

Application for Federal Assistance SF-424		Version 02
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision
		* If Revision, select appropriate letter(s): [REDACTED] * Other (Specify): [REDACTED]
* 3. Date Received: 05/26/2010	4. Applicant Identifier: [REDACTED]	
5a. Federal Entity Identifier: [REDACTED]	* 5b. Federal Award Identifier: [REDACTED]	
State Use Only:		
6. Date Received by State: [REDACTED]	7. State Application Identifier: [REDACTED]	
8. APPLICANT INFORMATION:		
* a. Legal Name: Tulalip Foundation		
* b. Employer/Taxpayer Identification Number (EIN/TIN): [REDACTED]	* c. Organizational DUNS: [REDACTED]	
d. Address:		
* Street1:	8825 34th Avenue NE, L-242	
Street2:	[REDACTED]	
* City:	Tulalip	
County:	Snohomish	
* State:	WA: Washington	
Province:	[REDACTED]	
* Country:	USA: UNITED STATES	
* Zip / Postal Code:	98271	
e. Organizational Unit:		
Department Name: Tulalip Tribal Court	Division Name: Reservation Attorneys Office	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: Mrs.	* First Name: Misty	[REDACTED]
Middle Name:	[REDACTED]	
* Last Name: Napeahi	[REDACTED]	
Suffix:	[REDACTED]	
Title: Proposal Writer	[REDACTED]	
Organizational Affiliation: Tulalip Tribes		
* Telephone Number: 360-716-4383	Fax Number: 360-716-0247	
* Email: mistynapeahi@tulaliptribes-nsn.gov		

Application for Federal Assistance SF-424	Version 02
9. Type of Applicant 1: Select Applicant Type: M: Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education)	
Type of Applicant 2: Select Applicant Type: I: Indian/Native American Tribal Government (Federally Recognized)	
Type of Applicant 3: Select Applicant Type: [REDACTED]	
* Other (specify): [REDACTED]	
* 10. Name of Federal Agency: Bureau of Justice Assistance	
11. Catalog of Federal Domestic Assistance Number: [REDACTED]	
CFDA Title: Edward Byrne Memorial Competitive Grant Program	
* 12. Funding Opportunity Number: BJA-2010-2676	
* Title: BJA FY 10 Tribal Civil and Criminal Legal Assistance Grants, Training, and Technical Assistance	
13. Competition Identification Number: BJA-2010-2677	
Title: [REDACTED]	
14. Areas Affected by Project (Cities, Counties, States, etc.): Tulalip Indian Reservation and Snohomish County	
* 15. Descriptive Title of Applicant's Project: The Tulalip Foundation will address the unmet critical need for representation in civil matters at the Tulalip Tribal Court by providing competent, culturally sensitive and holistic representation.	
Attach supporting documents as specified in agency instructions. Add Attachments Delete Attachments View Attachments	

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16. Congressional Districts Of:

* a. Applicant:

* b. Program/Project:

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="356,727.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="356,727.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed:

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*** Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

PROPOSAL ABSTRACT

The Tulalip Tribes Foundation, a dual Tribal not for profit organization and federal 501(c)(3), requests a Category One Grant of \$356,727 from the Bureau of Justice Assistance Tribal Civil and Criminal Legal Assistance Program to fund the Tulalip Foundation dx^w7al ha7† sšə†x̃əčəb. These funds will greatly expand the program's capacity to represent indigent Tribal members in civil legal matters at the Tulalip Tribal Court by adding a full time attorney and paralegal, and will fund the ability of the program to develop and implement a database system to track case numbers, outcomes, and client satisfaction.

The Tulalip Foundation dx^w7al ha7† sšə†x̃əčəb will address the unmet critical need for representation in civil matters at the Tulalip Tribal Court by providing competent, culturally sensitive and holistic representation to assist Tribal members to ensure they have full access to due process and justice within the Tulalip judicial system. dx^w7al ha7† sšə†x̃əčəb will focus on legal issues that effect Tribal members' safety, family integrity, health, and access to services and education. dx^w7al ha7† sšə†x̃əčəb will provide holistic representation by providing legal representation and assistance to the individual while simultaneously attempting to help the client identify other legal or non legal needs in order to work collaboratively with the client and other Tribal service provider organizations to ensure these needs are addressed and met. Expansion of civil legal aid will greatly benefit the Tulalip Tribal community and improve access to the Tulalip justice system.

I. INTRODUCTION

The Tulalip Tribes Foundation, a dual Tribal not for profit organization and federal 501(c)(3), requests a Category One Grant of \$359,107 from the Bureau of Justice Assistance Tribal Civil and Criminal Legal Assistance Program to fund the Tulalip Foundation dx^w7al ha74 sšə†xǎčəb. These funds will greatly expand the program's capacity to represent indigent Tribal members in civil legal matters at the Tulalip Tribal Court.

