# Meeting Minutes – Task Force on the Intersection of Tribal and State Forensic Behavioral Health

**Date:** November 4, 2026

**Time:** 3:00 p.m. – 5:00 p.m.

**Location:** Webex Webinar

**Members in Attendance:** Adrea Korthase, Judge Denise Keppinger, Leslie Wu, Judge Naomi Stacy, Judge Ronald Yockim, Lisa Nichols, First Lady Aimee Kotek Wilson, Sharon Stanphill, Judge Gayleen Adams, Kimberly Lindsay, Judge Melissa Cribbins

**Members Not in Attendance:** Cindy Cecil, Judge Karen Costello, Judge Patrick Melendy

**Quorum:** Yes (10)

**Welcome and Roll Call**

- Chair Judge Stacy gave a reminder that meeting minutes, agendas, and recordings are posted on the Task Force's website

**Community Mental Health Provides (CHMPs) & Hospitals: What's working and what needs adjustment to serve tribal court orders?**

- Chair Judge Stacy introduced Cherryl Ramirez from the Association of CMHPs and Meghan Slotemaker from the Hospital Association of Oregon
- Chair Judge Stacy walked through two examples of what happens in the Umatilla Trial Court when aid and assist/civil commitment orders surface
    - Example 1:
        - The defense raised the argument that the defendant was unable to aid and assist in their own defense
            - There was no objection or concern raised by the prosecution
        - The court ordered an evaluation by a qualified mental health professional (QMHP) because Yellowhawk did not have in-house staffing for providing care for someone with a serious mental illness
            - It was recommended that they receive a hospital level of care, at least for stabilization purposes, and then go through aid-and-assist and then continuing the case after receiving those services
        - The court ended up dismissing the case after the prosecution decided not to proceed given the mental health status of the defendant
            - There wasn't mental health treatment available to the defendant at the time
            - The court encouraged the defendant to seek mental health services, but was unable to place them into a service itself

    - Example 2:
        - There was a domestic violence charge involving family members in their home
        - The court released the defendant in the early stages of the case, but the individual continued adding new charges and ending up back in court
            - It got to the point where being in their own home violated protection orders
        - The defendant ended up back in custody and a QMHP evaluated them at the court's request
            - The QMHP made recommendations that the defendant receive mental health services, but, despite Umatilla Tribal Court having cooperative partners at the county, they could not observe and take the defendant under the tribal court's order
                - The defendant remained in custody longer so that the court could hold several more hearings and put it on the record that the defendant had no avenue for getting appropriate treatment, despite having been assessed as needing aid-and-assist services, at a minimum
        - When there's a lack of resources for providing help, it turns into a question of whether the person can be released, particularly if they can't go back to their own home
            - The defendant ended up being held in custody much longer because it was determined it was not safe to release them at that time
        - Ended in a show cause hearing of why these cases should not be dismissed
            - Put on the record all of the positions of the defense and prosecution, and clarified all the attempts that had been made to get the person seen somewhere, and then dismissed the case without prejudice
        - After a few months, the defendant was brought it on new charges, but the court chose to delay their arraignment on those charges because they were already receiving services in town under a state court jurisdiction matter through which they ended up going through aid and assist
- Chair Judge Stacy: What if tribal court orders were recognized and went through the same process as the state process? Do providers have specific needs or

concerns to making sure tribal court orders are recognized? Is there anything new or different that needs to be understood?

- Cherryl Ramierz Executive Director of the Association of Oregon CMHPs (AOCHMP) (represents all the CMHPs across the state who have statutorily required duties for civil commitment and aid and assist):
  - AOCMHP is supportive of this change and wants to help
  - Does not think there are a huge number of these cases, so there shouldn't be significant impacts to costs or extra administrative burdens. The most important thing is to make sure there is good communication between the courts, CMHPs, and the appropriate tribal contacts and make sure those contact lists are accurate
    - Ramierz has provided the aid and assist and civil commitment lead contacts list to Angie Butler
  - It's important for the CMHP or the clinician who is handling a case, to be able to communicate with certain individuals from the tribes
    - Clinicians tend to be really careful with HIPPA, so they would want extreme clarity about who in the tribe they can communicate with
  - We could use more training in the civil commitment process and aid and assist
    - AOCMHP has a new a new Forensic Involuntary Services hub (a community of practice across the state for those who work in the civil commitment and aid and assist areas across the state)
      - Peer support and exchanging new ideas/protocols
      - Ramierz would like to create a session specific to working with tribes and she would be happy to work with this group on that
      - There's a meeting in Pendleton in March 2027, which could be an opportunity to put this on the agenda
        - Chair Judge Stacy would like to attend and suggested any interested Task Force members to attend too

