

Sophia Allan

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Professor Carson Smith & Professor Brett Shelton

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*A Coeur d'Alene Healing to Wellness Court: What Other Tribal Successes and Hardships Mean
for Implementation*

In tribal communities, success and progress are not measured the same way that they are in Western programming and standards. “Success” on reservations necessitates the health and well-being of several different components of an individual or community’s journey. This framework is a helpful way of understanding the purpose and methodology of a Healing to Wellness Court. A Healing to Wellness Court framework emphasizes the collaboration between community partners to oversee and steward the wellness journey of individuals and youth struggling with drug and alcohol addictions. Originally developed in conjunction with the adoption of Drug Courts, Healing to Wellness Courts were specifically formulated to integrate into Native and Tribal Communities in the United States in a way that complemented community dynamics and values. Since their original experimental implementation in the late 1990s, somewhere around 320 tribes nationally have incorporated some form or another of Healing to Wellness Court elements.

The Coeur d’Alene Tribe is located in Northern Idaho with a membership of just over 2,700. The tribe has its own court, though most of the staff and key players are not tribal members. The prosecutor is not and never has been tribal. With a 986% increase in opioid use among tribal members in the previous decade, the Coeur d’Alene tribe is a preeminent candidate for Healing to Wellness Court implementation. The research question focused on in this paper is

how tribes can begin to integrate Healing to Wellness courts and procedures, specifically looking at how viable this would be for the Coeur d'Alene tribe. Though Healing to Wellness Courts present in a variety of different formats nationally, this research focuses on an emphasis of referral into the legal process, culturally informed education, and coalition of tribal and community values as the blueprint for applicability to the Coeur d'Alene Tribe. This paper initially investigates the purposes of and initial stages of Healing to Wellness Courts across Indian Country. It proceeds by analyzing the historical factors and values the Coeur d'Alene tribe has that may lend themselves to an effective implementation, and it concludes by interrogating some of the potential roadblocks and implications of a Coeur d'Alene Tribal Healing to Wellness Court.

Healing To Wellness Court Elements and Implementation Across Indian Country

Drug courts began as an effort to combat American issues with drug abuse and addiction that began to skyrocket in the 1980s and 1990s. These courts were less focused on punitive responses to drug offenses and more on rehabilitation efforts. Several Native American groups and representatives, namely the Tribal Law and Policy Institute, were instrumental in recognizing the potential benefits of implementing a type of drug court on reservations and in Native communities. This is where the Healing to Wellness Court was first introduced, though several of the aspects of the court have roots in pre-colonial practices (Carson 2023). These ideas have been deliberated on by scholars and have beginnings in restorative justice discussions, which have long been an affluent topic in tribal scholarship and wellbeing discussions.

According to the official tribal Healing to Wellness Court information base, there are 10 key components of a Healing to Wellness Court. These include healing for the involved parties, referral and collaboration with legal directives, screening, rehabilitation efforts, supervision and

guidance, incentives and sanctions, judicial collaboration, evaluation, interdisciplinary education additions, and community cooperation (2014). These components, developed by the Tribal Law and Policy Institute in collaboration with the Bureau of Justice Assistance (BJA), can act as the foundation of a guide for tribes hoping to develop and install their own court. Each court varies in its specific elements, meeting the differing needs of diverse communities across the country.

There are also three main types of courts that tribes can choose to adopt. This includes adult courts, juvenile courts, and family courts. Adult courts work with adults in the judicial system, while juvenile courts work strictly with youth from the ages of 12-18. It is important to note that juvenile courts offer substantially more educational opportunities embedded into the program since emphasis is on reintegration to an educational setting rather than to the workforce (TLPI). However, much of the literature on the unique challenges each of these courts faces acknowledges that factors such as previous exposure to the judicial system and social responses/expectations complicate juvenile Healing to Wellness Courts in demanding ways. Family courts differ in that they are not centrally occupied by drug offense cases, but rather with issues of family law such such as parental custody rights and offenses (OJJDP 2016). Each of these models has been adapted in different ways in tribal communities across the country. The overarching themes, however, involve cross-sector collaboration to work through the trauma and root causes of the issues community members are dealing with in order to prioritize successful reintegration into a flourishing community setting.

