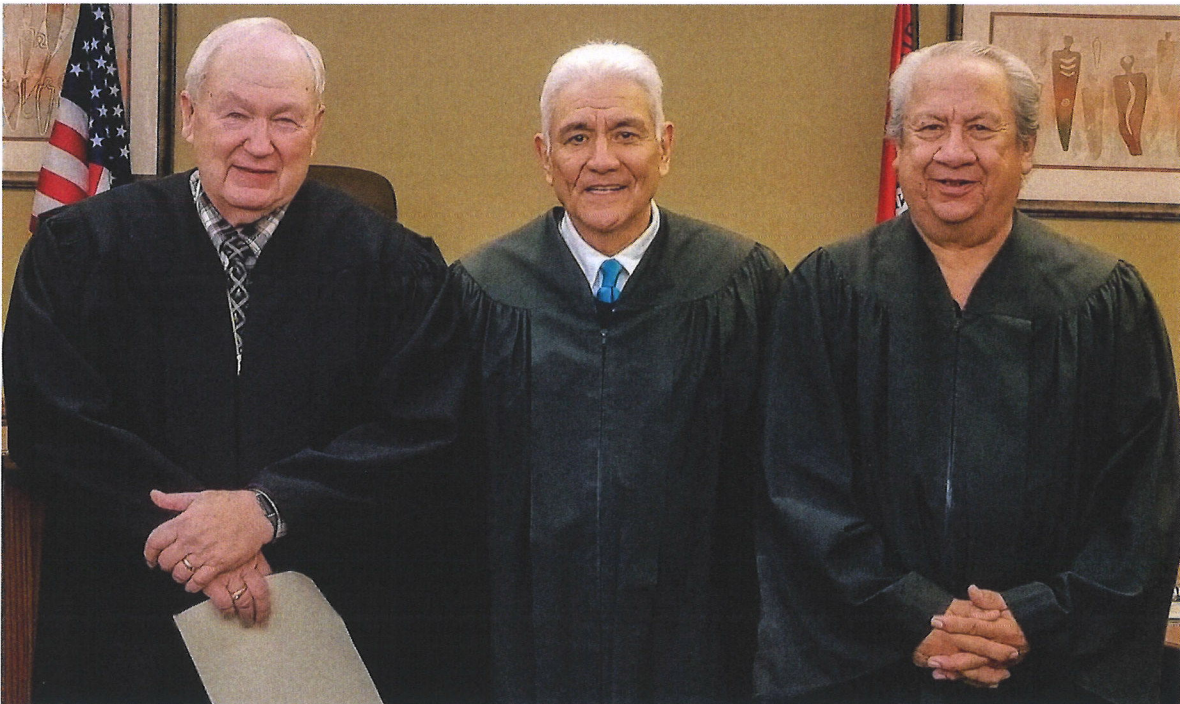


## STATE OF THE COURT 2021

Thank you for the opportunity to address the General Council(GC) of the Confederated Tribes of the Umatilla Indian Reservation(CTUIR) and the community of Nixyaawii. Thank you to the Board Of Trustees(BOT)/CTUIR and Law & Order Committee for reappointing me as Chief Judge to serve our people.

I am also honored to serve with and stand with the court staff/judges for the CTUIR: David Quaempts(Family Forms Specialist), Crystal Pleninger(Court Clerk), Shane Rivera(Adult Probation), Louisa Allman (Truancy Counselor), Ryan Sams(Juvenile Coordinator), Donyale Jackson(Community Service Coordinator), Kelly Sager( Court Director, Pro Tem Judge), David Gallaher(Associate Judge), and Douglas Nash Associate Judge.



David Gallaher(Associate Judge) William Johnson(Chief Judge) Douglas Nash(Associate Judge)

And I acknowledge my supportive family and community members through these many years. It is with the guidance and aid of the elders, people, our tribal BOT and GC we promote tribal social good and wellbeing through our duties

under our written and common law. These include the Constitution and By Laws, Case law, Statutory laws, and our traditional ways and customs. Through our communal relationships built on civility and respect we create the way we want to live.

We commemorate 2 years of COVID 19, 2 years since my re-appointed, and 2 years since our last State of the Court Report to the GC and BOT. We have stayed the course and persevered to operate with the same accountability, fairness, and efficiency as required and expected. We have done this because of competent staff and judges and attorneys (Intermountain Public Defenders, and Prosecutor) who work with the Court. It is a tribute to them and I thank them very much.

We have endured the last few years and through self-assessment and evaluation changed for the better.

