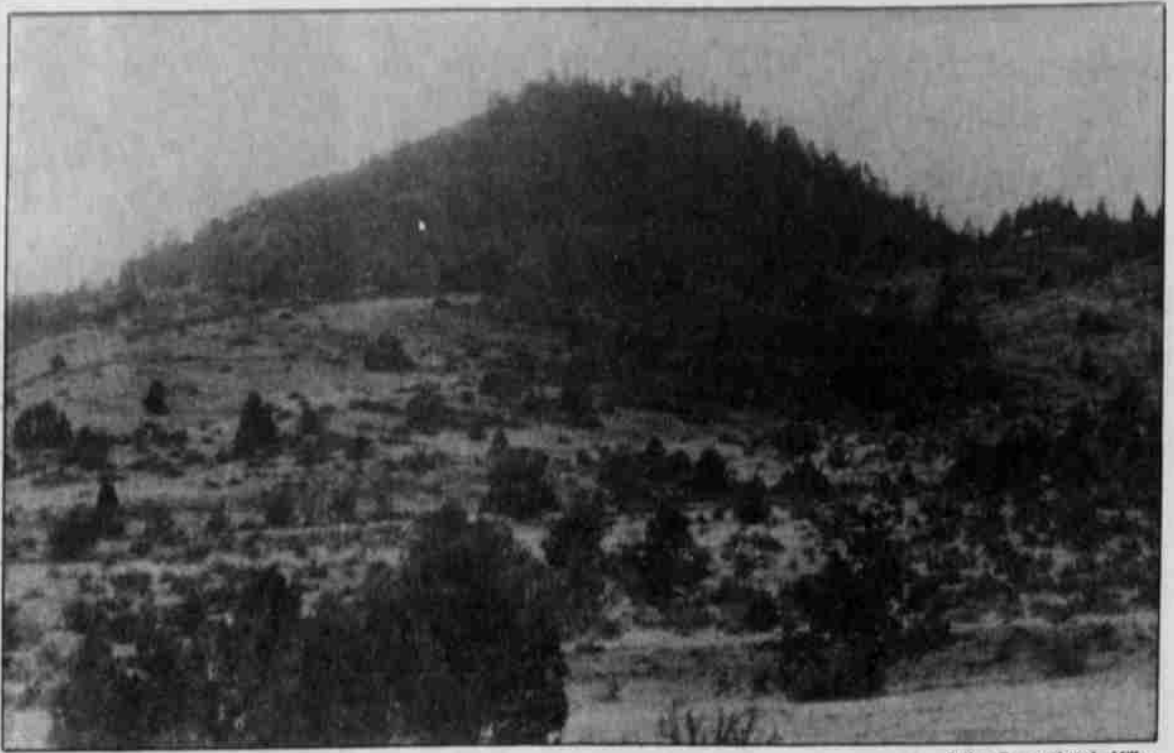
Smith cautioned that this should not signal individuals to meet prior to trial and agree on circumstances or conditions to commit perjury during their testimony. In many instances there will be scientific evidence, physical evidence or other eye witnesses to refute the fabricated testimony regardless of how carefully it may be disguised. Perjurious testimony serves no useful purpose other than providing confusion to an already emotionally charged situation. Furthermore, perjurious testimony reflects directly upon your character and may eventually be damaging to you as an individual when you do have factual information to provide in other or future matters. Testify only to facts that you have observed or have personal knowledge of and it will be given the proper weight in the final decision.

Special mention needs to be made of those individuals involved in a civil suit or claim for damages, where some special requirements

need to be met. Those special requirements may include providing the court with relevant documents to show proof of ownership, bids, estimates or assessments of personal damages. Where documents are to be presented the general rule is to have the person who generates the document present to testify. Where that is not possible have the original document available or a copy of the document which should be certified or notarized before being offered as evidence. If you are uncertain, seek legal advice before your time and date for trial.

No system of justice can be perfect in all respects. Interpretations and applications of laws are continually changing and it is in your best interest to prepare yourself for your day in court. Preparation will ensure that the facts of your case will be heard and equal application of the law will be the result of your final verdict.

Smith concluded by saying, "we have a very adequate and progressing system of justice here at Warm Springs. The statement that we have become too sophisticated is seldom associated with the sophisticated safeguards to protect individual rights. Individuals become trapped in the system when they are less than honest in presenting facts to be adjudicated. Careful preparation and presenting only the facts should ensure that your legal matters progress through the system expeditiously and favorably."



Spilyay Tymoo photo by Miller

A familiar landmark along the well-traveled road on the reservation can be a winner for someone who can identify its exact location win a year's subscription to the Spilyay Tymoo. Call 553-1644 with your answer.