The first of these Healing to Wellness courts was introduced in the 1990s with the Blackfeet Alternative Court, the Fort Peck Tribe, the Hualapai Tribal Court, and the Poarch Band of Creek Indians Court. Specifically, the Blackfeet Alternative court was the first of its kind and was first introduced in 1998 with grant funding from the BJA. It was workshopped in response to

the overflow of drug and alcohol abuse offenders who far outburdened the reservations' single treatment facility. Data is underreported and scattered, but suggests that over half the members in community response surveys reported binge drinking or drug use in their lifetime in the 2000s (Cree Medicine 2000). Founders decided to develop an Adult alternative court first. The reasons for this were the simpler transition aspects of adult confidentiality and privacy concerns, which become complicated in a juvenile court for an already daunting, experimental program. A team was comprised of a judge, court administrator, prosecutor, public defender, law enforcement representatives, a clerk, and two tribal council members (Gottlieb 2010). This cross-sector group of community and department members allowed flexibility and targeted approaches from all angles. The judge and public defenders were able to identify potential candidates for the new court and present the opportunity to 10 original participants. After discussion with offenders, the public defender and prosecutor made recommendations to the Alternative court. Defendants would plead guilty and would be sentenced with the understanding and contract that they would now be subject to the Alternative court. Failure to comply with any of the terms of the contract meant defendants would have to serve their respective sentences (Gottlieb 2010).

The Blackfeet Alternative Court required participants to advance by attending mandatory sessions, treatments, hearings, and drug testing. At the outset of the program, the mandatory sessions and treatments were largely based in the behavioral health sector of the tribes Health department, and there were actually little to no cultural components until later in the program. A tribal community member and probation officer offered required cultural teaching and classes that participants attended and had attendance confirmation signed as a requirement of the court. These cultural elements included discussions and lectures on language, religion, and social/historical activities. There were also a few recorded decolonial treatment efforts, which

included sweat lodges, fasting, and Sun Dance practices, all of which were part of the Alternative Court program requirements. Unfortunately, due to a lack of funding and resources, the Blackfeet Alternative Court ceased in September of 2000. Roughly 18 of 40 participants went on to successfully complete the program and reintegrate into the community (Gottlieb 2010).

Another example of initial Healing to Wellness Court implementation is the Poarch Band of Creek Indians Drug Court. Though not explicitly under the title of an “Alternative Court,” this initiative began with members of the Poarch tribal community and department directors in July of 1998. Around 1996, tribal police reported that over half of their response calls were for alcohol or drug abuse-related issues. The initial Healing to Wellness court team was comprised of the tribal judge, court administrator, prosecutor, chief of police, probation officer, a drug and alcohol abuse counselor, and two department directors. This Adult drug court operates by accepting both pre- and post-adjudication offenders, meaning that participants could be recommended to the court both before and after a hearing to sentence defendants had occurred. Pre-adjudication participants’ successful completion of the program meant a dismissal of all charges. Failure to complete drug court programming would see the participants referred to the prosecutor. Referrals came from tribal, local, and state courts. After confirmation and approval from the aforementioned team members, the Poarch Drug Court required participants to undergo an initial behavioral health evaluation to determine the projected outlook/effectiveness of this alternative measure (Gottlieb 2010).

Required programming and session attendance of the Poarch Drug Court included educational opportunities such as GED class requirements and parental classes. Reports include that “original planning did not include a spiritual or cultural tradition component because the training the first tribal wellness courts received was based on the state court model” (2010).

However, as the program has progressed, there have been several cultural programming and educational requirements implemented for community members. These were typically less about cultural activities and more directly focused on community work. Some examples included oral history sharing and documenting across the community, and a local native plants class. The Poarch Drug Court is still in use today, and of the initial 28 participants who were a part of the initial implementation of the court, 15 successfully completed the program (Gottlieb 2010).