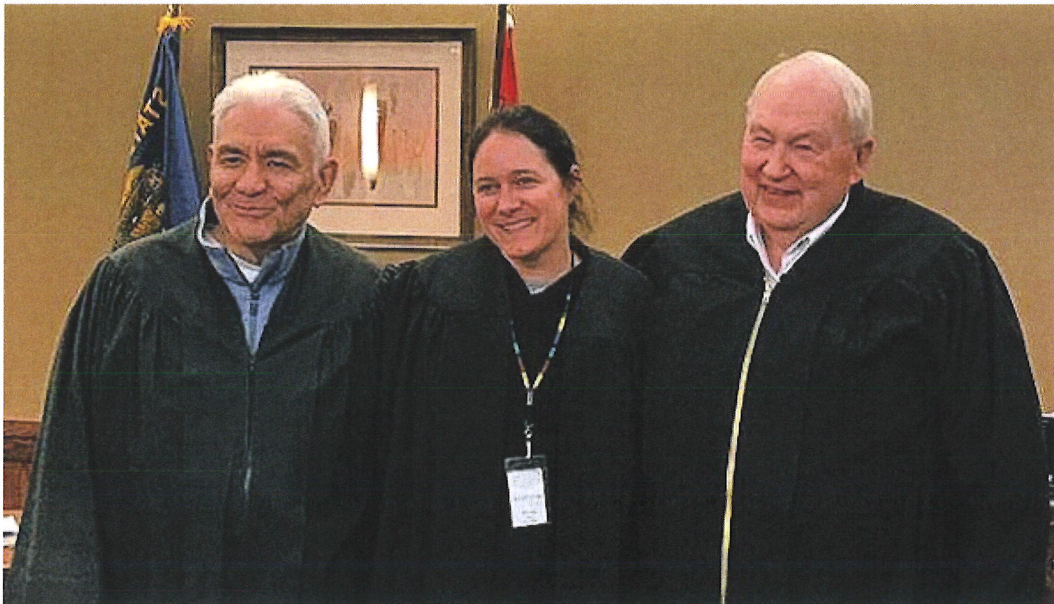
Some of these activities and changes are:

1. Full Court: Case Management System we have invested funds into a court management system called Full Court which increases our effectiveness and accessibility and provides up to date data for analysis and future funding. Staff have trained on this system and it preserves our institutional memory. Even when staff move on to different professions we maintain their efforts.
2. Court Backlog: acute backlog created by pandemic has been scheduled and is being processed with deliberate speed. We remained with office hours created by COVID restrictions.
3. Community Service: continued during last 2 years thanks to Donyale Jackson and coordination with tribal departments like TERF, DCFS and others to provide service options. Casino workers and others have noticed a cleaner roadway along the road in front of our beautiful casino. This is attributed to Donyale Jackson and the workers supervised. We thank them.
4. Intergovernmental Collaboration: Nothing of great importance is accomplished alone – raising children is a good example. We continue to communicate and serve on the Tribal Court/State Court forum established to ameliorate jurisdictional difficulties affecting courts and to better serve our people. SB 183 is an example. This bill gives all tribal courts and state courts full faith and credit, legal recognition, across jurisdictional lines. It's about to be passed in the Oregon legislature. We educate and inform the

public as often as possible. Climate Adaption Planning(CAP) is an example of planning for and working into the future for positive outcomes. We participated in CAP.

We are working to the future and I want to highlight areas which I think will occupy us in the future:

1. COVID/mental health: uncertain what will happen but must maintain and plan to adapt.
2. Education- Employment: Tribes need to create and maintain our value to the community and ourselves and preserve our ways. Preserving our tribal languages is a strong example of this.
3. Implicit Bias: unconscious stereotypes affect beliefs, attitudes and actions. It is found in the very young to very aged. It affects and is a factor in the national discussion about race and bias. But the good news is these attitudes are malleable and can be changed. Need communication, education and training to accomplish this change.
4. Continued Operation as Tribal Values Court system:
  - a) Preserve our ways and values in our culture and written laws through language.
  - b) Tribal community sentiment aimed and focused toward our ways and how we want to live.
  - c) Define land as preservation and enrichment for future generations.



William Johnson(Chief Judge) Kelly Sager(Pro Tem Judge) David Gallaher(Associate Judge)

CONCLUSION: In the end its important we practice the way we want to live and model it for our children. We must continue to hear our ancestors and elders, some of whom were from you and your family, say “We want to do it ourselves, Our way, and preserve our way of life”. They did their part and negotiated treaties and existence with and in the United States. We need to continue this effort and together deliver our promise of justice and fairness.

(See attached data re: court activities)

## UMATILLA TRIBAL COURT

The Umatilla Tribes have exercised sovereign powers and authorities since before contact. We continue to honor our traditions and culture which is our original common law. Since before the unsettling of the west we have our own laws, family practices, language, dress and ways we interacted with the rest of the world.

Some of our cultural legacy is instilled in written laws. In the early 1970' s we established a Tribal Court system and Police Department to provide for the health, safety, and welfare of the Reservation community. In providing for our community we have taken exclusive criminal jurisdiction through retrocession, expanded civil jurisdiction, and provided major fiscal and legal support to all tribal court services. We have also enacted Statutes and Codes to go along with the Treaty of 1855, and Constitution and By-Laws.

### CTUIR Codes and Statutes:

Advisory Committee Code

BOT Procedures Code

Cemeteries Code

Court Code

Credit Program Code  
Criminal Code  
Criminal Court Directive VAWA  
Rules of the Court  
Elders Services Code  
Election Code  
Enrollment Code  
Environmental Health and Safety Code Exclusion and Removal Code  
Family Law Code  
Financial Responsibility Code  
Fire Prevention and Emergency Services Code Fish and Wildlife Code  
Funeral Assistance Code  
Gaming Code  
Historic Preservation Code  
Inheritance Code  
Juvenile Code  
Land Development Code  
Land Leasing Code  
Landlord-Tenant Mortgage Code  
Liquor Code  
Limited Liability Code  
Mission Community Water System Code Non Profit Corporation Code  
Right To Work Code  
SB 412 Implementation Code  
Sex Offender Registration Code  
Taxation Code  
Tort Claims Code

Tribal Employment Rights Office Code Water Code

Workers Benefit Code

Rules of Evidence

Tribal Rules of Appellate Procedure

## NEW CASES

