

Tribal Courts

- Tribes have jurisdiction over multiple subject matters, including tribal enrollment/citizenship, domestic relations on tribal lands or within reservation boundaries, criminal, civil, and juvenile issues in coordination with federal statute and tribal/federal case law.
- Each tribe's code is unique and may incorporate many aspects of federal, state, common law, tribal legislation, and traditional/cultural practice (including concepts of restorative justice).
- A tribal court may look to any of these sources of law when deciding a given case.

- Law Enforcement and Corrections programs in Indian Country are administered in one of two ways:
 - BIA Administered
Programs are administered by the Department of the Interior (including the Bureau of Indian Affairs, Office of Justice Services), and funding does not pass through the tribe.
 - 638 Contract
The term “638” references Public Law 93-638, the Indian Self-Determination and Education Assistance Act. When tribes “638” a program, the tribe receives funds to operate a program otherwise administered by the Department of the Interior and Department of Health and Human Services.

Cheyenne River Sioux Tribe

- **Eagle Butte, SD**
Population: 15,993 enrolled members
Trust Land Base: 4,450,644 acres
Counties: Dupree and Ziebach County
- Courts
 - Criminal, civil, and juvenile trial overseen by three judges
 - Appellate Court: YES
- Law Enforcement: 638 contracted
Adult Corrections: 638 contracted
Juvenile Corrections: 638 contracted
Probation: Juvenile probation officers
- Juveniles with mental health, alcohol and drug, and behavioral health needs are referred to local tribal programs.
- Diversion Guide for Tribal Courts being completed with the MacArthur Foundation (December).



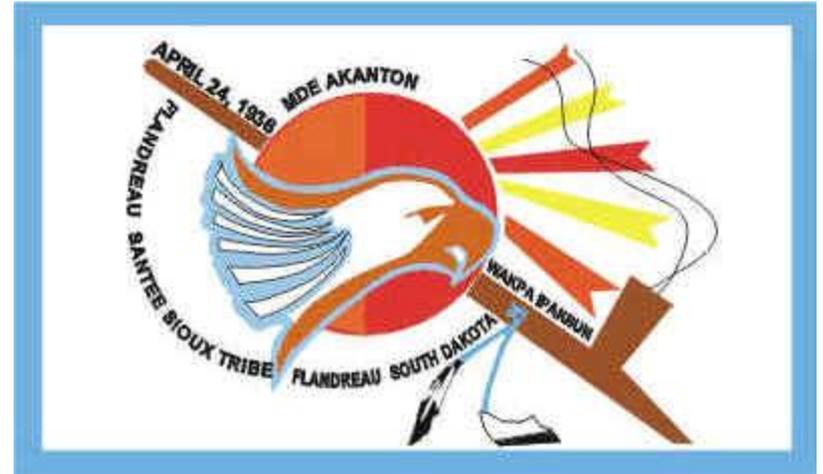
Crow Creek Sioux Tribe



- **Fort Thompson, SD**
Population: 3,429 enrolled members
Trust Land Base: 125,000 acres
Counties: Buffalo, Hughes, and Hyde Counties
- Courts
 - Criminal, civil, and juvenile trial overseen by one judge
 - Appellate Court: YES
 - Judicial Program is administered by the Rosebud Sioux Tribal Courts
- Law Enforcement: BIA Administered
 - Adult Corrections: Lower Brule facility (BIA Administered)
 - Juvenile Corrections: Lower Brule facility (BIA Administered)
 - Probation: No probation program operated
- Court operates two days a week

Flandreau Santee Sioux Tribe

- **Flandreau, SD**
Population: 736 enrolled members
Trust Land Base: 2,184 acres
Counties: Moody County
- Courts
 - Criminal, civil, and juvenile trial overseen by one judge
 - Appellate Court: YES
- Law Enforcement: BIA Administered
 - Adult Corrections: No Corrections operated
 - Juvenile Corrections: No facility operated
 - Probation: No probation program operated



Lower Brule Sioux Tribe



- **Lower Brule, SD**
Population: 3,410 enrolled members
Trust Land Base: 156,917 acres
Counties: Lyman and Stanley Counties
- Courts
 - Criminal, civil, and juvenile court; Appellate Court: YES
 - Judges, Prosecutor, and Defense attorney are all licensed legal professionals
- Law Enforcement: BIA Administered Adult Corrections: BIA Administered
Probation: Juvenile probation officers Juv. Corrections: BIA Administered
- Tribal law enforcement has been very diligent in working with juveniles to unnecessary records. The Tribal Human Service office works to identify those with the mental or behavioral health needs.
- The LBST Court has also implemented a Youth Diversion Program in cooperation with SAMHSA and the MacArthur Foundation in November 2014 and will be submitting a final report in December 2015.