Both of these programs were among the first of their kind and, as such, serve as peer courts for other tribes and courts looking to structure the same sorts of programming on their reservations at home. Key similarities that contributed to successful and effective efforts included a variety of willing members of the community and different departments across the reservation to organize after funding was secured. Takeaways from these case studies and essential guidelines suggest a critical need for willing collaborators across community settings and specializations. Surprisingly, several of the initial Healing to Wellness Courts did not initially implement a cultural aspect until slightly later into the Court's life. When they were installed, the cultural pieces were consistently championed by community members. The reflections on these inclusions reveal a powerful supplement to the holistic factors that make up an Alternative Court.

The Coeur d'Alene Tribe as a Candidate for Healing to Wellness

The Coeur d'Alene Tribe is located on the Coeur d'Alene Indian reservation in Worley, Plummer, and DeSmet, Idaho. The tribe currently has its own Tribal court, its own tribal police department and team, an advanced tribal and rural medical health clinic, and several other thriving departments and initiatives run by majority tribal members. The tribe works closely with local and state authorities and courts, and since the 1990s has been cross-deputized with the

Coeur d'Alene County, Spokane County, and Idaho State police. Like other tribes discussed previously as well as those across Indian Country, the Coeur d'Alene tribe has and continues to struggle with drug-related offenses in the community. In 2021, the Coeur d'Alene tribe saw 31% of community members who went through tribal clinical services diagnosed with Opioid Use Disorder. Also in 2021, 72% of drug and alcohol related arrests made by tribal and local police on and around the reservation were tribal members (Allan 2022). These issues are prevalent amongst both youth populations as well as adult populations in the community.

Though there are several programs, structures, initiatives, and sentiments that already exist in the Coeur d'Alene tribal community that are closely related to and serve several of the same purposes as a Healing to Wellness Court, up until now, the tribe did not have any sort of alternative drug court (Laumatia 2025). With all of the aforementioned activity aimed at supporting those in the community who struggle with drug and alcohol abuse, the Coeur d'Alene tribe has many of the factors that other tribes have seen contribute to a successful implementation of Healing to Wellness Courts.

The tribe has worked on several "Wellbriety" healing efforts in the previous decades, including a very successful tribal reentry program, which provides a supportive environment for individuals looking to reenter the workforce on the reservation. The reentry program contains several of the holistic elements of the Tribal Law and Policy Institute's 10 components of Healing to Wellness Courts, including cultural aspects, cross-sector collaboration, and monitoring efforts. The referral system does not occur in collaboration with any legal entities, however. Instead, the program is overseen by community leaders and members, and referrals occur in collaboration with Marimn Health (the tribal health clinic)'s Behavioral Health Department. Marimn Health also engages in several community-based programs to increase

awareness for drug and alcohol prevention across the reservation. The behavioral health department of Marimn, which consists of a team of behavioral therapy professionals and program development leads, has been a prominent driver of several different holistic approaches at guided reintegration and support systems for those who struggle with drug and alcohol abuse in the community. This program is overseen and made up of several of the positions that were involved in the Blackfeet Alternative Court and Poarch Drug Court (Laumatia 2025). Though it is not a Healing to Wellness, its success in the community are both an indicator for the positive outlook on implementation as well as a leading partner program/supplementary healing opportunity for participants in a Coeur d'Alene Healing to Wellness Court.

