

RETURN TO
Kauffman and Associates
PO Box 15179
Washington, DC 20003-9998

U.S. Department of Justice
Bureau of Justice Statistics



2014 National Survey of Tribal Court Systems:
Code of Federal Regulations Courts

INFORMATION SUPPLIED BY

TRIBAL COURT NAME

NAME

TITLE

TELEPHONE

Area Code

Number

Extension

FAX

Area Code

Number

EMAIL ADDRESS

OFFICIAL TRIBE NAME FOR REPORTED DATA

The information collected in this survey is vitally important for understanding the administrative and operational needs of your Code of Federal Regulations (CFR court) individually, but also helps in the planning for tribal justice systems across all tribal, inter-tribal, and Code of Federal Regulations court systems.

DIRECTIONS

- Please review this survey in its entirety before completion, as several sections will require gathering administrative information from various components within the tribal justice system.
- Please consult with justice system, law enforcement, and finance department representatives as necessary to obtain information to complete the survey in its entirety.
- **INTERTRIBAL COURTS PLEASE NOTE:** Fill out a separate survey for each tribe that participates in the inter-tribal court or ensure that each participating tribe fills out its own survey.
- Your tribe's responses will not identify you individually. We ask for your name and contact information above in case any of the survey items need clarification.

UPON COMPLETION OF THE SURVEY

You may complete and submit your survey using any one of the following three options:

- Mail: NSTCS, c/o Kauffman & Associates, Inc, PO Box 15179, Washington, DC 20003-9998
- Fax: 301-588-6801
- Email: NSTCS@kauffmaninc.com

If you have questions or need assistance, you may call toll free and leave a message at 1-877-528-4025 or send an email message to NSTCS@kauffmaninc.com. A member of our survey administration team will respond promptly.

Thank you for your cooperation in this important data collection effort. Your responses are critically important to the success of this survey.

The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection. This request for information is in accordance with the clearance requirement of the Paperwork Reduction Act of 1908, as amended (44 USC 3507). The burden of this data collection is estimated to average 2.1 hours per response, including time to review instructions, gather the information needed, and enter and review the information. Send comments regarding this burden estimate, or any other aspect of this data collection, including suggestions on how to reduce this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, N.W., Washington, D.C. 20531. Do NOT send your completed survey to this address.

Section A: Administration and Operation

This survey gathers information on the various components of court system, including law enforcement, the court, and corrections. Courts of Indian Offenses (also known as Code of Federal Regulations Courts) are courts operated by the Department of Interior, Bureau of Indian Affairs, on certain reservations. These courts operate under federal regulations contained in Title 25, Part 11, of the Code of Federal Regulations and for this reason are often referred to as "CFR courts."

DIRECTIONS: For survey items requesting case count information, please provide the total number of cases filed by your CFR court during the calendar year 2014. Use the following definition to determine case numbers:

A filed case is a set of all charges against a single defendant filed with the court on a single day. A case with three defendants should be counted as three cases, but a case with one defendant with multiple charges should be counted as one case.

NOTE: If you are unable to provide the actual case count number, please provide your best estimate.

If the case count is none, enter "0" as your answer.

If you do not track this information, please check the "Do not track these case numbers" checkbox.

A.1 Which tribes are under the jurisdiction of this Code of Federal Regulations Court (CFR court)? *(Please specify.)*

A.2 Do any of the tribes noted in A.1 above also operate a separate tribal court?

Yes *(Please identify which ones)* _____

No

A.3 Which law enforcement agencies provide a policing or criminal investigative function on the Indian country (as defined in 18 U.S.C. 1151 and by Federal court precedent) over which your CFR court has jurisdiction? *(Select all that apply.)*

a. Tribal: *(Provide name of agency or agencies)*

b. Bureau of Indian Affairs (BIA): *(Provide name of agency or agencies)* _____

c. Federal Law Enforcement other than BIA: *(Provide name of agency or agencies)* _____

d. State/county (including county sheriff or state troopers): *(Provide name of agency or agencies)*

e. City: *(Provide name of agency or agencies)*

A.4 How long (in years) has your CFR court been operational?