II. STATEMENT OF THE PROBLEM

Indian Tribes have had Tribal justice systems that were community based for generations. However, as Tribes expand their governmental services and provide more economic opportunities, these traditional forums have not met the modern needs of the Tribal community. As a result, more and more Tribes have established Tribal courts that resemble a hybrid between Anglo-American adversarial court systems, to a Tribally-based peacemaking type model that still provides the community a voice in the process. These systems are sophisticated and address the many needs of the ever changing Tribal community. Tulalip is no different, in that once a small sleepy fishing community is now an economic powerhouse, with many opportunities for its members and increased services as a Tribal government.

Tulalip has a nationally recognized and award winning Tribal court system that is recognized for its abilities and its innovative approach to the legal needs of its communities. As the economic foundation and the government has grown, so too has the judicial system of the Tulalip Tribes. More and more Tribal members, their families, and other residents of the Tulalip Reservation are turning to the Tulalip Tribal judicial system to have their legal needs addressed and processed in a manner that reflects the Tribes' community values. Similarly, the Tulalip

Tribal judicial system provides a convenient forum that is near to their home, and is staffed by individuals that have a background in the Tribal community and Tribal systems.

Tribal members have continued to choose to address civil legal issues such as orders of protection and anti-harassment, employment, divorce, custody, guardianship, and housing within their Tribal court. However, similar to other state based court systems, very few are able to navigate the complex legal system on their own and many are unable to afford representation. The legal issues encountered by the poor reflect the most critical and profound issues that an individual might face because they are most likely based on survival, rather than on a discretionary action or desire. When the poor do not have access to quality no-cost representation, the judicial system is navigated without a roadmap, and much is left to chance. This may result in disastrous consequences, because the individual may fail to fully understand what is at stake with the issue before them in court. Without this understanding of critical information and rules, the individual may not be able to adequately respond with the necessary information to the court. Without a properly presented case, the court may make poor decisions that impact the individual's basic rights to safety, their family, their home, critical services, or a proper education. The Court system thus fails to ensure their access to the justice system.

The number of civil cases heard within the Tulalip Tribal Court has increased profoundly over the past ten years. There may have been a time when the court could assist *pro se* individuals with the development of their case in open court, but this is no longer the situation due to Tulalip Tribal Court's consistently full dockets. Given the case load and complexity of the issues that the court faces daily, the court must demand a professionalism that is intimidating and impossible to attain for even the most sophisticated *pro se* litigant.

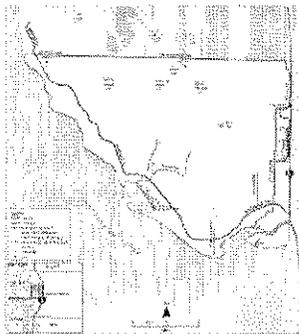
Low income Tribal members face the same challenges as *pro se* litigants in the state or federal Court system, and the importance of equal access to the court system is no different in a Tribal Court. *Pro se* litigants may be undereducated or disabled, preventing them from being able to read or comprehend Tribal Codes and procedures. At a basic level, without assistance in reading and filling out forms, an individual may not have the capacity to understand how to seek redress in Court. They may feel intimidated and overwhelmed by the process. Like any low income individual in state court, it is imperative that individuals involved in civil cases in the Tulalip Tribal Court be provided with quality, culturally competent, and holistic representation to ensure that they have equal access to, and protection of, the Tribal Court system.

Like other Tribes across the country, many Tribal members live in extreme poverty and the effects of multi-generational trauma make it difficult to improve one's situation. This trauma continues to perpetuate the Tribal community in different forms. Rather than losing one's family to boarding schools, or by placement and adoption in non-Indian homes as in pre-Indian Child Welfare Act (ICWA) dependency cases, in current times, Tribal members may lose their families to complex court systems that require them to do things to prove their fitness as a parent, or by being ordered to perform certain tasks without understanding how to complete them or obtain the services needed to follow a court order. These are just a couple of examples of some of the unique challenges and barriers for Tribal members in their attempt to become healthy and self-reliant individuals. These problems have been further compounded by the current regional economy, heightened unemployment rate, and funding cuts to critical social services.

There are very few opportunities available for Tribal members to obtain free legal assistance or advice regarding these critical legal issues. Currently, the Tribes has just one civil legal aid attorney, who is dedicated exclusively to parent and youth advocacy in Indian child

welfare cases within the Tribal judicial system. Other than this attorney, Tribal members attempt to contact and engage nearby Northwest Justice Project legal aid attorneys, who have a wide area to serve. As a result, many Tribal members' legal needs either go unaddressed, or are handled without the guidance of an attorney to assist in these complex situations. The Tulalip Foundation's dx^wʔal haʔt sšəʔxəčəb will address the unmet critical need for representation in civil matters at the Tulalip Tribal Court. dx^wʔal haʔt sšəʔxəčəb means "toward good decision" (judgment) in the Tribes' native Lushootseed, a Salish language. dx^wʔal haʔt sšəʔxəčəb will provide competent, culturally sensitive and holistic representation to assist Tribal members to ensure they have full access to due process and justice within the Tulalip judicial system.