Court Notices

Confederated Tribes of the Warm Springs Reservation of Oregon

vs.

Wanda Van Pelt

Defendant

Notice of Trial/Hearing for Publication

Case No. TR931-86 & CR370-86

To: Wanda Van Pelt

You are hereby notified: That the above cited case(s), as filed in the Warm Springs Tribal Court, has been scheduled for trial/hearing at 11:00 a.m., on the 30th day of December, 1986.

You are hereby ordered: To be and appear at the Warm Springs Tribal Court at the time and date shown to defend against the charge(s). You may be represented by yourself, by an attorney, or by a spokesman, at your own expense. You may bring any documents you believe are relevant to this cause, and you may bring witnesses to testify on your behalf. You may request the Court to subpoena your witnesses, however, you must submit your list of witnesses no later than two weeks prior to trial; failure to do so will not be considered sufficient reason to postpone the trial. If you have any questions, you should seek legal advice immediately.

If you fail to appear as so ordered, the Tribal Court shall enter a complaint for contempt of court and issue a warrant for your arrest. Dated at Warm Springs, Oregon, on this 24th day of November, 1986.

Richard G. Frederick
Judge, Warm Springs Tribal Court

Confederated Tribes of the Warm Springs Reservation of Oregon

vs.

Karla Jumping Bull

Defendant

Order to Show Cause for Public Notice

Case no. DO45-86

To: Karla Jumping Bull

You are hereby notified: That the above cited case(s), as filed in the Warm Springs Tribal Court, has been scheduled for a show cause hearing at 10:00 a.m., on the 31st day of December, 1986.

You are hereby ordered: To be and appear at the Warm Springs Tribal Court at the time and date shown, to show cause why you should not be held in Contempt of Court for failure to comply with the Court Order issued 9/12/86. This hearing will not be a full hearing on the merits of the case; you must appear and defend against a complaint that you failed to obey the Order of the Court.

If you fail to appear as so ordered, the Tribal Court shall enter a complaint for contempt of court and issue a warrant for your arrest. If you have any questions, you should seek legal assistance immediately. Dated at Warm Springs, Oregon on this 24th day of November, 1986.

Richard G. Frederick
Judge, Warm Springs Tribal Court

Confederated Tribes of the Warm Springs Reservation of Oregon

vs.

Stacey Lawrence

Defendant

Order to Show Cause for Public Notice

Case no. CR51-86 & TR83-86

To: Stacey Lawrence

You are hereby notified: That the above cited case(s), as filed in the Warm Springs Tribal Court, has been scheduled for a show cause hearing at 10:00 a.m., on the 30th day of December, 1986.

You are hereby ordered: To be and appear at the Warm Springs Tribal Court at the time and date shown, to show cause why the suspended sentence of 9/25/86, should not be imposed for your failure to comply with the sentence imposed against you. This hearing will not be a full hearing on the merits of the case; you must appear and defend against a complaint that you failed to obey the Order of the Court.

If you fail to appear as so ordered, the Tribal Court shall enter a complaint for contempt of court and issue a warrant for your arrest. If you have any questions, you should seek legal assistance immediately. Dated at Warm Springs, Oregon on this 24th day of November, 1986.

Richard G. Frederick
Judge, Warm Springs Tribal Court

Confederated Tribes of the Warm Springs Reservation of Oregon

vs.

Roderick Arthur

Defendant

Order to Show Cause for Public Notice

Case no. TR712-86

To: Roderick Arthur

You are hereby notified: That the above cited case(s), as filed in the Warm Springs Tribal Court, has been scheduled for a show cause hearing at 10:00 a.m., on the 30th day of December, 1986.

You are hereby ordered: To be and appear at the Warm Springs Tribal Court at the time and date shown, to show cause why the suspended

sentence of 7/23/86, should not be imposed for your failure to comply with the sentence imposed against you. This hearing will not be a full hearing on the merits of the case; you must appear and defend against a complaint that you failed to obey the Order of the Court.

If you fail to appear as so ordered, the Tribal Court shall enter a complaint for contempt of court and issue a warrant for your arrest. If you have any questions, you should seek legal assistance immediately. Dated at Warm Springs, Oregon on this 24th day of November, 1986.

Richard G. Frederick
Judge, Warm Springs Tribal Court

Confederated Tribes of the Warm Springs Reservation of Oregon

Petitioner

vs.

Harold & Laura Thomas

Respondent

Summons for Publication

Case no. DO238-86

To: Harold & Laura Thomas

You are hereby notified that a Petition for custody review has been filed with the Warm Springs Tribal Court.

By this notice you are summoned to appear in this matter at a hearing scheduled for 10:00 a.m., on the 23rd day of December, 1986, at the Warm Springs Tribal Court. All of the facts of the case will be heard at this hearing, including evidence you wish to present.