Number of years:

A.5 How many civil cases were **filed** in your CFR court in calendar year 2014?

a. Traffic cases:

Do not track these case numbers

b. Non-traffic cases

Do not track these case numbers

A.6 Over what type(s) of defendant does your CFR court exercise criminal jurisdiction? *(Select all that apply.)*

a. Tribal members

b. Nonmember Indians

A.7 How many criminal cases were **filed** in your CFR court in calendar year 2014?

Do not track these case numbers

A.8 How many of these criminal cases filed in your tribal court in calendar year 2014 involved a non-Indian defendant?

Do not track these case numbers

A.9 During 2014, excluding juveniles, what was the total number of defendants sentenced to the following? *(Write "N/A" for your answer if this does not apply.)*

a. Jail or prison terms

b. Probation without jail or prison terms

A.10 How many convictions for DUI/DWI offenses were issued by your CFR court in calendar year 2014? (If your justice system does DUI/DWI offenses. (Write "N/A" for your answer.)

a. DUI/DWI Offenses:

A.11 What are the available sanctions issued by the CFR court for DUI/DWI convictions? (*Select all that apply.*)

- a. Revoke driving privileges on the reservation only
- b. Suspension of driving privileges in the entire state, including reservation
- c. Counseling
- d. Fines
- e. Jails
- f. Other: (*Please describe*) _____

A.12 Does your CFR court share DUI/DWI conviction information with state administering agencies (for example: the Motor Vehicle Authority, DMV, etc.)?

- a. Yes
- b. No

A.13 Which of the following does your CFR court recognize as acceptable evidence to determine Blood Alcohol Content (BAC)? (*Select all that apply.*)

- a. Breathalyzer
- b. Blood tests
- c. Standardized Field Sobriety Test (SFST)
- d. Implied Consent
- e. Other (*Please describe*) _____

A.14 Is there an entity that supervises conditions of release imposed on defendants by your CFR court?

- a. Yes
- b. No

A.15 How often does your CFR court hold sessions or hear cases?

- a. Daily
- b. Weekly
- c. More than once a week

- d. Monthly
- e. More than once a month
- f. Other: (*Please describe*) _____

A.16 What was the fiscal year (FY) 2014 operational budget of your CFR court for adjudication functions, excluding capital outlays for construction?¹ (If you are unable to provide the actual number please provide your best estimate.)

\$

A.17 Did any of the following sources provided funding for your CFR court operations during 2014?

Source	Yes	No
a. Tribal appropriations	<input type="checkbox"/>	<input type="checkbox"/>
b. Self-Governance Compact	<input type="checkbox"/>	<input type="checkbox"/>
c. Public Law 93-638 Contract	<input type="checkbox"/>	<input type="checkbox"/>
d. Other BIA funding	<input type="checkbox"/>	<input type="checkbox"/>
e. Coordinated Tribal Assistance Solicitation (CTAS) funding from the U.S. Department of Justice (DOJ)	<input type="checkbox"/>	<input type="checkbox"/>
f. DOJ grants, other than CTAS funding	<input type="checkbox"/>	<input type="checkbox"/>
g. Substance Abuse and Mental Health Services Administration (SAMHSA)	<input type="checkbox"/>	<input type="checkbox"/>
h. Other federal funding	<input type="checkbox"/>	<input type="checkbox"/>
i. State funding	<input type="checkbox"/>	<input type="checkbox"/>
j. Private foundations	<input type="checkbox"/>	<input type="checkbox"/>
k. Fines and other court costs	<input type="checkbox"/>	<input type="checkbox"/>
l. Other grant funding: (<i>Please describe</i>)	<input type="checkbox"/>	<input type="checkbox"/>
m. Other: (<i>Please describe</i>)	<input type="checkbox"/>	<input type="checkbox"/>

¹Operating expenditures or budgets are defined as all recurring fixed and variable costs associated with the management and administration of your system. It does not include nonrecurring fixed capital costs such as building construction and major equipment purchases.

A.18 Were any of the following positions and services were funded totally or in part by your CFR court's operating budget in 2014?