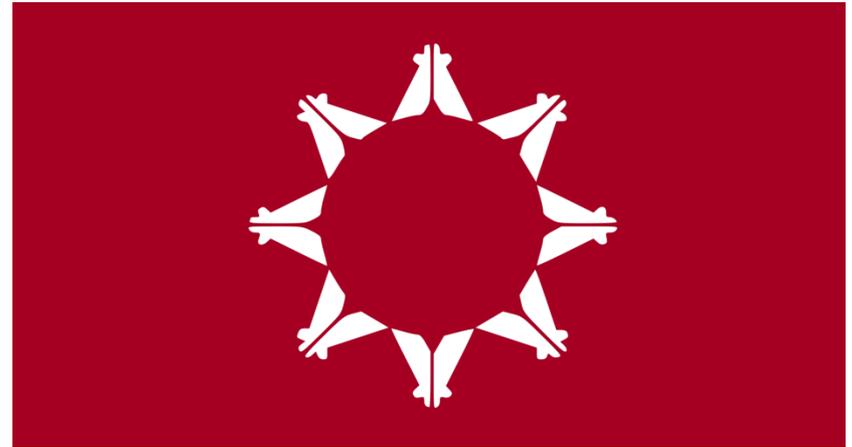
Oglala Sioux Tribe

- **Pine Ridge, SD**

Population: 46,855 enrolled members

Trust Land Base: 1.7 million acres

Counties: Bennett, Jackson, and
Oglala Lakota Counties



- Courts

- Criminal, civil, and juvenile (JV court only in Pine Ridge)

- Appellate Court: YES

- Law Enforcement: 638 contracted

Adult Corrections: 638 contracted

Juvenile Corrections: 638 contracted, Kiyuska Otipi JDC in Pine Ridge

Probation: No juvenile probation officers

- All mental health services for juveniles are through IHS and off-reservation

- Juvenile court at OST includes custody, emancipation, paternity testing, child abuse and neglect, and juvenile ICE holds

Rosebud Sioux Tribe



- **Rosebud, SD**
Population: 24,217 enrolled members
Trust Land Base: 884,874 acres
Counties: Gregory, Meade, Mellette,
Todd, and Tripp Counties
- Courts
 - Criminal, civil, and juvenile, and Small Claims courts
 - Appellate Court: YES
 - Tribe piloting a circuit structure
 - Constitutional Separation of Powers with Judiciary and Council
- Law Enforcement: 638 contracted
Adult Corrections: 638 contracted
Juvenile Corrections: 638 contracted, facility near Rosebud
Probation: Juvenile probation officers
- Mental health services through IHS and on call (24/7) for juveniles

Standing Rock Sioux Tribe



- **Fort Yates, ND**
Population: 15,568 enrolled members
Trust Land Base: 841,700 acres
County: Corson County
- Courts
 - Criminal, civil, and juvenile/Childrens Court
 - Appellate Court: YES
- Law Enforcement: BIA Administered
Adult Corrections: BIA Administered
Juvenile Corrections: BIA Administered, not in operation at present
Probation: Juvenile probation officers
- Regarding mental health services, youth are often referred to services with the tribe or IHS. Youth who are Medicaid eligible may be referred to services in Bismarck.

Sisseton Wahpeton Oyate

- **Agency Village, SD**
Population: 12,389 enrolled members
Trust Land Base: 108,589 acres
Counties: Marshall, Roberts, Codington,
Day, and Grant counties
- Courts
 - Criminal, civil, and juvenile courts
 - Appellate Court: YES
- Law Enforcement: 638 contracted
Adult Corrections: 638 contracted
Juvenile Corrections: SWO does not operate a JDC
Juvenile offenders may be housed in Roberts or Day Co.
Probation: Juvenile probation officers
- SWO operates the Dakota Pride Center, with adolescent specific programming for outpatient care.



Yankton Sioux Tribe



- **Wagner, SD**
Population: 11,594 enrolled members
Trust Land Base: 36,741 acres
Counties: Charles Mix County
- Courts
 - Criminal, civil, and juvenile trial courts overseen by one judge
 - Appellate Court: YES
- Law Enforcement: 638 contracted
Adult Corrections: BIA Administered
Juvenile Corrections: Not operated
Probation: No juvenile probation program
- Mental health services are referred to IHS or Wagner service provider dependent on need