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# Navigating Ethical Rules in Juvenile Healing to Wellness Courts

Part Two

*June 9, 2022*



# Opening in a Good Way



# Today's Presenter



Judge Carrie E. Garrow (Mohawk)  
Chief Judge, St. Regis Mohawk Tribe

# Session Facilitation



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# Session Overview

- Understanding ethical rules that may be applicable in a Tribal Juvenile Healing to Wellness Court setting.
- Consideration of real-world scenarios and case studies in decision-making to support youth participants and their families.
- Application of strategies that support enhanced team engagement and service provision for JHWC-involved youth.



# Review of Session One

In session one we talked about-

- Why we need ethics rules.
- Different rules for different team members.
- How we work within these rules while also promoting an environment that allows for open communication and collaboration.

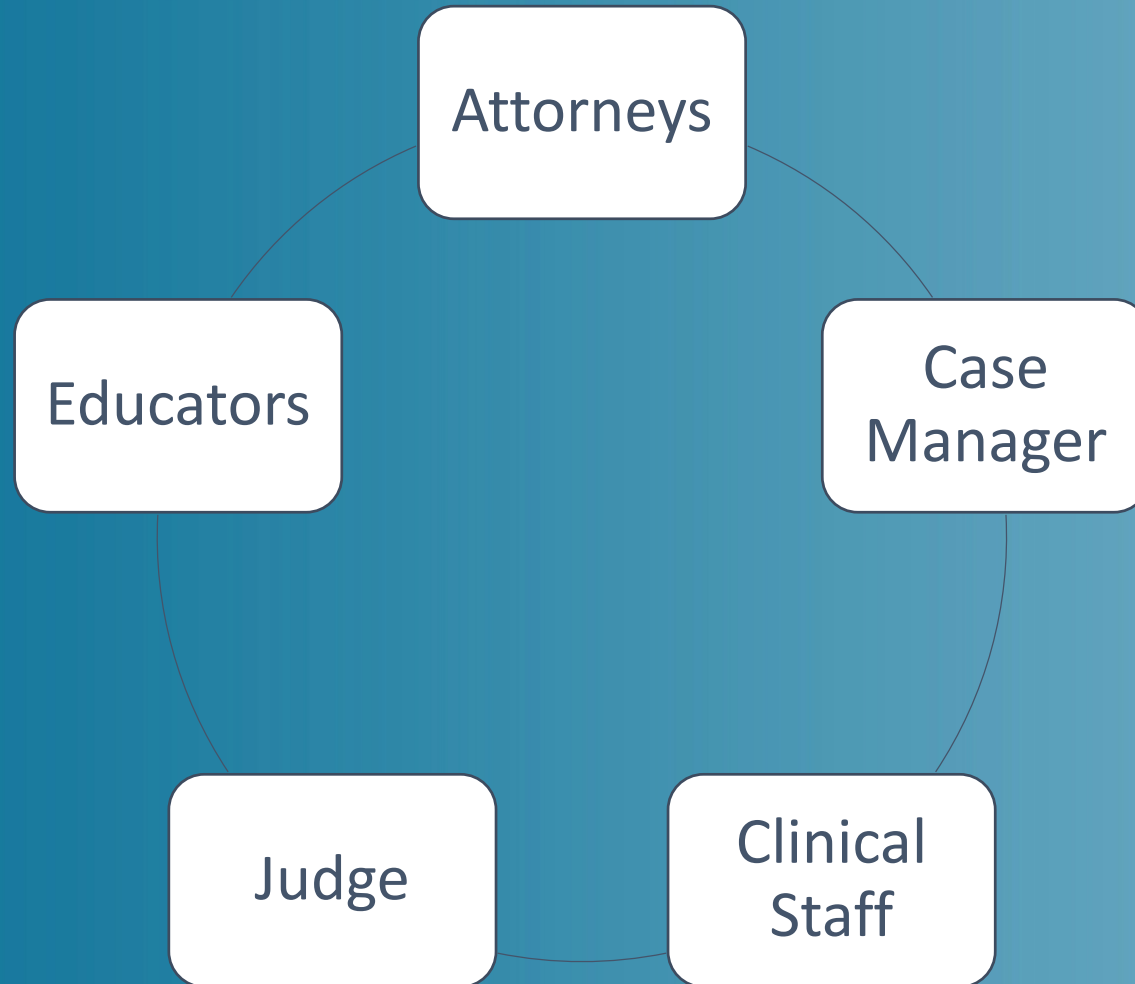


# Why ethics?

- Ethics defines what is good for individual and society – establishes the nature of duties we owe ourselves and others
- What happens if we have no standard of our professional duties?