Core court positions and services	Yes	No
a. Magistrates (law school graduate)	<input type="checkbox"/>	<input type="checkbox"/>
b. Magistrates (non-law school graduate)	<input type="checkbox"/>	<input type="checkbox"/>
c. Prosecution/prosecutors (law school graduate)	<input type="checkbox"/>	<input type="checkbox"/>
d. Prosecution/prosecutors (non-law school graduate)	<input type="checkbox"/>	<input type="checkbox"/>
e. Indigent defense services/public defender (law school graduate)	<input type="checkbox"/>	<input type="checkbox"/>
f. Indigent defense services/public defender (non-law school graduate)	<input type="checkbox"/>	<input type="checkbox"/>
g. Administration/court clerks	<input type="checkbox"/>	<input type="checkbox"/>
h. Bailiffs	<input type="checkbox"/>	<input type="checkbox"/>
i. Probation/parole	<input type="checkbox"/>	<input type="checkbox"/>
j. Law clerks	<input type="checkbox"/>	<input type="checkbox"/>
k. Court staff attorney	<input type="checkbox"/>	<input type="checkbox"/>
l. ICWA worker (child welfare)*	<input type="checkbox"/>	<input type="checkbox"/>
m. Juvenile services	<input type="checkbox"/>	<input type="checkbox"/>
n. Mental health treatment	<input type="checkbox"/>	<input type="checkbox"/>
o. Alcohol and drug treatment	<input type="checkbox"/>	<input type="checkbox"/>
p. Electronic monitoring program	<input type="checkbox"/>	<input type="checkbox"/>
q. Victim services/victim assistance services	<input type="checkbox"/>	<input type="checkbox"/>
r. Alternative to Incarceration programming and/or staff	<input type="checkbox"/>	<input type="checkbox"/>

*The Indian Child Welfare Act, 25 U.S.C. § 1902.

A.19 Which qualifications are required in order to serve in the following CFR court positions? (Select all that apply.)

	Trial magistrates	Appellate court magistrates
a. Tribal member	<input type="checkbox"/>	<input type="checkbox"/>
b. Age minimum or maximum	<input type="checkbox"/>	<input type="checkbox"/>
c. Proficiency in native language	<input type="checkbox"/>	<input type="checkbox"/>
d. No felony conviction	<input type="checkbox"/>	<input type="checkbox"/>
e. Residency requirement	<input type="checkbox"/>	<input type="checkbox"/>
f. Accredited law school graduate	<input type="checkbox"/>	<input type="checkbox"/>
g. Member of state bar/licensed to practice law by state where the CFR court is located	<input type="checkbox"/>	<input type="checkbox"/>
h. Member of tribal bar/licensed to practice law by tribe	<input type="checkbox"/>	<input type="checkbox"/>
i. Admitted to practice in federal court	<input type="checkbox"/>	<input type="checkbox"/>
j. No requirements for position	<input type="checkbox"/>	<input type="checkbox"/>

A.20 How many of the following types of personnel were employed by your CFR court in calendar year 2014?

NOTE: "Part-time" refers to any employee who works fewer than 40 hours per week and includes job sharing. If you are unable to provide the actual number, provide your best estimate. If none, enter "0." If a particular position does not exist in your court, enter "N/A."

Staff position	Number of court employees or consultants		
	Full-time paid	Part-time paid*	Volunteer/unpaid appointee
a. Tribal judges (law school graduate)			
b. Tribal judges (non-law school graduate)			
c. Trial magistrate			
d. Appellate court magistrate (law school graduate)			
e. Appellate court magistrate (non-law school graduate)			
f. Parole or probation officer			
g. Court administrator			
h. Pretrial services staff			
i. Community resources specialist			
j. Court clerk			
k. Court reporter			
l. Staff attorney (does not include prosecutor or public defender)			
m. Law clerk			
n. Tribal elder/peacemaker/other traditional forum staff			
o. Support staff			
p. Other (Please describe)			
q. TOTAL NUMBER OF EMPLOYEES			

*Part-time refers to any employee or consultant who works fewer than 40 hours per week and includes job sharing.

A.21 How are the following CFR court personnel selected for their positions? (Select all that apply.)

	Appointed	Elected	Hired under contract	Hired as a BIA employee
a. Tribal Court Judge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Magistrate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Appellate magistrate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Court administrator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Clerk of the court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A.22 Does your CFR court currently have a victim service program?

