

**CONFERENCE OF CHIEF JUSTICES  
CONFERENCE OF STATE COURT ADMINISTRATORS**

**Resolution 1**

**To Encourage Greater Collaboration Between State and Tribal Courts to Address the Opioid Epidemic**

WHEREAS, the opiate/opioid abuse epidemic is one of the most serious substance abuse problems facing the United States; and

WHEREAS, in response to the crisis, the Conference of Chief Justices and Conference of State Court Administrators created the National Judicial Opioid Task Force; and

WHEREAS, Native Americans and Alaska Natives have suffered more than a 500 percent increase in drug overdose deaths between 2000 and 2015; and

WHEREAS, the opiate/opioid abuse epidemic places a significant burden on many criminal justice, corrections, public health, foster care, treatment, and social services systems; and

WHEREAS, the consequences of opiate/opioid abuse are not limited to the abuser but often extend to children, families, and communities, and opiate/opioid abuse is rapidly becoming a leading cause for removing children from the care of their parents; and

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators, in fulfilling their leadership roles for state judicial systems, have repeatedly taken positions in support of the principles and methods used in problem-solving courts, including tribal Healing to Wellness Courts and the use of culturally-appropriate treatments; and

WHEREAS, close communication and cooperation between state and tribal courts have been inhibited by legal, cultural, and historical barriers; and

WHEREAS, the Conference of Chief Justices has recognized the need to reduce jurisdictional conflict among tribal, state, and federal courts, including support for tribal-state court forums to foster cooperation and collaboration; and

WHEREAS, the National Judicial Opioid Task Force has developed resources and information for use by state and tribal courts to assist in promoting more effective collaboration and

sharing of resources in an effort to achieve more successful outcomes for those impacted by opiate/opioid use and abuse;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and Conference of State Court Administrators encourage each Chief Justice and State Court Administrator serving in states that include Indian country:

1. To encourage and support inter-jurisdictional collaboration and communication between state and tribal courts to address the opiate/opioid epidemic;
2. To support, encourage, enable, and convene Tribal-State Court Forums, where appropriate, to discuss inter-jurisdictional collaboration;
3. To consider the use of the Model Memorandum of Understanding and Transfer Agreement, allowing state court judges to transfer treatment and program oversight of tribal members under the jurisdiction of the state courts to Tribal Healing to Wellness Courts, if and where those programs exist and may offer more effective and culturally appropriate interventions and services;
4. To support the training of state court judges and court employees on issues of Native Americans and Alaska Native cultural competence and encourage the distribution and use of cultural competence publications and bench cards;
5. To support the provision of judicial education for both state and tribal court judges on all aspects of the nature and impacts of opiate/opioid use and abuse, effective intervention strategies, and related issues;
6. To encourage and support all opportunities for the appropriate sharing of judicial, law enforcement, and treatment resources and expertise between state and tribal communities and to develop and support best practices and the most effective interventions in response to the crisis.

Adopted as proposed by the National Judicial Opioid Task Force and the CCJ Tribal Relations Committee at the Conference of Chief Justices 2019 Midyear Meeting on February 13, 2019.