

# PEACEMAKING COURSE OVERVIEW AND SYLLABUS

## SPRING 2014

Meeting: Tuesday 4:20pm-6:10pm, Levien Room, 10th Floor of Little Warren Hall

Texts:

- Peacemaking Circles: From Crime to Community by Kay Pranis, Barry Stuart, and Mark Wedge
- Uneven Ground: American Indian Sovereignty and Federal Law, by David Wilkins and K. Tsianina Lomawaima
- Additional articles and cases will be emailed, linked, or cited for you to retrieve

Grading: Based on preparation for and participation in class discussions, project work, and project presentations.

Projects: You may also choose a project that interests you with approval from the professors.

Available projects are:

- Research regarding the need for Peacemaking and mediation services in Indian country and the available supply of Peacemakers/mediators;
- Research into conflict resolution training and mentoring in schools on and off of reservations;
- Analysis on a role, if any, Peacemaking might play in addressing domestic violence in Indian country, especially in light of the reauthorization of the Violence Against Women Act;
- Crafting role plays for tribal and non-tribal Peacemaking Circles (3 of each);
- Development of a syllabus that can be passed to any law school who would like to start a program, but isn't sure where to start;
- Development of a casebook/textbook to be used in conjunction with a Peacemaking course;
- Taking on some Peacemaking work (cases, screenings, intakes, background development, etc.) with the Center for Court Innovation;
- Anything you are particularly interested in doing can be discussed and undertaken with approval.

CLASS	TOPIC	READING/PREPARATION
<b>January 21</b>	Introduction to Federal Indian Law	<ul style="list-style-type: none"> <li>• Federal Indian Policy Brief Outline</li> <li>• <u>Peacemaking Circles</u>, no specific assignment, but please finish the whole book by February 17<sup>th</sup></li> </ul>
<b>January 28</b>	Tribal Sovereignty and Self-Determination	<ul style="list-style-type: none"> <li>• <u>Uneven Ground</u>, Introduction and Chapters 1 &amp; 2</li> <li>• <u>Ex Parte Kan-Gi-Shun-Ka</u> (otherwise known as Crow Dog), 109 U.S. 556, 3 S. Ct. 396 (1883).</li> <li>• Indian Major Crimes Act, 18 USC 1153 (1885)</li> </ul>
<b>February 4</b>	Systems Design and Nation Building, Wk. 1	<ul style="list-style-type: none"> <li>• A Guide to Tribes' Peacemaking Models</li> <li>• <u>Uneven Ground</u>, Chapters 3 &amp; 4</li> <li>• <b>REMINDER:</b> <u>Peacemaking Circles</u>, no</li> </ul>

		specific assignment, but please finish the whole book by February 17 <sup>th</sup>
<b>February 11</b>	Systems Design and Nation Building, Wk. 2	<ul style="list-style-type: none"> <li>• <u>Uneven Ground</u>, Chapters 5 &amp; 6</li> <li>• Strengthening Tribal Sovereignty Through Peacemaking, 28 Colum. Hum. Rts. L. Rev. 235.</li> <li>• Peacemaking Circle Process Review Manual</li> </ul>
<b>February 18</b>	Chickasaw Speakers; Peacemaking Training and First Peacemaking Circle	<ul style="list-style-type: none"> <li>• <u>Peacemaking Circles</u>, entire text to be completed by this class</li> <li>• <u>Uneven Ground</u>, Chapter 7</li> <li>• Interview of Justice Smith with the Center for Court Innovation (available at <a href="http://www.courts.state.ny.us/court-innovation/Fall-2009/12_Smith.pdf">www.courts.state.ny.us/court-innovation/Fall-2009/12_Smith.pdf</a>)</li> </ul>
<b>February 25</b>	Center for Court Innovation Peacemaking Training	<ul style="list-style-type: none"> <li>• Project update meeting week</li> </ul>
<b>March 4</b>	Domestic Relations: Families and Children (Custody)	<ul style="list-style-type: none"> <li>• Case Study, <i>Adoptive Couple v. Baby Girl</i>, 133 S.Ct. 2552 (2013)</li> <li>• Addressing the Epidemic of Domestic Violence in Indian Country by Restoring Tribal Sovereignty, Matthew Fletcher (2009)</li> <li>• Violence Against Women Act</li> </ul>
<b>March 11</b>	Peacemaking Circle Role Play #1 (Tribal)	<ul style="list-style-type: none"> <li>• Peacemaking Circle Process Review Manual (review from previous reading to refresh concepts and skills to be applied to Circle role-play)</li> <li>• Review assigned roles</li> </ul>
<b>March 18</b>	SPRING BREAK	
<b>March 25</b>	Peacemaking in the Criminal Context	<ul style="list-style-type: none"> <li>• Tribal Law and Order Act</li> <li>• Peacemaking Report on Restorative Justice</li> <li>• Can Forgiveness Play a Role in Criminal Justice (New York Times)</li> </ul>
<b>April 1</b>	Judge Calabrese on Peacemaking outside of tribal communities	No reading. Be ready to make the trip to the Red Hook Community Justice Center
<b>April 8</b>	Peacemaking Circle Role Play #2 (non-Tribal)	<ul style="list-style-type: none"> <li>• Review assigned roles</li> </ul>
<b>April 15</b>	Steve Moore of NARF	<ul style="list-style-type: none"> <li>• TBD by Steve Moore</li> </ul>
<b>April 22</b>	Final Class Circle	
<b>April 29</b>	Class Presentations	