- a. Yes
- b. No (**GO TO ITEM A24**)

A.23 During 2014, did your CFR court receive federal and/or state funding for victim services or programs? (Select all that apply.)

- a. Federal
- b. State
- c. No outside funding was received.

A.24 Does your CFR court rely on county or local government social service agencies for court-ordered treatment in juvenile and/or family cases?

- a. Yes
- b. No

Section B: Appellate System

DIRECTIONS: For survey items requesting case count information, please provide the total number of cases filed by your CFR court during the calendar year 2014. Use the following definition to determine case numbers:

A filed case is a set of all charges against a single defendant filed with the court on a single day. A case with three defendants should be counted as three cases, but a case with one defendant with multiple charges should be counted as one case.

NOTE: If you are unable to provide the actual case count number, please provide your best estimate.

If the case count is none, enter "0" as your answer.

If you do not track this information, please check the "Do not track these case numbers" checkbox.

B.1 Does your justice system have a court of appeals, participate in an inter-tribal appellate court, or otherwise have an appellate process?

- a. Yes (Please provide the official name of the highest court of appeals. For example: Indian Court of Appeals)

- b. No (**GO TO SECTION C**)

B.2 How many appellate cases were **filed** in your CFR court in the calendar year 2014?

a. Criminal:

Do not track these case numbers

b. Civil:

Do not track these case numbers

Section C: Prosecution and Indigent Defense

C.1 Does your CFR court currently have a tribal prosecutor or prosecutor's office?

- a. Yes
- b. No (**GO TO C3**)

C.2 How many prosecutors were employed in your CFR court in calendar year 2014?

NOTE: "Part-time" refers to any employee who works fewer than 40 hours per week and includes job sharing. If you are unable to provide the actual number, provide your best estimate. If none, enter "0." If a particular position does not exist in your court, enter "N/A."

	Full-time	Part-time	Volunteer/ unpaid appointee
a. Prosecutors (law school graduate)			
b. Prosecutors (non-law school graduate)			
c. TOTAL NUMBER OF PROSECUTORS			

C.3 Does your CFR court currently have a tribal public defender or defense office?

- a. Yes
- b. No

C.4 How many public defenders were employed in your CFR court in calendar year 2014?

NOTE: "Part-time" refers to any employee who works fewer than 40 hours per week and includes job sharing. If you are unable to provide the actual number, provide your best estimate. If none, enter "0." If a particular position does not exist in your court, enter "N/A."

	Full-time	Part-time	Volunteer/ unpaid appointee
a. Public defenders (law school graduate)			
b. Public defenders (non-law school graduate)			
c. TOTAL NUMBER OF PUBLIC DEFENDERS			

C.5 To whom does your CFR court provide free criminal defense services?

- a. CFR court does not provide free criminal defense services. **(GO TO ITEM C8)**
- b. Tribal members
- c. Nonmember Indians
- d. Non-Indians
- e. Other: *(Please describe)* _____

C.6 Are the criteria for free criminal defense services based on income scale and ability to pay?

- a. Yes
- b. No

C.7 Who delivers your CFR court's free criminal defense services?

- a. Tribal public defender program (fixed staff)
- b. Assigned defender (appointed from a list of private bar members who accept cases on a judge-by-judge basis, court-by-court basis, or case-by-case basis)
- c. Contract counsel (nonsalaried private bar members who contract with the tribal court to provide court appointed representation in a jurisdiction)
- d. A neighboring tribal-legal services program
- e. A non-profit legal services program, including Indian Legal Services
- f. A private law firm or office pro bono program
- g. Other: *(Please describe)* _____

C.8 Does your CFR court provide free civil legal services for a CFR court appearance?

- a. Yes
- b. No **(GO TO SECTION D)**

C.9 Are free civil legal services criteria based on income scale and ability to pay?