Another aspect that the case studies of different Healing to Wellness Courts across the country revealed was communicative and willing tribal courts whose employees and team members were able to fulfill the referral points element. Healing to Wellness Courts operate as a means to cultivate reintegration in a way that looks at healing root causes and issues. However, by having a tribal court already in place, implementing a Healing to Wellness Court is a much less daunting task, as it permits open communication and avenues for kickstarting a program. The Coeur d'Alene tribal court was integrated in the late 1970s. Since then, they have had a judge, a prosecutor, and a public defender, as well a court administrator who is currently a tribal member (Allan 2022). In several ways, this makes communication and relationships with the tribal police, the tribal council, and other tribal departments much more accessible. Also, although the region is home to an extremely conservative population, relationships between the tribe and local courts and police have remained positive and cooperative. These suggest a positive outlook for introducing a new form of Alternative court to the community, though several of the previously discussed Healing to Wellness Courts benefited from tribal or locally

based community members making up the key actors in the legal process. Even though relationships remain positive, the judge, prosecutor, and public defender are all transplants to the region (Allan 2022). Cultural understanding amongst non tribal members is a likely roadblock to be further analyzed.

Another key aspect conducive to Healing to Wellness on the reservation is the robust cultural resources and education initiatives the tribe has, which can work to supplement the holistic approach of an alternative court. The Coeur d'Alene tribe, like other tribes, struggles with the effects of colonization on the rejuvenation of pre-Western ways of knowing and doing. However, there are several language classes offered both at the community centers as well as in the schools on the reservation. There are also summer programming opportunities for youth to engage in cultural knowledge activities such as oral history programming, native plants identification, regalia-making, and various historical context presentations. Partnerships with local tribes across the region give way to several opportunities for tribal members year-round to participate in cultural practices of food gathering and preparation. These include digging for water potatoes, huckleberry picking, salmon and elk drying, pit bakes, and several other food sovereignty-related projects. Beyond this, there are also several opportunities to engage with the land and water, including the salmon run, hunting and fishing, the willow and tree nursery, the eagle aviary, and horse riding/connection classes (Coeur d'Alene Tribe Cultural Resources 2023). The natural and cultural resource development on the reservation has laid the groundwork for a plethora of potential programming that can complement and serve as requirements for a Coeur d'Alene tribal alternative court.

There are several other potential supportive factors and existing institutions on the reservation that may contribute to an effective implementation of a Healing to Wellness Court,

though there is one governing Coeur d'Alene normative way of knowing that exists in this community which underscores much of the same mission as the restorative justice intentions of a Healing to Wellness Court. All of the aforementioned alternative court trials involved community members who were invested in a holistic approach to solving problems on their home reservations that were grounded in healing cultural wounds and the violent effects of trauma that have plagued Native communities since Western contact. Without this link, there is no foundation and motivation either for the individuals who are a part of the Healing to Wellness Court, nor for those tribal participants who are working to get through the program. The Coeur d'Alene tribe operates under five core (coeur) values that guide them individually and as a community. These values draw their origin from ancestral teachings, language, and oral stories (Upper Columbia United Tribes 2017). They have the potential to inform the structure of an Alternative court, especially as they relate to the relationships and roles between participants and team members of a new court.

The five Coeur d'Alene core values are t'u'lschint (Membership), Snmiypnqwiln (Scholarship), 'ats' qhnt' wesh (Stewardship), hngwa' yqn; hnshat' qn (Guardianship), and chsnpa'silgwesn (Spirituality). These govern several of the everyday and significant motivations and accomplishments of tribal members (Upper Columbia United Tribes 2017). These guiding principles also share a striking resemblance and synergy with the common, underlying elements and goals of model Healing to Wellness Courts. Both the Blackfeet Alternative Court and the Poarch Drug Court centered much of their curriculum around educational goals and benchmarks. Scholarship as a Coeur d'Alene core value offers potential for different local educational opportunities and requirements to be built into the program (Allan 2022). With a well-developed Department of Education and vigorous student resources, Scholarship as a value already thrives

among tribal members. Another preeminent element of a Healing to Wellness Court is the need for monitoring and check-ins with members of the Court. Guardianship as a value can inform training not only for participants but for those members of the community with whom participants will be monitored and held accountable by. Finally, the abundant opportunities for cultural immersion in a Coeur d'Alene Healing to Wellness Court are already comprehensively expressed in the values of Membership, Stewardship, and Spirituality.