- Chair Judge Stacy: For the pre-civil commitment training that OHA does, does AOCMHP participate in that?
  - Ramierz: AOCMHP doesn't participate in it as an association, but staff who are pre-civil commitment investigators take the training
  - Nichols: OHA could make the training available for tribal and behavioral health judges, if that's of interest

    - Ramierz: There could be more trainings in addition to pre-civil commitment, they could coordinate that with OHA
        - For AOCMHP's communities of practice, they could incorporate this tribal court order recognition topic
        - Could OHA and OJD convene the courts and the behavioral health system together to make sure everyone's on the same page?
            - AOCMHP would be willing to participate in something like that
        - For aid and assist, there's a manual being drafted, they could add something about working with tribes in there if it hasn't already been added
            - Chair Judge Stacy: Can a copy of that draft to be sent to Newell and Lyons?
                - Nichols: The draft is still being reviewed, once it's ready OHA can share it with the Chair, Newell, and Lyons
        - In communities of practice, the topic of recognizing tribal court orders could be incorporated into trainings along with ways for CMHPs to compare and contrast how it works in their region
- Ramierz: For aid and assist, there's a manual being drafted to which they can add a piece about working with tribes
    - Chair Judge Stacy: Please send a copy to Newell and Lyons
        - Nichols: The document is still under review by OHA, once it's finalized they will share a link to it; she will make sure it includes a piece about working with the tribes
- Chair Judge Stacy: Are there any unidentified training needs the hospitals have? How are we handling education/training currently? Any thoughts/suggestions on what would be helpful moving forward?
    - Meghan Slotemaker (Executive Vice President and General Counsel for the Hospital Association of Oregon (HAO) (representing the community of hospitals in the state)): Finding the right educational paths and opportunities for training makes sense. HAO would be happy to join existing meetings or offer a unique opportunity to convene members and engage in learning more about changes to law and processes that would impact them and/or help them in implementation
        - Having accurate contact lists will be important
            - Slotemaker can get HAO's contact list to the correct people and can receive contact lists from other entities/agencies
        - It's important to have clarity on new processes from the viewpoints of various stakeholders and to understand what's important to them

        - Would be happy to have and host shared forums for learning with this group and HAO members
- Chair Judge Stacy: What are some existing educational processes?
    - Slotemaker: OHA is often a source of learning for hospitals; if there is training OHA shares with CMHPs, hospitals could be a part of that
        - Slotemaker could reach out to HAO members to help identify the right subject matter experts within the hospitals
    - Butler: Has heard about issues/questions around communications regarding HIPPA and confidentiality and has been working on a fact sheet with the Oregon Department of Justice (DOJ) to address that. (HIPPA exceptions in care coordination, covered entity language, etc. in relation to tribes). The information is mostly copy and pasted from the HIPPA website, with some interpretation on concepts such as “covered entities” in relation to tribes.
        - Butler: Would OHA, OJD, or another entity be the best place to be the holder of that document? Multiple agencies? A collaborative approach to development seems like it would be best
        - Chair Judge Stacy: Who at DOJ is reviewing that?
            - Wu: Unclear, but will look into it and can try to coordinate/facilitate a conversation about it
        - Chair Judge Stacy: Agrees a collaborative approach seems best
        - Nichols: Agrees a collaborative approach seems best and to learn about everyone’s understanding of that information to start, so, as processes develop, everyone’s included and understanding the different perspectives
        - Chair Judge Stacy: Is the need to have collaboration on documents such as this fact sheet, and others that involve multiple providers at the state and hospital levels, something the Task Force should note in its report?
        - Butler: Should the draft be sent to the Task Force for review after it comes back from DOJ?
            - Newell: While courts would likely find the information helpful in getting clarity on how these topics apply in relation to tribal courts and while OJD would like to see the draft and discuss it, it is important to note that OJD cannot provide a legal opinion on it and will participate to the extent able
- Chair Judge Stacy: Are there other ways we can incorporate the hospitals into education/outreach moving forward?
    - Slotemaker: To the extent there’s a review of the fact sheet noted above and a role that hospitals can play in developing it, HAO would be open to

helping with that since it would likely be something that someone in a hospital setting would need clarity on