A. History and Demographics of the Tulalip Tribes



The Tulalip Tribes

The Tulalip Tribes is a federally-recognized Indian Tribe located on the Tulalip Reservation in the mid-Puget Sound area of Snohomish county, which is located in western Washington State. The Tulalip Reservation was reserved for the use and benefit of Indian tribes and bands signatory to the Treaty of Point Elliott of January 22, 1855 and by Executive Order of President Grant on December 23, 1873. It was created to provide a permanent home for the Snohomish, Snoqualmie, Skagit, Suiattle, Samish and Stillaguamish Tribes and allied bands living in the region.¹ The Tulalip Reservation exterior boundaries enclose a land-base of 22,000 acres, more than 50 percent of which is in federal trust status. There are over 4,000 enrolled members in the Tulalip Tribes.

¹ For more information about the Tulalip Tribes, see www.tulaliptribes-nsn.gov.

STATUS	POPULATION
Number of enrolled Tribal members over the age of 18 <i>residing</i> on the reservation	2801
Number of enrolled Tribal members under the age of 18	1602
Number of enrolled Tribal members under the age of 18 <i>residing</i> on the reservation	869
Number of enrolled Tribal members under the age of 18 living in the city of Marysville, adjacent to the Tulalip Reservation	291
Number of Native Americans in Snohomish County 2008 Census	10,255

Twenty-two federally recognized Indian Tribes are found within Washington State. Over ten Tribes are in the surrounding area of the Tulalip Tribes in Western Washington. The reservation of the Tulalip Tribes is located in Snohomish County, which is the third largest county in Washington with a population of 704,300 in 2009.² The Tulalip Reservation is located next to and included in the total population of the city of Marysville, population of 37,530.

Statistics on Snohomish County provide relevant information on the needs of the population in the area of the Tulalip Reservation. In the past year, state data reflected that Snohomish County experienced an increase in the number of child abuse and neglect referrals. Snohomish County has higher than state average rates for suicide attempts, child mortality, and property crimes committed by juveniles and adults.³ Data from the Washington State shows that American Indian/Alaska Native individuals comprised only 2.6% of the population within Snohomish County, but they received two to five times more social and economic assistance services in each category as compared to their total population.⁴ These statistics are especially

² See Washington State Office of Financial Management Databook, retrieved May 10, 2010 at:

<http://www.ofm.wa.gov/databook/county/snoh.pdf>

³ See Washington State Dept. of Social and Health Services, *Risk Protection Profile for Substance Abuse Prevention in Snohomish Co.*, (December 2009), retrieved May 10, 2010 at:

<http://www.dshs.wa.gov/pdf/ms/rda/research/4/47/updated/snohomish.pdf>.

⁴ See Washington State Dept. of Social and Health Services, *Snohomish Co. DSHS Client Services by Race June 2006-June 2007*, retrieved May 10, 2010 at:

http://clientdata.rda.dshs.wa.gov/ReportServer/Pages/ReportViewer.aspx?%2fCSDBAnyYear%2fLocalClientSvcs_RaceCrosstab

high in the areas of alcohol and substance abuse services (10.1%), and child welfare system services (8.8%). The over-representation of American Indian and Alaska Native individuals in the county's social service system reflects the levels of poverty and the critical need of increased assistance and intervention in the area's Tribal population.

B. Description of Civil Legal Needs at the Tulalip Tribal Court

The Tulalip Tribes is considered a Public Law 280 Tribe. In 2000, the Tribes successfully obtained retrocession of criminal jurisdiction. The Tribes has exclusive jurisdiction over many civil issues and also shares concurrent jurisdiction with the state over other civil issues. The Tulalip Tribal Court employs two full time judges from the Northwest Intertribal Court System (NICS).⁵ Both Judges are licensed attorneys, and are members of federally recognized Tribes. The Court employs five court clerks, who manage the cases heard at the Tulalip Tribal Court. The Court consists of two court rooms where both adult criminal and a wide spectrum of civil matters are heard. During 2009, the Tulalip Tribal Court heard a total of 517 civil cases, which increased from 504 cases the previous year.

The Tribes has an Office of Reservation Attorney that is divided into a General Counsel Division and a Court Services Division. The General Counsel advises the Tribes in matters of general Tribal-wide significance, while the Court Services Division attorneys handle the individual cases involving the Tribes, such as criminal prosecution, child welfare and child support. The Court Services Division is comprised of five attorneys.

While the Tulalip Tribes has been successful in developing their Court system to address the critical needs of safety and well being in the Tribal community, they do not have the financial ability to provide for legal assistance to help Tribal members negotiate their Court system or

⁵ The Northwest Intertribal Court System (NICS) provides judicial, prosecutorial, appellate, and administrative services to tribes throughout the Northwest. For more information on NICS, *see* <http://www.nics.ws/index.htm>.

uphold their rights in civil legal matters. In the area of criminal defense, the Tribes contracts with the University of Washington School of Law’s Native American Law Center, Tribal Public Defense Clinical program to provide public defense services in criminal court.⁶ The Tribes also provides limited funding for conflict counsel on the criminal cases. However, the Tribes are currently only able to fund one civil attorney to represent indigent parents in dependency cases. Due to limited resources, no other opportunities for representation in any other type of civil matter exist through the tribe. The Northwest Justice Project (“NJP”) provides legal assistance to individuals within Washington State, and has the ability to represent individuals in Tribal Court matters.⁷ However, very few Tribal members are able to obtain representation through this program due to its high demand .

