

Give peacemaking a chance

Tribal Court program seeks more participants

By Bethany Bea
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In any community, conflict is inevitable.

While Grand Ronde has departments dedicated to keeping the peace, such as security and police, Tribal Court has another option that can help community members make peace with each other.

The Peacemaker Program, which uses traditional methods to resolve disputes among community members, has been around for nine years and is free to Tribal members.



Lisa Archuleta

Tribal Court Programs Specialist Annie Schmidt said the program helps people solve disputes in a non-adversarial way.

"It uses the cultural method of having a known and respected member of the community as the peacemaker," Schmidt said. "Peacemakers do not come up with solutions. They help the two parties come up to their own solution so it's an agreeable situation overall."

She said Tribal members should see the program as a resource separate from the Tribal Court system. Although the program is through Tribal Court, peacemaking sessions are held in other areas around campus and the atmosphere is more informal, she said.

Lisa Archuleta, Tribal Services representative at Grand Ronde's Portland office, is one of two people currently certified to work as a peacemaker.

Archuleta said she applied when she first heard about the program in 2008 because the idea appealed to her.

"I filled out the application because to me at the time it sounded like a pretty neat program where people wouldn't have to go to court," she said. "They could sit and have a mediator instead of having to go

through the judge."

Archuleta said she thinks discussion-based settings are more comfortable for people than a courtroom, but so far she hasn't had an opportunity to lead a peacemaking session.

"I've never really used the program," she said. "I've gotten called a couple times, but then it's been canceled."

While peacemaking isn't usually an option for people who already find themselves in Tribal Court, Schmidt said, it can be a great resource to keep problems from escalating to the point of litigation in other court systems.

Lewis Younger, Environmental Services manager at Spirit Mountain Casino, is the second certified peacemaker. He also volunteered when the program was new and has participated in three sessions.

"I've never walked out of a peacemaking session where the people weren't smiling and happy," Younger said. "And most times, the only thing that they needed to do was just be heard, and felt, and understood."

He said it's a shame program participation isn't very high and that better promotion and more Tribal Council encouragement would help.

"It's probably one of the best-kept secrets of our Tribe," Younger said. "We have some great programs, we really, really do, that aren't being utilized because the word's just not getting out."

Schmidt said another key to raising interest is peer-to-peer sharing of success stories. Since the program is completely voluntary, people will be more likely to use it if they know people who recommend it, she said.

If community members are in a dispute, one or both parties can request a peacemaker through Tribal Court. The court, Tribal police or department heads also may refer people, but they can't mandate



Lewis Younger



Photo by Michelle Alaimo

Tribal Court Programs Specialist Annie Schmidt is seeking more participants in and volunteers for the Peacemaker Program. The program aims to reflect the Tribe's tradition of using respected members of the community to mediate conflicts.

participation, Schmidt said.

Though participation at Grand Ronde has been spotty over the years, Schmidt said programs like these are important because they can strengthen communities.

Brett Taylor, director of the Tribal Justice Exchange, a department of the Center for Court Innovation in New York, has helped create peacemaking programs in urban, non-Tribal communities – one in Brooklyn and another in Syracuse – with great success.

Taylor, a former defense attorney, said that certain issues are not just ideal for peacemaking, they are impossible to prosecute fairly in typical courts.

"There are a lot of cases that end up in the western-style of courts, the adversarial system," said Taylor, "that that court system is not designed or equipped to handle." He cited issues like neighbor relations, family problems, graffiti and parking space disputes as examples.

He said that regular court systems only look at what happened in an attempt to punish, where peacemaking looks at why something happened in an attempt to heal.

"Peacemakers are members of the community. Peacemakers can set a community norm, not only can but are expected to share of themselves, give stories, use those stories as learning tools instead of the approach that courts always do, which is pontificate at you."

Younger, too, said attorneys dominate in courtrooms, which means he has never seen a court ruling where the decision was the best outcome for both parties.

With peacemaking, because the parties involved in a dispute are present every step of the way, they have a hand in whatever resolution is reached, Taylor said.

"If you're part of the solution, do you think you're going to live up to your word? More than if someone just imposes something on you?" he said.

Schmidt also stressed the importance of accountability in the

peacemaking process. She said that issues happen in communities and to move past them and continue to co-exist, all parties need to lay their cards out on the table.

"Conflict and dispute is natural," Schmidt said. "It happens in all relationships and if you're saying, 'Oh, we don't have any problems, so we're not going to talk about it,' nothing's going to get better."

She said peacemaking starts conversations so community members can learn from each other and the community as a whole can grow.

While some issues – like divorce and child abuse cases – aren't eligible for the peacemaking process, many community issues such as those that arise between neighbors, landlords and tenants or among family members can benefit from the program before they become worse.

Younger said the way these types of issues escalate resembles divorce.

"Nobody wakes up in the morning saying, 'You know what, I think I'm going to divorce my wife, or I'm going to divorce my husband,'" he said. "It builds up over time and it's a lot of little things. It's just a lot of little things and they become encumbered and they become heavy. And pretty soon it's just one thing, and that is the last straw."

Younger said simply being heard can have a placating effect on angry parties. Participants can relax, speak and listen with the knowledge that if they get off track the peacemaker can bring them back, he said.

"I've got a firm philosophy that in any dispute, there's your side, there's my side, and somewhere in the middle lies the truth," he said.

For more information about the Peacemaker Program and other Tribal Court volunteer opportunities, such as becoming an advocate for Tribal children in abuse and neglect cases, visit the Tribal Court in the Governance Building or go to: www.grandronde.org/about/tribal-court/court-programs/ ■

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