- a. Yes
- b. No

C.10 Who delivers your CFR court's free civil legal services? *(Select all that apply.)*

- a. Tribal public defender program (fixed staff)
- b. Assigned defender (appointed from a list of private bar members who accept cases on a judge-by-judge basis, court-by-court basis, or case-by-case basis)
- c. Contract counsel (nonsalaried private bar members who contract with the tribal court to provide court appointed representation in a jurisdiction)
- d. A neighboring tribal-legal services program
- e. A non-profit legal services program, including Indian Legal Services
- f. A private law firm or office pro bono program
- g. Other: *(Please describe)* _____

Section D: Pretrial, Probation and Reentry Programs and Services

D.1 Does your CFR court operate a pre-trial diversion program?²

- a. Yes
- b. No **(GO TO ITEM D3)**

D.2 Does your jurisdiction provide a diversion program alternative prior to formally charging the defendant with a crime?

- a. Yes
- b. No

D.3 Does your CFR court operate a pre-trial release program?³

- a. Yes
- b. No **(GO TO ITEM D6)**

²Pretrial diversion (PTD) is an alternative to prosecution which seeks to divert certain offenders from traditional criminal justice processing into a program of supervision and services administered by the U.S. Probation Service. In the majority of cases, offenders are diverted at the pre-charge stage. Participants who successfully complete the program will not be charged or, if charged, will have the charges against them dismissed; unsuccessful participants are returned for prosecution.

³Pretrial release (PTR) is the process of a defendant being released before trial, with or without conditions. A defendant may be released on his or her own recognizance or released on non-financial conditions that require monitoring the defendant in the community. Non-financial conditions may include regular contact with a pre-trial services program, drug testing, curfew, or electronic monitoring.

D.4 Who carries out your CFR court's pre-trial service function? *(Select all that apply.)*

- a. Pretrial services personnel
- b. Probation personnel
- c. Court administrator
- d. Law enforcement
- e. Other: *(Please describe)* _____

D.5 Which of the following options are provided by your CFR court regarding the release of a defendant from detention prior to trial? *(Select all that apply.)*

- a. Release on your own recognizance (ROR)
- b. Bail
- c. Held pending further hearing or trial
- d. Other: *(Please describe)* _____

Items D6–D13 pertain to your CFR court's probation program only.

D.6 Does your CFR court have a probation program?

- a. Yes
- b. No **(GO TO ITEM D14)**

D.7 Who supervises individuals placed on community supervision by the CFR court? *(Select all that apply.)*

- a. A probation officer
- b. A member of the community (for example: an elder)
- c. A member of the probationer's family
- d. CFR court judge
- e. Tribal court judge
- f. Tribal police officer
- g. Prosecutor
- h. Court administrator
- i. Tribal police officer
- j. Nobody; we have unsupervised probation.
- k. Other: *(Please describe)*

D.8 How is your CFR court's probation department funded? *(Select all that apply.)*

- a. Federal grant program(s)
- b. Non-federal grant program(s)
- c. Tribal budget
- d. Other: *(Please describe)* _____

D.9 Who oversees the probation function for your CFR court?

- a. CFR court
- b. Law enforcement
- c. Probation is its own department within the tribal justice system.
- d. Corrections
- e. Other: *(Please describe)* _____

D.10 How many probation officers does your CFR court employ? *(Include combined total for full- and part-time)*

If no probation officers are employed, enter "0" as your answer.

D.11 With which non-tribal jurisdiction(s) does your CFR court probation program work to supervise individuals who are on community supervision from multi-systems? *(Select all that apply.)*

- a. Federal probation
- b. State probation
- c. Local/municipal probation
- d. Private probation
- e. CFR court probation program does not work with any non-tribal jurisdictions in this area.

D.12 Does your probation program complete and submit any of the following to the CFR court? *(Select all that apply.)*

- a. Presentence investigation report
- b. Presentence recommendations
- c. Monthly or periodic case updates
- d. Violation reports
- e. Other: *(Please describe)* _____

D.13 What was the total number of probation cases that were active (both new and on-going) during 2014?

Do not track these case numbers

Items D14–D17 pertain to your CFR court’s reentry program only.