The Tulalip Tribal Court hears a wide variety of civil cases. The chart below illustrates a break down on the types and number of cases hearing 2009 at the Tulalip Tribal Court:

Tulalip Tribal Court Civil Case Activity January-December 2009: Total 571 Civil Cases

Type of Civil Case	Filed	Disposed by Quarter	Total Pending
Anti-Harassment	23	36	20
Child Support	28	6	76
Child Custody	34	4	178
Divorce	18	13	90
Employment	28	29	24
Gaming	23	27	12
General	140	29	367
Guardianship	47	34	172
Paternity	2	0	13
Restraining Order	32	35	75
Youth in Need of Care (Dependency)	94	46	202

⁶ For more information, see the Native American Law Center website at: <http://www.law.washington.edu/clinics/Tribal>.

⁷ For more information about the Northwest Justice Project, go to: <http://nwjustice.org/>

It should be noted that there may be two or more parties involved in more than half of the civil cases heard at the Tulalip Tribal court. Since many cannot afford to hire counsel, most litigants proceed unrepresented in the civil court hearings at the Tulalip Tribal Court. Similarly, since there are few available opportunities for a litigant to receive advice on legal issues or assistance in filing legal paperwork or beginning cases, it is more likely that currently, an individual will have to face the legal system without any advice, assistance, or representation of any kind at the Tulalip Tribal Court.

III. PROGRAM DESIGN AND IMPLEMENTATION

A. Description of the Tulalip Foundation Legal Aid

The Tulalip Foundation is requesting a two year grant of \$359,107 from the Bureau of Justice Assistance Tribal Civil and Criminal Legal Assistance Program to fund dx^wal ha⁷t sšə^txəčəb, which will provide complete, holistic, culturally competent legal representation, advice and assistance to indigent members of federally recognized tribes involved in civil legal matters at the Tulalip Tribal Court. dx^wal ha⁷t sšə^txəčəb will focus on legal issues that effect Tribal members' safety, family integrity, access to economic, medical and mental health services, education, and wellbeing. These cases will include family law cases such as dependency, guardianship, divorce, and custody matters; obtaining domestic violence orders of protection and anti-harassment orders; education, including school discipline and special education; obtaining Tribal and public benefits, such as SSI, Tribal disability, and qualification for Developmental Disability services. dx^wal ha⁷t sšə^txəčəb may also provide limited legal advice and assistance with cases involving consumer rights, housing, employment, and wills.

The Tulalip Foundation was formed to provide an entity to serve the Tulalip Community but from an independent source. Under its Charter, the Foundation is to provide for the “civic improvement” for the Tulalip Reservation community. At the heart of the civic system is the legal system charged with protecting the interests of the community. The existing Parent Advocate attorney and the new attorney and paralegal funded by the Civil Legal Assistance Grant will be part of dx^wʔal haʔt sšəʔxəčəb.

IV. CAPABILITIES AND COMPETENCIES

A. dx^wʔal haʔt sšəʔxəčəb Management and Advisory Council Structure

dx^wʔal haʔt sšəʔxəčəb will be directed by an Advisory Council (AC) which will include Theresa Pouley, the Chief Judge of the Tulalip Tribal Court, Mike Taylor and Michelle Demmert, attorneys from the Reservation Attorney’s office, Elishia Stewart, Manager of the Legacy of Healing (Domestic Violence) Program, Misty Napeahi and Michelle Sheldon, both employees and tribal members (See Attachment 4).

The Advisory Council will be part of the initial planning stages of staffing the dx^wʔal haʔt sšəʔxəčəb office, including establishing policies to maximize the number of clients served. With the assistance of the staff of dx^wʔal haʔt sšəʔxəčəb, the AC will create screening policies and prioritize legal needs to provide 1) legal services that affect basic survival issues, including family integrity, safety, sustenance and shelter, and 2) methods to maximize the number of clients served. At the beginning of each quarter, goals will be created for number of clients served. In addition, an exit survey will be created, and will be a mandated component of the legal representation of each case. Data regarding the number of clients served, type of legal

issue, and level of representation and client satisfaction will be tracked within a database, as described below.

The AC will meet quarterly to review caseload statistics, outreach, and identify and remedy any challenges that may arise administratively or within the organization. The AC will also be involved with the selection of dx^wʔal haʔt sšətxəčəb staff, and will provide policy guidance and oversight with human resource and development issues. Human resources, including medical and dental benefits, life insurance, and paid leave will be provided and managed by the Tulalip Tribes through the Memorandum of Agreement with the Tulalip Foundation (See Attachment 5). The Tribes will donate space for the offices of dx^wʔal haʔt sšətxəčəb at no charge.

