



## VAWA Tribal Trial Advocacy Skills Training



Cherokee Courts of the Eastern Band of Cherokee and BIA Office of Justice  
Services

August 24-26, 2016

Cherokee Courts, Eastern Band of Cherokee Indians Justice Center  
Harrah's Cherokee Casino  
Eastern Band of the Cherokee Indian  
Cherokee, North Carolina

### SAVE THE DATE!

The Office of Justice Services of the Bureau of Indian Affairs and the Eastern Band of the Cherokee Indians present a free training for tribal judges, prosecutors, public defenders and tribal leaders in trial advocacy skills and the Violence Against Women Act Reauthorization Special Domestic Violence Jurisdiction over Non-Indians.

#### **Presenters and Trainers Include:**

**Hon. Max Cogburn, Jr**, Federal District Judge, Western District of North Carolina

**Jill Rose**, United States Attorney, Western District of North Carolina

**Hon. Brad Letts**, Senior Resident Superior Court Judge, District 30B

**Hon. Steve Aycock**, National Council of Juvenile and Family Court Judges

**John Pritchard**, Assistant United States Attorney and Tribal Liaison, Western District of North Carolina

**Leslie Hagan**, National Indian Country Training Coordinator for the Justice

The Training is free of charge, but travel and lodging are at the participant's expense. Rooms have been reserved at the Marriott Fairfield at \$101 per night. Call (828) 497-0400 to reserve rooms and use the conference code "VAWA".

Please email and return the attached registration form to Tessa Turnbow at [tessat@whitenergroupp.biz](mailto:tessat@whitenergroupp.biz)

WE LOOK FORWARD TO SEEING YOU THERE!



## Registration Form

Hosted by the Eastern Band of Cherokee Indians:

### VAWA Tribal Leadership & Trial Advocacy Skills Training

August 24-26, 2016

Cherokee, North Carolina



Thank you for registering to attend the VAWA Tribal Leadership & Trial Advocacy Skills Training hosted by the Eastern Band of Cherokee Indians with funding provided by the Bureau of Indian Affairs, Office of Justice Services. To ensure a quality training, **limited seats are available**. There is no registration fee. Travel and lodging are at the Training Registrant's expense.

#### Full Name

First Name

Last Name

E-mail

Phone Number

#### Tribe (or Organization)

Department or Office (if applicable)

Position Title

Are other registrations being submitted from the same Tribe/department/organization?

Yes

No

#### Address

Street Address

Address Line 2

City

State

Zip Code

## Training Information

Please select all that apply to Training Registrant:

Tribal Leader                      Judge                      Defense Counsel  
Prosecutor                      Bar License                      Law School degree  
Other

Is your Tribe *actively exercising* special domestic violence criminal jurisdiction? (i.e., Tribe has implemented code provisions, community is on notice, law enforcement will arrest, prosecutor's office has at least one case and/or law enforcement has made arrests)

Yes              No

If your Tribe is NOT *actively exercising* special domestic violence criminal jurisdiction, where is your Tribe in implementation? Select the description that best fits:

Early Stages (i.e., Tribal Council and/or Community still discussing it, tribal constitution needs amendment, referendum vote needs to occur, etc.)

Intermediate Stages (i.e., Tribal Council has voiced support and/or passed resolution, actively updating code provisions and policies, collaborating with other tribes, U.S. Attorney's Office, local and/or county agencies on planning, jury pool selection - incorporating non-Indians in the community, etc.)

Advanced Stages (i.e., codes and policies updated, notice out to community that tribal law enforcement will arrest, only one or two things to do)

READY (i.e, Tribe and its law enforcement ready to prosecute offenders but no arrests or cases yet)

Other

Identify your Tribe's top training needs regarding VAWA's Special Domestic Violence Criminal Jurisdiction (and/or TLOA Extended Sentencing):

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### Department of Justice, Office on Violence Against Women Grantee?

Please contact your DOJ-OVW grant specialist ASAP to seek approval to use your OVW grant funding to attend this Training.

## Lodging Information

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Please email and return this form to Tessa Turnbow at [tessat@whitenergroup.biz](mailto:tessat@whitenergroup.biz)



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1<sup>st</sup> day, August 24, 2016

8:30 a.m. Presentation of the Colors by Steve Youngdeer American Legion Post 143

Introduction by Hon. William Boyum, Chief Justice, Cherokee Supreme Court

8:45 a.m. Traditional Welcome to the Eastern Band of Cherokee Indian Reservation

9:00 – 9:30 Plenary Session 1 – Violence Against Women Re-Authorization Act of 2013 (VAWA) Special Domestic Violence (SDV) Jurisdiction Overview

Hon. William Boyum, Chief Justice, Eastern Band Cherokee Tribal Court

9:30 – 9:45 Plenary Session 1 – Coordination between Tribes and the United States Attorney on SDVJ, Major Crimes Act, and Habitual Domestic Violence Offenders

Jill Rose – United States Attorney for the Western District of North Carolina

John Pritchard– Assistant US Attorney/Tribal Liaison for the Western District of North Carolina

9:45 – Noon

Plenary Session 1 continued

9:45 – 10:30 “Court System Roles: Judges, Prosecutors, Defenders”

Hon. Steve Aycock, Judge in Residence, National Council of Juvenile and Family Court Judges