D.14 Does your CFR court supervise individuals coming out of placement in a secure facility?

a. Yes

b. No (**GO TO SECTION E**)

D.15 With which facilities does your CFR court work on reentry supervision? (Select all that apply.)

a. Federal facilities

b. State facilities

c. County/municipal facilities

d. Tribal facilities (within the tribe)

e. Tribal facilities (outside of the tribe)

f. Other: (Please describe) _____

D.16 Does your CFR court operate a formal reentry program involved in assisting tribal members planning to return to your community?

a. Yes

b. No

D.17 Do your tribal communities have transitional living facilities to assist tribal members returning to the community?

a. Yes

b. No

Section E: Juvenile Cases

DIRECTIONS: For survey items requesting case count information, please provide the total number of cases filed by your CFR court during the calendar year 2014. Use the following definition to determine case numbers:

A filed case is a set of all charges against a single defendant filed with the court on a single day. A case with three defendants should be counted as three cases, but a case with one defendant with multiple charges should be counted as one case.

NOTE: If you are unable to provide the actual case count number, please provide your best estimate.

If the case count is none, enter “0” as your answer.

If you do not track this information, please check the “Do not track these case numbers” checkbox.

E.1 Which type(s) of juvenile law-violating cases⁴ does your CFR court handle? (Select all that apply.)

a. CFR court does not handle juvenile law-violating cases. (**GO TO ITEM E10**)

b. Juvenile delinquency⁵

c. Status offense⁶ (for example: underage drinking, tobacco smoking, truancy, running away)

d. All juvenile law-violating cases are treated as juvenile dependency⁷ or child in need of care matters.

e. Other: (Please describe) _____

E.2 How many juvenile law-violating cases were **filed** in calendar year 2014?

a. Juvenile delinquency cases

Do not track these case numbers

b. Juvenile status offense cases (for example: underage drinking, tobacco smoking, truancy, running away)

Do not track these case numbers

E.3 During 2014, what were the total number of juveniles sentenced to the following? (Write “N/A” for your answer if this does not apply).

a. Incarceration

b. Probation without incarceration

E.4 To which juveniles does your CFR court provide free legal representation services in juvenile law-violating cases? (Select all that apply.)

a. CFR court does not provide free legal representation services in juvenile cases. (**GO TO ITEM E7**)

b. Tribal member juveniles

c. Nonmember Indian juveniles

d. Non-Indian juveniles

⁴Any case involving a juvenile offender.

⁵Acts committed by a juvenile that would be considered a criminal offense if committed by an adult.

⁶25 CFR § 11.900(m) - Status offense means an offense which, if committed by an adult, would not be designated a crime under this part or under an ordinance of the tribe.

⁷For example: Child in Need of Protection or Child in Need of Aid cases.

E.5 Are the criteria for free legal representation services based on income scale and the family's ability to pay?

- a. Yes
- b. No

E.6 Who provides free legal representation services in juvenile law-violating cases? *(Select all that apply.)*

- a. Tribal public defender program (fixed staff)
- b. Assigned defender (appointed from a list of private bar members who accept cases on a judge-by-judge basis, court-by-court basis, or case-by-case basis)
- c. Contract counsel (nonsalaried private bar members who contract with the tribal court to provide court appointed representation in a jurisdiction)
- d. A neighboring tribal-legal services program
- e. A non-profit legal services program, including Indian Legal Services
- f. A private law firm or office pro bono program
- g. Other: *(Please describe)* _____

E.7 Excluding incarceration, which of the following sentencing options does your CFR court use in sentencing juveniles for law-violations. *(Select all that apply.)*

- a. No other sentencing options
- b. Drug or alcohol rehabilitation; random drug testing
- c. Mental health assessment; counseling or therapy
- d. Community service (for example: litter removal from highways, community testimonials about underage drinking or drug abuse)
- e. Fine; restitution
- f. Victim-offender reconciliation (victim-offender dialogue)
- g. Electronic monitoring (For example: alcohol monitoring bracelet)
- h. Cultural or traditional alternatives

i. Removal and placement in a familial or foster home

j. Diversion programs

k. Curfew

l. Other: *(Please describe)* _____

E.8 Does your CFR court ever handle juvenile law-violating cases jointly with the state court (for example: through a diversion program)?

- a. Yes
- b. No

E.9 Does your CFR court maintain a probation or parole function for juveniles?

- a. Yes
- b. No

E.10 Does your CFR court have or provide access to a reentry program for tribal juveniles who have been incarcerated?