The AC will further develop a plan for mentoring, support and development of the dx^wʔal haʔt sšətxəčəb attorneys. At the beginning of the year a Performance Plan will be created, which will include the current duties of the dx^wʔal haʔt sšətxəčəb attorney and the goals he or she may have for the program. A plan will be designed to meet the goals of the attorney and program. Also, continuing legal education courses will be identified for the dx^wʔal haʔt sšətxəčəb attorney's professional development that will enhance program services. The paralegal/support staff person will likewise have a Performance Plan, which will be reviewed yearly, developed that will enhance that persons skills as well as the dx^wʔal haʔt sšətxəčəb program. The dx^wʔal haʔt sšətxəčəb attorney will meet with the AC quarterly to provide updates and adjust the plan for dx^wʔal haʔt sšətxəčəb staff and program.

dx^wal haʔt sšəʔxəčəb will be managed by Chorisia Folkman, who currently serves as the Parent Advocate, and is the Tribes' only funded civil legal services provider. Ms. Folkman is an enrolled member of a federally recognized Tribe, and has both a JD and Masters in Social Welfare (MSW) and has a background in providing civil legal aid services. Ms. Folkman also serves as an Affiliated Faculty member to the Native American Law Center at the University of Washington School of Law. As such, dx^wal haʔt sšəʔxəčəb will strive to ensure that the program has at least one law student from the University of Washington extern with the program throughout the year, to provide further education and experience to upcoming attorneys in providing legal aid services in a Tribal Court. Additionally, as an MSW, Ms. Folkman is able to supervise bachelors or masters-level social work students. dx^wal haʔt sšəʔxəčəb will strive to have social work students intern within the dx^wal haʔt sšəʔxəčəb program to provide social work services and referrals to clients in an effort to provide holistic services that aim to address and remedy the root causes of the Tribal member's involvement in the court system. As managing attorney, she will serve as a liaison between dx^wal haʔt sšəʔxəčəb and the AC, and will be directly responsible for oversight of the TCCLA Grant. She will also assist the dx^wal haʔt sšəʔxəčəb staff attorney in all functions and oversight of the office, including providing coverage in court, staffing the walk in clinic, and consultation and supervision with dx^wal haʔt sšəʔxəčəb cases.

B. dx^wal haʔt sšəʔxəčəb as a culturally competent and holistic legal office:

The Tulalip Foundation's dx^w?al ha?† sšə†xǎčəb will provide culturally competent, holistic representation to Native American clients involved in the Tulalip Tribal Court system. The AC will seek to hire individuals who are members of federally recognized tribes, or individuals who have significant experience working with Native American populations within Tribal Court systems, or with diverse and low income populations. The dx^w?al ha?† sšə†xǎčəb staff attorney will also have experience in providing civil legal aid or will have experience in the representation of individual in tribal courts. (Please see Attachment 4)

dx^w?al ha?† sšə†xǎčəb will provide holistic representation by providing legal representation and assistance to the individual, while simultaneously attempting to identify the root causes that brought the individual to become involved with the court system. dx^w?al ha?† sšə†xǎčəb staff will help the client identify other legal or non legal needs, and will work collaboratively with the client and other Tribal service provider organizations to ensure these needs are addressed and met. dx^w?al ha?† sšə†xǎčəb staff will regularly engage in meetings with community stakeholders and service providers to ensure their client's needs are being met legally and through the provision of appropriate services.

C. Types of representation, intake and exit process:

The Tulalip Foundation's dx^w?al ha?† sšə†xǎčəb will provide three levels of representation to qualified members.

1. Brief advice: dx^w?al ha?† sšə†xǎčəb will provide legal assistance through initial consultation, basic advice, and assistance in filling out legal forms and papers. A walk in clinic will be held at a set times each week to allow individuals to stop by the dx^w?al ha?†

s̄s̄əłx̄əčəb office for assistance based on the needs of their schedule. Intake for Basic Representation may also occur during walk in clinic times. A conflict screen will be implemented to ensure access to as many individuals as possible without creating a conflict of interest (See Goals and Objectives below and Timeline, Attachment 3).

2. Basic representation: dx^wal haʔł s̄s̄əłx̄əčəb will provide clients with representation on legal matters that are brief in nature. Such matters might involve one to two hearings, or through uncontested matters that are complex enough to require representation.

3. Full representation: dx^wal haʔł s̄s̄əłx̄əčəb will provide representation in full litigation cases in the Tribal Court. These include contested hearings and cases that are longer in duration. These services could commence at the administrative level and be seen through to the Tribal Court of Appeals, in addition to cases in the Tulalip Tribal Court.