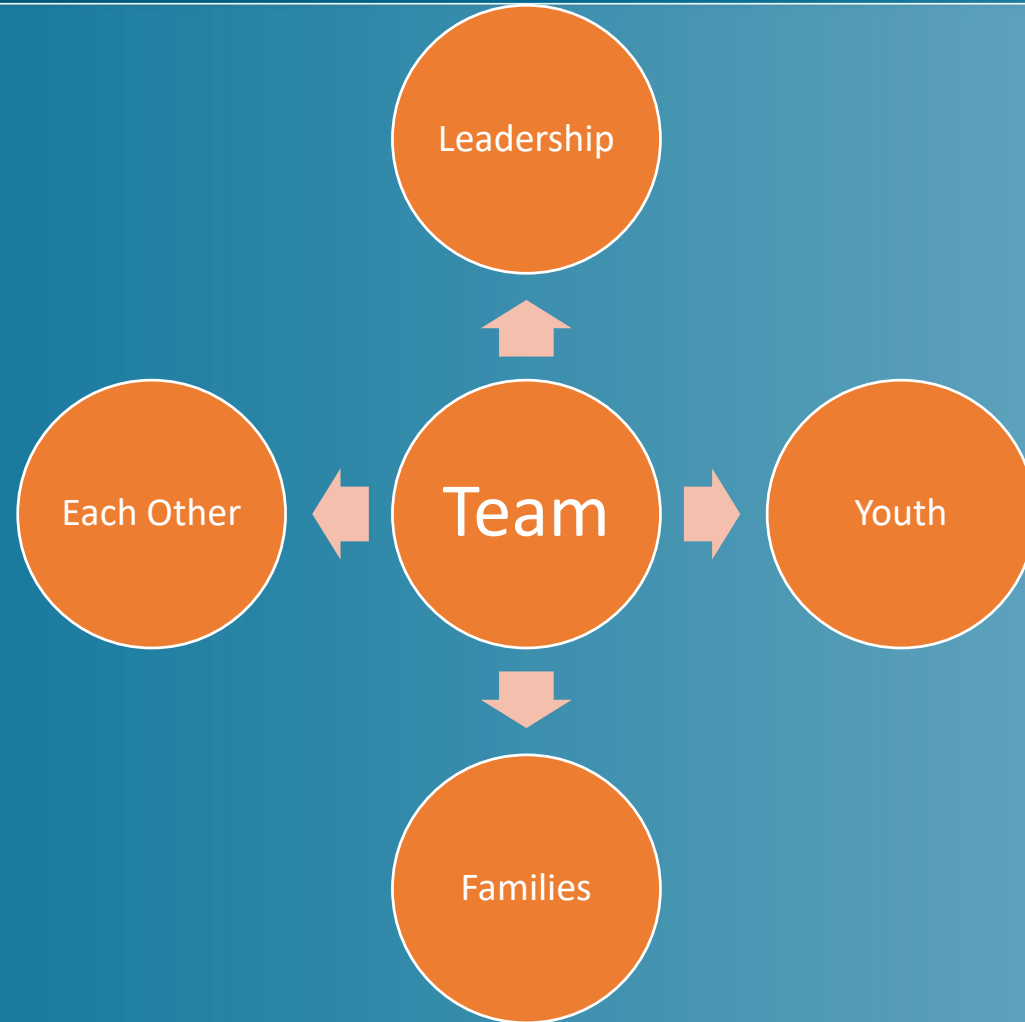


# Different Ethical Rules for Team Members





# Open Communication and Collaboration



# Open Communication and Collaboration

- Impartiality/independence of judge vs the advocates
- Direct contact with participants
- Be clear what you can and cannot share
- Make sure consent forms in place

# Different Ethical Rules for Team Members

- *Judicial Canons*
- *Ethics Rules (Federal, State, Tribal Bar Associations and Ethics Codes)*
- *FERPA*
- *Clinical- Professional Ethics Standards*
- *Community Standards (Communicating as Relatives)*



# Case Studies

- Following are several case studies.
- Studies are examples only and do not reflect specific communities.
- Open discussion is welcomed about difficult real-world scenarios.



# Case Study #1

- A participant discloses to his attorney that he used over the weekend. The participant is about to move up to another phase and promises not to do it again. The attorney is a JHWC team member.
- *What should he do?*



## Case Study #2

- The judge presides over JHWC and the juvenile dependency cases. At JHWC, the judge receives information about the juvenile's mom being intoxicated over the weekend. She has a permanency hearing the next week with the juvenile's mother.
- *Can she hear on the mother's case?*

## Case Study #3

- A JHWC participant is about to graduate. He tests positive. The Coordinator believes it was just a tiny slip up and is worried about how the youth will handle not graduating as planned. She has a close relationship with the youth and will continue to engage in his life after graduation to provide support. She is considering not informing the team.
- *What should she do?*

## Case Study #4

- A new JHWC probation officer is tasked with transportation duties for youth and their families to court. Lately, some of the families have asked if they can be transported to other family member's residences. Some are located long distances from the family residence. On one occasion, she helped a family run several errands. She is concerned she might be going against team policies, but she also wants to make sure the families get to where they would like or need to go.
- *What should she do?*

# Case Study #5

- Tribe B has just voted in a new tribal vice-chairperson. The nephew of the vice-chairperson is currently a participant in the JHWC. The team has received a notice that the nephew was found at a party over the weekend drinking. The judge had previously let the participant know that a sanction would need to be administered for any continued violations of the youth's participant agreement. The vice-chairman contacts the case coordinator the Monday after the party asking if she can do anything to help the nephew prior to the next JHWC docket.
- *What should the case coordinator do?*

# Strategies to Support Team Engagement

- Best and Promising Practices
  - Team Conferencing
  - Standards of Practice and Continued Review of Policies/Procedures
  - Developed and Completed Communication Plans
- Handling Difficult Situations
  - What do we do when we think there has been an ethical violation?



# Strategies to Support Team Engagement

- The role of the judge
- The role of policies and procedures
- The role of evaluation
- Team activities
- Team rewards
- Patience

# Questions?





# Contact Us



Tribal Youth Resource Center

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Envisioning a future where Indigenous youth thrive through traditional lifeways.



The Tribal Youth Resource Center is a part of the [Tribal Law and Policy Institute](#) and is supported by Grant #2018-MU-MU-K001 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Dept. of Justice.





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**Tribal Healing to Wellness Court**



**Capacity Building  
CENTER FOR TRIBES**



**Walking on Common Ground**







# Thank you!



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*This project was supported by Grant #15PJDP-21-GK-04048-MUMU awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.*

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