- a. Yes
- b. No

Items E11–E15 pertain to child welfare or dependency matters only.

E.11 Which type(s) of Indian child welfare or dependency matter(s) ⁸ does your CFR court handle? *(Select all that apply.)*

- a. CFR court does not handle Indian child welfare or dependency matters. **(GO TO SECTION F)**
- b. Child abuse or neglect
- c. Foster care placements
- d. Termination of parental rights
- e. Pre-adoptive placements
- f. Adoptive placements
- g. Guardianship
- h. Other: *(Please describe)* _____

⁸For example: Child in Need of Protection or Child in Need of Aid cases.

E.12 What was the total number of child welfare or dependency cases **filed** in your CFR court in calendar year 2014?

Do not track these case numbers

E.13 How many Indian Child Welfare Act (ICWA) cases were transferred from a state court to your CFR court in calendar year 2014?

Do not track these case numbers

E.14 During 2014, what was the total number of juveniles sentenced to the following? (Write "N/A" for your answer if this does not apply.)

a. Incarceration

b. Probation without incarceration

E.15 Who provides free civil legal representation to juveniles in dependency matters?

a. CFR court does not provide free legal representation services to juveniles in dependency matters.

b. Tribal public defender program (fixed staff)

c. Assigned defender (appointed from a list of private bar members who accept cases on a judge-by-judge basis, court-by-court basis, or case-by-case basis)

d. Contract counsel (nonsalaried private bar members who contract with the CFR court to provide court appointed representation in a jurisdiction)

e. A neighboring tribal-legal services program

f. A non-profit legal services program, including Indian Legal Services

g. A private law firm or office pro bono program

h. Other: (Please describe) _____

E.16 Do children in dependency cases have access to Guardian Ad Litem (GAL) and/or Court Appointed Special Advocate (CASA) services?

a. GAL only

b. CASA only

c. Both GAL and CASA

d. No access to either service

Section F: Domestic Violence and Protection Orders

DIRECTIONS: For survey items requesting case count information, please provide the total number of cases filed by your CFR court during the calendar year 2014. Use the following definition to determine case numbers:

A filed case is a set of all charges against a single defendant filed in the court on a single day. A case with three defendants should be counted as three cases, but a case with one defendant with multiple charges should be counted as one case.

NOTE: If you are unable to provide the actual case count number, please provide your best estimate.

If the case count is none, enter "0" as your answer.

If you do not track this information, please check the "Do not track these case numbers" checkbox.

F.1 Does your CFR court issue restraining orders and/or protection orders to protect someone from another person committing the following acts? (Select all that apply)

a. CFR court does not issue restraining orders and/or protection orders. (**GO TO ITEM F6**)

b. Sexual violence

c. Violent or physical act

d. Threatening act

e. Harassment

f. Contact or communication with the victim

g. Physical proximity to another person

h. Stalking

F.2 How many restraining orders and/or protection orders did your CFR court issue in the calendar year 2014?

Do not track these numbers.

F.3 Does the state(s) in which the tribes under the jurisdiction of this CFR court are located recognize restraining orders and/or protection orders issued from the CFR court?

a. Yes

b. No

c. Not sure/do not know

F.4 Does the CFR court enforce violations of valid state or other tribal court-issued protection orders occurring on the reservation as if it were the CFR court's own order?

- a. Yes
- b. No
- c. Not sure/do not know

F.5 During 2014, how many criminal convictions for violation of protection orders were issued by your CFR court?

Do not track these case numbers

F.6 How many domestic violence cases were **filed** in your CFR court in calendar year 2014?⁹

Do not track these case numbers

F.7 Did your CFR court receive any federal or state grants and/or funding for domestic violence programming in calendar year 2014?