The intake process will consist of an initial interview and completion of paperwork and database entry for basic eligibility, which will screen for Tribal enrollment status, indigent status, and identification of legal issue(s). If the individual initially qualifies, an intake will be performed in person to further identify the client's legal issue(s) and goals. The case will be staffed by dx^wal haʔł s̄s̄əłx̄əčəb staff regarding whether and what level of representation will be provided to the individual. Upon a decision of representation, the client will sign a retainer specifying the parameters of representation and goals of representation. This retainer may change over time if the type of representation or goal of representation changes over time.

At the conclusion of representation, the client will be given a survey with information that identifies the level of representation provided, the type of case, and the assigned staff member. The form will ask the client to rank their satisfaction with the services they obtained on

a Likert Scale . The form will ask the following questions regarding level of satisfaction with: (1) overall experience of representation or assistance, (2) outcome of case, and (3) quality of representation or assistance, and (4) level of respect provided by dx^wʔal haʔt sšətxǎčəb staff during representation. The form will also provide space for any comments. The results of the surveys will be recorded in the database for tracking and analysis.

D. Identification of clients and outreach, caseload goals:

There are currently very few opportunities for Tribal members to seek civil legal assistance in the Tulalip Tribal Court. The caseload of the Parent Advocate, the Tribes' sole legal services provider, ranges from 40-50 clients per year. Considering that 517 civil cases were heard in the Tulalip Tribal Court last year, it can be estimated that there could at least be several hundred enrolled Tribal members eligible for civil representation.

The only other opportunity for civil legal services is with the Northwest Justice Project (NJP), who provide representation to a few individuals each year in the Tulalip Tribal Court. It should be noted, however, that NJP's free legal advice and referral line (called "CLEAR") estimated that 25% of the Tribal members who call from across the state to receive legal advice and referrals for free civil legal assistance were Tulalip Tribal members who were involved in cases at the Tribal Court. Of these callers, nearly half were denied any type of legal advice or representation due to the limited resources of the organization or due to conflicts of interest. The NJP CLEAR line attorney stated that of these requests for legal advice and assistance, the legal issues concentrated in mostly areas of family law and also in areas of employment and housing.

The dx^wʔal haʔt sšətxǎčəb program will hope to represent at least 100 separate clients per year, with a goal of 20 to 30 new clients each quarter. The numbers of clients served will vary by type of case and the level of representation. The caseload goals per quarter will be as

follows: (1) *Brief advice*: 15 new clients per quarter. (2) *Basic representation*: 10 new clients per quarter. (3) *Full representation*: 5 new clients per quarter.

dx^wʔal haʔt sšəʔxǎčəb will be committed to engaging in outreach within the Tribal community to ensure that Tribal members are aware of its services and availability for legal assistance and representation. dx^wʔal haʔt sšəʔxǎčəb will engage in community meetings, will create brochures and leaflets, will advertise its services in the Tribal newspaper “See-Yaht-Sub” and through commercials on the reservation based cable channel, KANU-TV, to ensure that the community is aware of how to access legal services through dx^wʔal haʔt sšəʔxǎčəb.

dx^wʔal haʔt sšəʔxǎčəb will also engage in community trainings and the creation and dissemination of brochures that describe legal rights and procedures in various Tribal civil matters. Since it will be impossible to serve every Tribal member with a need for legal representation or assistance in the Tribal Court, holding trainings and disseminating educational materials will help educate the broad community on their legal rights and options, provide Tribal members with information on how to proceed in civil matters *pro se*, and will continue to advertise the services of dx^wʔal haʔt sšəʔxǎčəb throughout the Tribal community.

V. PLAN FOR DATA COLLECTION AND MANAGEMENT SYSTEM

The Tulalip Foundation’s dx^wʔal haʔt sšəʔxǎčəb will have a Letter of Agreement with the Tulalip Data Services (TDS) division to create a low cost Case Management System for a small fee that will provide tracking mechanisms as well as software tools for screening conflicts and for more efficient document management and will provide ongoing support in-kind. TDS has won several awards in regional and national circle for its provision of a wide variety of

services to meet the technical needs of the Tulalip Tribes. TDS is comprised of three teams who deliver technical expertise, project management, consultation, user training, and support.

The data management system will allow staff to input service related information quickly into the system. Each staff member will have their own screen to input information. The following types of information will be captured for each service provided to a client: (1) Date/time service requested, (2) Client identity information (3) Type of service provided, (4) Outcome of service provided, (5) Date and time of outcome, (6) Level of satisfaction of the client with the service provided, and (7) Name of staff assigned to client.

The data management system will allow staff to generate summary reports to help guide the continual improvement of the program. Pulling directly from the information contained in the data management program, staff will be able to generate reports such as: (1) Case load report by staff, by timeframe, (2) Case load report by type of service requested/provided, by timeframe, (3) Satisfaction of client, by type of service provided, by timeframe, and (4) Outcome of service provided, by timeframe. These reports will inform dx^w7al ha7† sšə†xăčəb staff and the AC on the program's progress towards goals of representation and reviewed at each quarterly meeting.

The data management system will make use of existing office technologies, such as the Microsoft Office suite of products, to ensure staff can quickly and easily use the system. This choice of technology will reduce the amount of training required. Additionally, office technologies have a much lower maintenance and support impact compared to other systems.