Molly Cohan, Co-Director, UW Tribal Court Public Defense Clinic

Ian Ith, King County Assistant Prosecuting Attorney

10:30 – 10:45 Break

10:45 – 12:00 “Case Theory Development”

Molly Cohan, Co-Director, UW Tribal Court Public Defense Clinic  
Ian Ith, King County Assistant Prosecuting Attorney

Noon – 1:15 pm Lunch on your own

1:15-2:45 “Opening Statements”  
Molly Cohan, Co-Director, UW Tribal Court Public Defense Clinic  
Chris Siewers – Eastern Band Defense attorney

3:00 – 5:00 pm - Breakout Sessions

Judges Breakout 1  
Facilitators – Hon. Kirk Saunooke & Hon. Steve Aycock

3:00 – 3:45 Judges Breakout 1 Discussion: “Managing the relationship between the bench and the attorneys”

3:45 – 4:00 Break

4:00 – 5:00 Judges Skills Session 1: “Presiding over opening statements. What to watch for, what to leave alone and what to stop”

Prosecutors Breakout 1  
Facilitators – Ian Ith & John Pritchard

3:00 – 3:45 Prosecutors Skills Session 1: “Prosecution case theory development”

3:45 – 4:00 Break

4:00 – 5:00 Prosecutors Skills Training 1: “Opening Statements”

Defenders Breakout 1  
Facilitators – Molly Cohan & Chris Siewers

3:00 – 3:45 Defenders Skills Session 1: “Defense case theory development”

3:45 – 4:00 Break

4:00 – 5:00 Defenders Skills Training 1: “Opening Statements”

Tribal Leaders Breakout 1  
Facilitator – Hon. Bill Boyum

3:00 – 3:45 Tribal Leaders Session 1: Violence Against Women Act –  
What does the Act require before exercising Special Domestic Violence (SDV)  
Jurisdiction?

3:45 – 4:00 Break

4:00 – 5:00 Tribal Leaders Session 1: : Violence Against Women Act –  
What does the Act require before exercising SDV Jurisdiction?

2<sup>nd</sup> day, August 25, 2016

9:00 – 11:00 - Plenary Session 2

9:00 – 10:00 “4<sup>th</sup> Amendment Overview”

Leslie A. Hagan - National Indian Country Training Coordinator for the Justice Department’s Executive Office for U.S. Attorneys.

10:00 – 11:00 “Direct & Cross Examinations, Objections and Responses”

Molly Cohan and Ian Ith

11:00 – 11:15 Break

11:15 – Noon - Breakout Session 2

Judges Breakout 2

Facilitators – Hon. Kirk Saunooke & Hon. Steve Aycock

11:15 – Noon: Judges Skills Session 2: “Direct & Cross: What to watch for, what to allow, what to stop”

1:15 – 2:00: Judges Skills Session 2: “Ruling on Objections”

Prosecutors Breakout 2

Facilitators – Ian Ith & John Pritchard

11:15 – Noon: Prosecutors Skills Session 2: “Direct & Cross”

1:15 - 2:00: Prosecutors Skills Session 2: “Making and Responding to Objections”

Defenders Breakout 2

Facilitators – Molly Cohan & Chris Siewers

11:15 – Noon: Defenders Skills Session 2: “Direct & Cross”

1:15 - 2:00: Defenders Skills Session 2: “Making and Responding to Objections”

Tribal Leaders Breakout 2

Facilitator – Hon. Bill Boyum

11:15 – Noon: Tribal Leaders Session 2: Violence Against Women Act – What changes does a tribe need to make before exercising SDVJ?

1:15 - 2:00: Tribal Leaders Session 2: Violence Against Women Act –  
What changes does a tribe need to make before exercising SDVJ?

2:15 – 3:00 - Plenary Session 3: Closing and Voir Dire  
Ian Ith, Chris Siewers and John Pritchard

3:00 – 3:15 Break

3:15 – 5:00 Closing and Voir Dire Breakouts

Judges Breakout 3

Facilitators – Hon. Kirk Saunooke & Hon. Steve Aycock

3:15 – 5:00 Judges Skills Session 3: “Closing and Voir Dire: What to watch for, what to  
allow, what to stop”

Prosecutors Breakout 3

Facilitators – Ian Ith & John Pritchard

3:15 – 5:00 Prosecutor Skills Session 3: “Closing Arguments and Voir Dire”

Defenders Breakout 3

Facilitators – Molly Cohan & Chris Siewers

3:15 – 5:00 Defender Skills Session 3: “Closing Arguments and Voir Dire”

EVENING – Team Prep for Mock Trials



Day 3 - Friday, August 26, 2016

Location: Cherokee Courts, Eastern Band of Cherokee Indians Justice Center  
(transportation to be provided from the Marriott by Cherokee Transit)

Mock Trial Observers and Feedback:

Hon. Max Cogburn, Jr. – Federal District Court Judge, Western District of North Carolina

Hon. Brad Letts, Senior Resident Superior Court Judge, District 30B

Molly Cohan

Ian Ith

Chris Siewers

John Pritchard

9:00 – Noon

Courtroom 1 Mock Trials and Evaluation

Courtroom 2 Mock Trials

Noon – 1:15 Lunch

1:15 – 4:30

Courtroom 1 Mock Trials

Courtroom 2 Mock Trials

2:45 – 3:00 Break

4:30 – 5:00 Plenary

Concluding Remarks and Training Evaluation