	Yes	No
a. Federal funding	<input type="checkbox"/>	<input type="checkbox"/>
b. State funding	<input type="checkbox"/>	<input type="checkbox"/>

⁹Domestic violence refers to violence between married or cohabiting couples, as well as violence against other members of the offender's household, such as children, siblings, parents, elderly relatives, or other family members of current or past intimate partners

Section G: Information Systems Access and Data Entry

G.1 From what agencies/entities does your CFR court access electronic data and to what agencies/entities does your CFR court transmit electronic data? (*Select all that apply.*)

	CFR court accesses electronic data from	CFR court transmits electronic data to
a. Local justice agency (county or city)	<input type="checkbox"/>	<input type="checkbox"/>
b. State justice agency	<input type="checkbox"/>	<input type="checkbox"/>
c. FBI Criminal Justice Information Services (CJIS)	<input type="checkbox"/>	<input type="checkbox"/>
d. BIA Office of Justice Services	<input type="checkbox"/>	<input type="checkbox"/>
e. Other tribes	<input type="checkbox"/>	<input type="checkbox"/>
f. Other: (<i>Please describe</i>)	<input type="checkbox"/>	<input type="checkbox"/>
g. None of the above	<input type="checkbox"/>	<input type="checkbox"/>

G.2 What method(s) does your CFR court use to manage cases? (*Select all that apply.*)

- a. Paper files
- b. Basic spreadsheets (for example: Excel, Access)
- c. Basic text files (for example: Word, WordPerfect)
- d. An automated case management system
- e. Other: (*Please describe*) _____

G.3 With which of the following is your CFR court electronically networked for the purpose of transmitting criminal justice information? (*Select all that apply.*)

a. Justice agencies within your tribe	<input type="checkbox"/>
b. Justice agencies within other tribes	<input type="checkbox"/>
c. Other justice agencies outside of your tribe (federal, state, local)	<input type="checkbox"/>

The FBI Criminal Justice Information Services (CJIS) provides criminal justice database access and data entry for criminal justice purposes.

G.4 Indicate which entities in your CFR court system have the ability to conduct the following activities with CJIS. *(Select all that apply.)*

	CFR court personnel	Tribal law enforcement	The state conducts this activity through an agreement on behalf of the tribe	BIA conducts this activity on behalf of the tribe	No access
a. Enter court disposition data	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Enter protective orders into the National Crime Information Center (NCIC) Protection Order File ^a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Enter sex offenders into the National Sex Offender Registry (NSOR) (NOTE: NCIC file—not NSOPW) ^b	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

^aThe National Crime Information Center (NCIC) is a comprehensive crime-related database by the FBI's Criminal Justice Information Services Division (CJIS).

^bThe National Sex Offender Registry is a tracking system maintained and utilized by CJIS and cooperating agencies to track the location of convicted sex offenders.

G.5 To which of the following criminal history repositories does your CFR court submit final case disposition information (for example: convictions, protections orders)? *(Select all that apply.)*

- a. Tribal repository
- b. Federal repository (for example: FBI CJIS)
- c. State repository
- d. Local repository
- e. None of the above

G.6 Do tribes under the jurisdiction of this CFR court maintain a sex offender registry?

- a. Yes
- b. No **(GO TO ITEM G8)**

G.7 How does your CFR court post this registration information to the sex offender registry? *(Select all that apply.)*

- a. CFR court posts through the state sex offender registry (connected to the National Sex Offender Public Website).
- b. CFR court posts through a tribal sex offender registry (connected to the National Sex Offender Public Website).
- c. CFR court posts through a tribal sex offender registry (NOT connected to the National Sex Offender Public Website).
- d. CFR court does not obtain or post initial sex offender registry information.
- e. Other: *(Please describe)* _____

G.8 Does your CFR court operate its own victim notification system?

- a. Yes
- b. No
- c. Not sure/do not know

G.9 Does your CFR court have an agreement with the state to participate in a state victim notification system?

- a. Yes
- b. No
- c. Not sure/do not know

G.10 Does your CFR court maintain a restraining order and/or protection order registry?

- a. Yes
- b. No
- c. Not sure/do not know

The survey is now complete. Thank you for taking part in the 2014 National Survey of Tribal Court Systems: Code of Federal Regulations Courts.

If you have questions or would like to speak with someone about your experience, please call toll free and leave a message at 1-877-528-4025 or send an email message to NSTCS@kauffmaninc.com. A member of our survey administration team will respond promptly.

Again, thank you for your cooperation in this important data collection effort. Your responses are critically important to the success of this survey.