Client surveying technology will be used to allow staff to develop surveys which clients can use to rate their satisfaction with the services provided.

VI. PROJECT GOALS AND OBJECTIVES

The dx^w7al ha7† sšə†xăčəb project goals are:

Goal 1: Form Advisory Council for and develop regular oversight mechanisms: Objectives:

- Advisory council meets to develop process for staffing of dx^wal ha?† sšə†xǎčəb;
- Create intake, conflict procedures and screening process;
- Create Performance Plans and identify professional development opportunities;
- Evaluate quarterly progress of dx^wal ha?† sšə†xǎčəb and make adjustments.

Goal 2: Staff dx^wal ha?† sšə†xǎčəb, Objectives:

- Advertise staff attorney and paralegal positions;
- Select, interview, and hire Attorney and Paralegal.

Goal 3: Organize and maintain office space of dx^wal ha?† sšə†xǎčəb, Objectives:

- Assemble and organize office space, computers;
- Implement database.

Goal 4: Provide holistic direct representation, Objectives:

- Hold open office hours for walk in clients and intakes;
- Provide direct representation through full representation, basic representation and brief service. Direct representation includes:
 - i. The ability to file or respond to legal actions in court;
 - ii. Prepare for trial with all necessary tools;
 - iii. Represent at trial or hearings with a legal team;
 - iv. Be able to respond timely to actions taken by opposing parties;
 - v. Provide case monitoring and case management as necessary when there is a substantial change of circumstances and additional service is needed;
 - vi. Assist clients with the completion of forms or paperwork for court;

- vii. Explain legal rights and options to clients.
- Assess clients for additional service needs and identify other non-legal client goals through complete holistic representation.
- Determine eligibility to other services, provide referrals to other Tribal and non-Tribal service organizations as directed by client
- Closely track caseload data

Goal 5: Engage in continued outreach and community trainings, Objectives:

- Provide information session at monthly Tribal Court Law and Justice Meetings;
- Provide open house/information session for Tribal community;
- Create fliers and brochures for distribution and an article in Tribal Newsletter regarding dx^w?al ha?† sšə†xěčəb;
- Create TV commercial regarding dx^w?al ha?† sšə†xěčəb for “KANU-TV.”

Goal 6: Provide accountability and improve best practice, Objectives:

- Create database system with TDS and begin immediate implementation;
- Closely track data related to caseload size, case type, case activity and time;
- Provide quarterly reports to BJA;
- Provide quarterly reports to AC for feedback and program adjustments;
- Administer clients with satisfaction surveys at completion of civil case;
- Meet with community stakeholders and service providers to ensure collaboration; and effective communication between dx^w?al ha?† sšə†xěčəb

Goal 7: Educate Tribal community on legal issues, Objectives:

- Create and disseminate informational brochures on legal rights and legal procedures regarding various civil legal matters in the Tulalip Tribal Court;
- Provide community “know your rights” education sessions to increase community understanding and knowledge of different legal issues in Tulalip Tribal Court;
- Enhance and inform *pro se* litigants in Tulalip Tribal Court.

VII. CONCLUSION

The Tulalip Tribes Foundation requests a Category One Grant of \$359,107 from the BJA, TCCLA Program. Given the strength of the existing judicial system, and the Tulalip Tribes’ track record for creating innovative and cost effective programs, the Tulalip Tribes Foundation dx^w?al ha?† sšə†xəčəb program could easily become a model program for further replication and mentoring in other Tribal courts across the country. The Grant would greatly benefit the Tulalip Tribes and its Tribal community by funding the expansion of the Tulalip Foundation dx^w?al ha?† sšə†xəčəb program’s capacity to represent indigent Tribal members in civil legal matters at the Tulalip Tribal Court. The grant would provide for a full time attorney and paralegal, and will fund the ability of the program to develop and implement a database system to track case numbers, outcomes, and client satisfaction with such representation.

Legal services provided by dx^w?al ha?† sšə†xəčəb will focus on issues that effect Tribal members’ safety, family integrity, health, and access to services. The TCCLA grant will address the unmet critical need for representation in civil matters at the Tulalip Tribal Court by allowing dx^w?al ha?† sšə†xəčəb staff to provide competent, culturally sensitive and holistic representation to Tribal members to ensure that they have full and equal access to due process and justice within the Tulalip judicial system.

TULALIP FOUNDATION BUDGET

A. PERSONNEL		
Name/Position	Computation	Cost
Attorney/TBD	[REDACTED]	\$ [REDACTED]
Paralegal/TBD	[REDACTED]	\$ [REDACTED]
TOTAL PERSONNEL:		\$ [REDACTED]

We will hire an attorney with experience in civil legal aid and tribal courts. The attorney will be a full-time employee who will help develop and implement the civil law office at the Tulalip Tribes. We will also hire a Paralegal to offer legal and administrative support to the Attorney. The Paralegal will be a full-time position and will also assist with grant management and reporting.

