



# THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD NATION

## TRIBAL DEFENDERS OFFICE

### Holistic Representation for Native People

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## Case Managers in State Court

The last time I appeared before the State-Tribal Relations Interim Committee, we discussed the feasibility of tribal defenders representing tribal people in state court. Due to a lack of funding in tribal systems, I did not think that would be feasible. We also talked about tribal advocates and how to train them and improve accessibility of tribal advocates in tribal systems.

I have another idea to assist tribal people accused in the state criminal justice system. If there is funding available through the state, you might consider recommending tribal case managers to assist tribal people.

We find that our clients' biggest concerns when charged with a crime are all those collateral consequences to incarceration, a criminal charge, or a criminal conviction. We also find that case managers are a great resource. Some may refer to them as social workers, but we do not believe case managers necessarily need social work degrees. Case managers assist our clients to address not only collateral consequences—loss of housing, loss of job, child protection involvement, child custody complications, loss of financial assistance—to name some; but they also assist with those issues that bring clients into the criminal justice system—mental illness, addiction, poverty, implicit bias. Case managers help clients find and connect to services. We know that it takes assistance and advocacy to get through agency rules and our case managers do that.

Consider a pilot project that would fund case managers in certain areas where tribal people are charged in state court. These would be people possibly hired by tribal governments, or by the public defenders – but you would want them to be tribal people so they are familiar with the person's specific culture and their tribal resources.

Ann Miller