- Chair Judge Stacy: Are there concerns about how tribal court orders look or are written (i.e., things that are unclear or could be done better)?
    - Slotemaker: Will there be any differences compared to state orders (e.g., standards, format, process, etc.)?
        - Chair Judge Stacy: Has not heard from tribal courts that there's interest in doing things drastically different, but it may vary by tribe. Most tribes don't have enough aid and assist or civil commitment cases to create a new process, at least currently. The Umatilla Tribal Court will likely utilize existing neighbors as resources.
        - Butler: Beyond the court order, the tribes want to be notified if a tribal member is at a hospital, in the civil commitment process, etc., which would require communication from hospitals to tribes. OHA has tried to implement a notification process at the Oregon State Hospital, but they don't have that in place at other hospitals. There are care coordination contracts with individual hospitals and the tribes, but they don't cover civil commitment or aid and assist.
            - Chair Judge Stacy: The idea of hospitals notifying tribes when a member is at the hospital is for tribal members who are out of tribal court jurisdiction
        - Judge Yockim: Wants to be able to act quickly, so he looks at state forms and adopts them for his procedures. Doesn't anticipate that process changing. It's also important when looking at mobile crisis teams, that communication be fast as well
        - Vice Chair Judge Keppinger: Could the Task Force look into potentially prompting rule makers to consider these issues in the Oregon Administrative Rules?

**Recognition of Foreign Orders**

- Vice Chair Judge Keppinger presented on the process of registering foreign judgments in Oregon
- Uniform Enforcement of Foreign Judgements Act (ORS Chapter 24)
    - Judgements issued by a tribal court may be registered as foreign judgments and, once properly filed, generally have the same effect and are enforceable in the same manner as an Oregon circuit court judgment
    - For civil matters, generally
- Reviewed the definition of "foreign judgment"
- Two pathways for foreign judgments
    - Standard civil judgements (ORS Chapter 24)

    - Specialized statutory procedures (depends on the type of orders; specialized statutory process)
- ORS Chapter 24
    - Certified/exemplified copy of foreign judgment, affidavit or declaration with names and last-known addresses of creditor/debtor, statement listing all information required of the judgment, certification the judgment is only filed in one court in Oregon, certificate of mailing/notice, filing/application fees or fee deferral
    - Tool available to register a foreign judgement if that's what the Task Force wants to recommend, since registering is not always needed
- Specialized Processes
    - Protective Proceedings
        - Guardianship/conservatorship
        - Any foreign judgment (from another state or a tribe)
        - Request to register the judgment, notice requirement, time for a hearing if there's an objection, filing fees, registration
            - Once registered in Oregon circuit court
                - The guardian/conservator has the authority to do in Oregon what they could do in the original state
                    - Just recognizes and authorizes what needs to be done
                - With a tribal court order, the point isn't that it's originating in a state court, but that all the things that need to happen will be able to happen once the judgment's registered and all the parties that are affected and have responsibilities are able to do what they need to do
                - Other motions can be filed against the judgment in Oregon state court
    - Child Custody/Parenting Time Orders
        - The party registering the order gives notice to the other side, there's an objection period, and, if there's no objection, it's registered
        - Very accessible for those without a lawyer
        - Statewide forms available online
            - Similar to the aid and assist order forms (i.e., 1-2 pages and can be filled out fast)
    - Protective Orders
        - Enforceable immediately on arrival with a few exceptions
        - A person can still choose to register the order if they want to
        - No filing fee

        - Doesn't just touch on the courts, but touches on law enforcement too
    - Tribal Customary Adoption
        - Unique to dependency matters where an Indian child is a ward of the court
        - Tribe files judgment with the juvenile court; the case is opened based on the tribal customary adoption judgment order
        - Gives tribal court order Full Faith and Credit if statutory conditions are met
        - Provides an example of the integration of tribal court values with state courts
    - Civil Commitment
        - ORS 426.180 provides for an emergency recognition and transfer process
            - Not a standard tribal order registration
            - Carve out of ORS Chapter 24
            - The process is similar to the regular civil commitment process, with a few differences
        - The certified tribal order initiates an emergency transport and admission process
        - If the person is admitted to a facility, an Oregon civil commitment case will initiated in the county where the facility is located
        - Registering a judgment delays things and slows down the process, so having agencies recognize tribal court judgments would be faster
        - The standard civil commitment statute offers other ways to initiate civil commitment (such as a magistrate hold), which include tribal court judgments
        - Have any tribal courts or the hospitals had experience using this?
            - Vice Chair Keppinger: Reached out to different counties to see what processes they've used to register tribal judgments, but did not find a high number of cases
                - Is OJD able to pull that information? If so, can it be referenced in the Task Force's report? (The data may be incomplete since different courts may enter information into Odyssey differently)
            - Butler: the tribes have been using magistrate and two-party petitions to access services, when needed
        - Vice Chair Keppinger: It would be a good idea to provide education and outreach on this process