You must appear to present your argument or the other side will automatically win. The Petitioner, N/A may be given all that is asked for in the Petition for custody review.

The Petitioner will be present at the hearing. If you desire to personally argue your side of the case, you may have a legal aide, spokesperson or attorney appear on your behalf at your expense.

If you have any questions, you should seek legal advice immediately. Dated at Warm Springs, Oregon, this 21st day of November, 1986.

Lola Sohapp
Judge, Warm Springs Tribal Court



Spilyay Tymoo photo by Leno-Baker

The sharing of a culture and friendship was shown by two Head Start students during the Head Start mini-powwow held the day before Thanksgiving. Students, teachers and family gathered for the one-hour powwow.

Teen suicides—Continued from page 2

recorded in Oregon. "While 80 teen-agers were successful in their suicide attempts, many more no doubt tried and failed," the report said.

Since such "para-suicides" are estimated to occur between seven and 200 times as frequently as completed suicides, the report said, as many as 560 to 16,000 teens may have attempted suicide from 1983 through 1985.

Among other findings, the report stated that:

—One out of every 1,100 of today's 15-year-old boys and one out of every 4,300 of today's 15-year-old girls will commit suicide in Oregon before age 20.

—The most dramatic increase in

the rate of teen suicide occurs when youths reach age 19.

—The suicide rate has declined among 15- to 19-year-old males, but increased among females. Males still commit suicide more than three times as often as females.

Seventy of the 80 suicide victims in 1983-85 were white, five were Indian, three were Hispanic, one was black and one was Asian or a Pacific Islander.

—Most of the teen who worked were laborers.

—Guns are the "preeminent method of suicide" among Oregon youths, and "teen-agers living east of the Cascade Range were more likely to use a gun to kill themselves; 71 percent did so."

The "needless deaths" occurring now "imply that the suicide rates of today's young Oregonians will remain high during subsequent decades," the report said.

The report concluded by quoting a 1984 article on adolescent suicide in the American Journal of Psychotherapy.

The articles stated that some of the causes of teen suicide include "alienation due to social disorganization;" unemployment; increased divorce rates; "diminished religious and moral values;" drug and alcohol problems; and child abuse.

"Many of these social changes could lead to lowered self-esteem," the article states, "reducing coping skills and (leading to) loss of hope."



Spilyay Tymoo photo by Leno-Baker

Emergency Medical services at their best...Li fe Flight of Bend was called in to transport an apparent heart attack victim November 17 from Warm Springs to Bend. Ned Hurtado was transported to St. Charles Medical Center by the helicopter. Ned has been released and is now home recovering.

Early Childhood tells of events

The mini-powwow held last week was very well attended by parents and community members. Many thanks to the teachers and children who worked very hard preparing their "regalia" for dancing. Special thanks to the Art Mitchell Drum, who donated their time and energy to the success of the powwow.

There will be a Parent Club meeting on Thursday, December 11, at the Community Center at 6:30 p.m. Topics for the meeting include nominations for 1987 officers with elections to be held in January, stuffing stockings and Thanksgiving pie sale. Raneva Wakley will be the guest speaker and will address fire safety during the

holidays. Thanks to everyone who donated pies and baked goods for the annual Thanksgiving pie sale, nearly \$300.00 was made in one morning.

Santa Claus will visit all classrooms beginning December 17th, continuing until Christmas Eve. If you have not yet done so, please turn in your child's Christmas stocking. If you would like to make additional stockings, please call Nancy or Lily Ann at extension 241 and 240. The Parent Club will provide the goodies to stuff the stockings.

The Head Start part-day program at the Community Center and the Tribal Preschool will be

closed for Christmas Vacation from December 22nd to January 2nd. The Head Start/Day Care and Day Care will close on Christmas Day and New Year's Day only.

The Early Childhood Classrooms will make decorations for the Community Christmas tree to be officially lit on Thursday, December 4, at 6:30 p.m. on the campus lawn. At 7:30 p.m., everyone is invited to a bonfire and hot chocolate at the Community Center. Bring your own hotdogs and marshmallows. The Christmas Tree Project is a community effort, with many departments cooperating to launch our community into the holiday season.

SUBSCRIPTION TO SPILYAY TYMOO

SEND SUBSCRIPTION TO:

SPILYAY TYMOO, PO BOX 870, WARM SPRINGS, OR 97761

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

SUBSCRIPTION RATES: \$6.00 PER YEAR IN THE U.S.

\$12.00 PER YEAR OUTSIDE THE U.S.

All members of the Confederated Tribes of Warm Springs will receive the Spilyay Tymoo at no cost. Spilyay Tymoo is published bi-weekly by the Confederated Tribes of Warm Springs.