B. FRINGE BENEFITS		
Name/Position	Computation	Cost
Attorney	[REDACTED]	\$ [REDACTED]
[REDACTED]	[REDACTED]	\$ [REDACTED]
[REDACTED]	[REDACTED]	\$ [REDACTED]
Paralegal	[REDACTED]	\$ [REDACTED]
[REDACTED]	[REDACTED]	\$ [REDACTED]
[REDACTED]	[REDACTED]	\$ [REDACTED]
[REDACTED]	[REDACTED]	\$ [REDACTED]
TOTAL FRINGE BENEFITS:		\$ [REDACTED]
TOTAL PERSONNEL AND FRINGE BENEFITS:		\$ [REDACTED]

The Attorney and the Paralegal will be a full-time position and will pay payroll taxes (Workmen's Compensation, Unemployment and FICA) which equals 9% of his/hers gross salary. Both employees will receive medical and dental benefits the medical benefits are \$6,680 a year and the dental benefits are \$620 a year. Both employees are eligible for the Tribal Pension Plan which is 3% of their gross salaries are withheld and the Tulalip Tribes matches this and puts it into their retirement plan.

TULALIP FOUNDATION BUDGET

C. TRAVEL AND TRAINING

PURPOSE OF TRAVEL	LOCATION	ITEM	COMPUTATION	COST
National Trial Advocacy Training	Seattle, WA	Trial Advocacy Training	2X 3500	\$ 7,000.00
Travel	Seattle, WA	12 days X 60 miles each day X .55 (federal mileage rate)		\$ 396.00
Continuing Legal Education Classes	Seattle, WA	4 Seminars (two each year)	4-500	\$ 2,000.00
Travel	Seattle, WA	4 days X 60 miles each day X .55 (federal mileage rate)		\$ 132.00
Paralegal Education	Seattle, WA	2 Seminars (one each year)	600	\$ 600.00
Travel	Seattle, WA	Two days per week, 8 week course X 60 miles X 2 X .55		\$ 1,056.00
TOTAL TRAVEL:				\$ 11,184.00

The attorney and her supervisor will attend a trial advocacy training the first year and thereafter will attend two continuing legal education seminars each year in addition in nearby Seattle. The Paralegal will attend training one quarter each year to maintain her Paralegal skills.

D. EQUIPMENT	COMPUTATION	COST
ITEM		
(2) Computers with screen & software	\$1200 X 2	2,400.00
TOTAL EQUIPMENT:		2,400.00

We will purchase (2) computers one computer for the attorney and one computer for the paralegal. These computers will be used for everyday business; i.e.: writing letters, court documents, memos, communication etc.

E. SUPPLIES	COMPUTATION	COST
SUPPLY ITEMS		
TOTAL SUPPLIES:		\$ -

THERE WILL BE NO SUPPLIES PROVIDED BY THIS GRANT AWARD-ALL SUPPLIES WILL BE PROVIDED BY THE TULALIP TRIBES.

F. CONSTRUCTION

Purpose	Description of Work	Cost
TOTAL CONSTRUCTION:		\$ -

THERE WILL BE NO CONSTRUCTION UNDER THIS GRANT

TULALIP FOUNDATION BUDGET

G. CONSULTANTS/CONTRACTS

NAME OF CONSULTANT	SERVICE PROVIDED	COMPUTATION
[REDACTED]	Database Software	\$ [REDACTED]
[REDACTED]	[REDACTED]	\$ [REDACTED]
[REDACTED]	[REDACTED]	\$ [REDACTED]
SUBTOTAL:		
CONTRACTS		
ITEM	COMPUTATION	COST
[REDACTED]	[REDACTED]	\$ [REDACTED]
TOTAL CONTRACTS		\$ [REDACTED]
TOTAL CONSULTANTS/CONTRACTS		\$ [REDACTED]

Tulalip Data Services (TDS) will design, develop, test and train on the software for data collection and client screening. Tulalip Finance Department will provide accounting services for payroll, tax reporting and other financial reporting requirements which are estimated to be 8% of Total Personnel and Fringe Benefits. Cell phones will be purchased (Blackberry's) for both the attorney and paralegal. These phones will make it possible for them to conduct business while away from their desks. They will have the capacity to send and receive emails after hours.

H. OTHER COSTS

DESCRIPTION	COMPUTATION	COST
TOTAL OTHER COSTS:		\$ -

I. INDIRECT COST

Description	Computation	Cost
		\$ -

There will be no indirect costs with this grant.

TULALIP FOUNDATION BUDGET

BUDGET SUMMARY

2024

TULALIP FOUNDATION BUDGET

A. Personnel	
B. Fringe	
C. Travel	\$11,184
D. Equipment	\$2,400
E. Supplies	\$0
F. Construction	\$0
G. Consultants and Contracts	
H. Other Costs	\$0
Total Direct Costs	\$356,727
I. Indirect Costs	\$0
TOTAL PROJECT COSTS	\$356,727
Federal Share Requested	