- Considerations
    - Benefit of registering judgments
        - Familiarity with different providers
    - Risk of registering judgments
        - Delay in receiving services and unnecessary work burden for courts and attorneys
    - Data collection/case information
        - A data pull may be helpful to capture the amount of tribal judgments pertaining to aid and assist and civil commitment that are registered as foreign judgments
            - It does not seem like there is currently a designation between other state foreign judgments and tribal foreign judgments in the system, is there a way to distinguish them to do a data pull?
    - Aid and assist model
        - We may need to work on this process too
            - Would be outside the context of registering judgments because the case would stay in the tribal court
            - Looking at places to insert and be inclusive of tribal court orders
    - Regional tribes and tribe designation
        - The statute mostly refers to Oregon tribes, but there could be crossovers with our neighbors' long term goals of opening pathways of communication or considering permissive language to allows exchanges of information
    - Judgments from other jurisdictions
        - The judgements communicate and decide who will take the case
    - UCCJEA Process
        - When there are judgments from other jurisdictions there's a process where the judges communicate to determine who will take the case
        - Vice Chair Keppinger can provide more information on the UCCJEA process at a later meeting, if there is interest
    - Indian Child Welfare Act (ICWA)/ Oregon ICWA
- Chair Judge Stacy: During efforts to have tribal court orders recognized in state courts, one thing that was a concern was making sure protective orders were effective once issued and followed the person wherever they went. One challenge to that was ensuring the state had a system that worked without requiring the tribal courts to do more than what courts generally do. It would be a good idea to recommend that tribal court orders also be able to move forward without additional requirements to be recognized, like with protective orders.

- Chair Judge Stacy: The Umatilla Tribal Court has tried the affidavit process with mixed results. There have been time delays since not everyone lives on the reservation. Additionally, sometimes the extent of the interview is just asking if the person is doing good in that exact moment only.
- Judge Adams: For Warm Springs, there aren't many aid and assist or civil commitment cases, but if they have them it's mixed results as to whether their behavioral health center or the hospital recognizes the tribal court order. Sometimes they have been able to get people in without a court order, and other times they provide a court order and it is not honored. When the orders weren't honored, they had to move fast. There was no time for a UCCJEA meeting. Instead, they contacted their tribal attorney and met with Judge Hillman (Jefferson County Circuit Court) to develop an informal memorandum of agreement (MOA) on how to handle civil commitments, and from that point on that is the process they have used. Warm Springs is working on MOAs/MOUs in regard to juveniles and adults
- Chair Judge Stacy: Has heard that tribal courts on the coast are facing a lot of civil mental health needs that impact their cases (esp. juvenile and family matters)
- Judge Adams: When someone needs emergency medical care in Warm Springs, they have to drive to Madras (another jurisdiction) for that. Warm Springs has an IHS facility, but it is only a clinic with a nurse practitioner

**Court to Court Resources**

- Chair Judge Stacy: The Task Force should support recognition that courts need MOAs, especially between state and tribal court entities. Feels the Umatilla Tribal Court will need a strong rapid response from neighboring courts if and when tribal court orders for civil commitment are recognized.
- Adrea Korthase (ICWA Analyst, OJD) presented a brief overview of a document showing examples of what courts in other states have been doing
    - Includes states that have been doing substantial work with their tribal-state court forums
    - Shows the laws/rules providing for tribal judgment recognition
    - Shows forms/materials related to registering tribal court orders
    - Shows guidance given by some states on recognizing tribal court orders
    - May help provide ideas for the Task Force
    - The National Center for State Courts has a behavioral health page on their website that talks about the work they have done with behavioral health providers. While not noted on the site, they have also done work with tribal courts

        - Korthase plans reaching out to them to see what they've seen other states do for education and outreach with tribes

**Public Comment**

- None

**Next Steps**

- We will be discussing a recommendation to extend the Task Force
    - What work still needs to be done?
    - What direction will the Task Force go if it is reconvened?
- Chair Judge Stacy: Does DOJ provide training opportunities? Are there training opportunities for law enforcement officers?
    - Wu: Will look into that and provide an answer at the next meeting
- Next Meeting: Friday, November 20, 2026, from 2:00-4:00 p.m.
    - Will review a draft of the Task Force's report
        - Discuss anything new and anything that's missing
        - Newell will aim to circulate a draft of the report at least 2-3 days prior to the meeting

**Adjourn**