

## New Tribal Court Administrator

■ Tribal member Angela Fasana moves from the Tribal Attorney's Office to the Tribal Court.

By Brent Merrill

Some modern Indians don't want to hear about the old adage of 'walking in two worlds.' But, when it is your reality, everyday, you learn to deal with it.

Grand Ronde Tribal member Angela Fasana, the daughter of Tribal Council member Reyn Leno and his wife Liz, walks in two worlds everyday. Several more if you count family activities into the equation.

Fasana is doing more than dealing with it, she's thriving.

She married her high school sweetheart (Ariah Fasana), they have two beautiful children (Cheyanne and Justin), and she graduated from Portland State University and then Lewis and Clark's Law School. And, currently she is enjoying a successful career in the Tribal Court system.

After interning in the Tribal Court and then spending the last couple of years as a legal assistant, Fasana knows her way around the Tribal Court. That knowledge of the court system and her knowledge of the local community made her a perfect fit for the newly created position of Tribal Court Administrator.

Walking on both sides of the Tribal Court system will have its advantages for Fasana as she prepares the Tribal Court to meet the next century.

Currently, the Tribe's court system has three employees, but growth is on the horizon. Fasana will oversee that growth and the people who come into the program. Fasana works closely with Tribal Court Judge Katherine English and Tribal Court Clerk Sandra Stearns. She has been busy preparing budgets, organizing the office, creating forms, revising information booklets, ordering new court recording equipment and computer programs, assisting the judge and the court clerk with court orders and even drafting some of the court orders.

Fasana said she will be spending time managing the court docket and that scheduling the court is one of the more important functions of her job.

"I try to make sure the court is run efficiently," said Fasana. "One of the main reasons the job was developed was because the judge found herself spending too much time on the administrative part of the job. She needs to be the judge. The workload got to a point where there was a need for another person. It is a busy job."

As the Tribal Court Administrator, Fasana tracks every case that comes through the doors. She schedules the



Angela Fasana

cases and makes sure the court adheres to the all important time lines.

Fasana has become a Tribal member on the fast track. She is living proof that young, women professionals today can have it all.

Her husband Ariah is a science teacher at the high school in Willamina where they met. He coaches cross-country and wrestling and shares the duties of raising their two children. Their oldest is daughter Cheyanne at age four and son Justin is one and a half years old.

Fasana is the daughter of Reyn and Liz Leno and the granddaughter of Orville and Ramona Leno and Chris and Darlene Muller.

Fasana's brothers are Shonn and Dustin Leno. Shonn works in the Tribe's Natural Resources department. Dustin and his wife Teaya work at the Tribe's Spirit Mountain Casino and have a daughter - Koana, who is almost three and they have another child on the way.

After graduating from Willamina High School in 1990, Fasana attended Western Oregon University for one year. She then finished college with three years at Portland State University. She earned a bachelor's degree in sociology while at PSU. Fasana then moved on to law school at Lewis and Clark College near Portland.

Expanding the Tribal Court is in Fasana's plans and she wants to draw on her experience both in law school and as a member of the Tribe to make it more accessible to Tribal members.

"Because I have seen both sides of the Tribal Court system, I think I can help people better understand how to use the system," said Fasana. "I can help attorneys better understand that we are a legitimate court and I can help Tribal members get a better understanding of how we can help them. I understand both sides, so I have this window..."

## BENCH NOTES

by Angela Fasana  
Tribal Court Administrator

### Court Adds New Opinions to Tribal Website

Judge English has rendered two new opinions in the last month that are of important significance to Tribal law. One opinion is titled "In the matter of B.A. & C.A." and is currently available on the Tribe's website under Tribal Court, Published Opinions. The other opinion is titled "Baker vs. Spirit Mountain Casino" and will soon be available on the Tribe's website.

In the matter of B.A. & C.A. is an Indian Child Welfare case and therefore the names of the parties must be kept confidential. The initials are letters that were chosen by Court staff and are not the actual initials of the parties involved. The children in this case have been in foster care for approximately 3 years. Because of the length of time the children have been in foster care, it was necessary for Judge English to decide if compelling reasons exist not to terminate the parents' rights and free the children for adoption by their Tribal foster parents. In this case, Judge English found that compelling reasons did not exist and therefore has ordered the Indian Child Welfare Program (ICW Program) to file a Petition to terminate the parents' rights. This does not mean that the parents' rights are automatically terminated. After the Petition is filed by the ICW Program, a trial will take place. After the trial, the Judge will make a determination as to whether the parents' rights should be terminated and these children should be freed for adoption. This is the first case in Tribal Court where the Judge has ordered the ICW Program to file a Petition to Terminate Parental Rights.

Baker vs. Spirit Mountain Casino is an employment case involving a former employee of Spirit Mountain Casino. The employee was terminated and her termination was upheld after a hearing in front of an Internal Review Board. Under the Employment Action Review Ordinance, an employee may file a Petition for Review of Final Employment Decision with the Tribal Court. This employee filed such petition. Judge English found that the employee's due process rights were violated because she did not receive adequate notice of the issues that were going to be addressed at the Internal Review Board Hearing. Because Petitioner's due process rights were violated, Judge English sent the case back to the Internal Review Board.

If you would like a copy of either opinion you may download them from the Tribe's website at [www.grandronde.org](http://www.grandronde.org) or contact the Tribal Court at (503) 879-2303.

### Update on Enrollment Cases

As was reported in the previous article, approximately 51 Petitions for Review of Enrollment Decisions have been filed with the Tribal Court. The Tribal Attorney's Office has responded to nearly all of the cases. Pre-trial hearings have been set for October 18th and October 20th, at 9:00 a.m., 10:45 a.m., and 1:30 p.m. The purpose of these pre-trial hearings is to discuss problems or issues that have come up with the case. Some of the issues that may be discussed include how the Petition was filed or whether the applicant provided all the required information in the Petition.

The Court anticipates having oral argument hearings in November or December. At the oral argument hearings the applicant will have the opportunity to present their argument to the Judge as to why the decision of the Enrollment Committee was arbitrary or capricious or how their Constitutional rights were violated. As reported in the previous article, all Enrollment hearings are open to the public.

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