Overall, the current support systems and initiatives on the Coeur d'Alene reservation generate a fertile ground for Healing to Wellness implementation. The needs of the community are strong, and the taxing, powerful work done by tribal members in the community already appears to honor several of the goals of restorative justice and a Healing to Wellness Court. However, there are several issues that the Blackfeet and Poarch Courts encountered that represent extremely common hardships faced by Healing to Wellness Courts. These may also have a high potential in a Coeur d'Alene Healing to Wellness Court.

Potential Roadblocks and Viability of A Coeur d'Alene Healing to Wellness Court

The Tribal Law and Policy Institute, in collaboration with the BJA, finds that some of the most common barriers to a successful Healing to Wellness Court are issues of priority, funding, treatment resources, local legal relations, the extent of tribal codes, and accountability/commitment issues (1999). Of these issues, the Coeur d'Alene tribe is vulnerable to funding availability complications, local and regional relational issues, and subsequently, the potential for issues of monitoring and accountability.

The Coeur d'Alene Tribe has several contracted grant writers across the various departments and, as such, boasts a high rate of grant awards from both federal and state programs. The previous five fiscal years have seen a combined average of between 2 to 5 million

dollars in grant money (Laumatia 2025). These range from educational, natural resource, justice, and law enforcement funding. However, the current political climate has presented negative outlooks for federal grant programs across the country, especially for marginalized and underprivileged rural communities. Cumulatively, the current administration is blocking somewhere near 430 billion dollars in federal grants (House Committee on Appropriations 2025). This funding is disproportionately affecting Tribal communities across the country (NARF 2025). One of the Coeur d'Alene Tribe's aforementioned preeminent cultural resource programs for youth scholarship receives grant money through the National Scholars Foundation (NSF), which provides a unique opportunity for tribal members to get college credit and recommendations through cultural learning and curriculum engagement. The program will cease in the upcoming months due to the NSF funding cut approved by the Trump administration (Laumatia 2025). Such a program would have served as a crucial opportunity for juveniles in the community going through an alternative court. Broadly, the outlook for funding to jumpstart a new alternative court with federal loan money is less than ideal. However, the Tribe has seen success from gaming revenue since the Casino's inception in the 1990s. Since then, several tribal operations have been able to kickstart under Casino revenues (Allan 2022). This, in conjunction with already existing infrastructures for a Healing to Wellness Court, does not derail viability.

The predominant barrier for a Coeur d'Alene tribal Healing to Wellness Court would be the communication and cooperation of the tribal and local courts. Review of the Blackfeet Alternative Court illustrates how critical cooperation between the judge, prosecutor, public defender, and other members of the Healing to Wellness Court is essential. Ultimately, a lack of communication in the Blackfeet Court hindered efforts to stay consistent with participants throughout the program. Though the Coeur d'Alene tribal courts maintain fair relationships, they

have struggled with program implementation in the past. Community interviews reveal that a team of healthcare and department leads tried to implement a juvenile drug court on the Coeur d'Alene reservation in the 2000s. This drug court did not last more than a year, and when asked about the program's main roadblock, a community member specified that relationships with the prosecutor and public defender at tribal courts were ultimately what led to the program's demise. The public defender at the time was non tribal and did not work closely with the behavioral health and cultural resource members of the juvenile drug court (Laumatia 2025). As such, there was a rift in communication on how decolonial and cultural learning opportunities offered through the juvenile drug court could be so instrumental. Instead, the public defender commonly negotiated much more appealing alternatives to sentencing for youth that involved less time, less accountability, and overall, less community engagement and reflection. As a result, youth who were eligible for the program rarely, if ever, selected the option. More often than not, quicker alternatives to sentencing were selected, with successively higher rates of recidivism (Allan 2022).

Other potential opportunities for restorative justice implementation across the judicial and law enforcement spectrum have also been derailed by issues of communication and understanding stemming from the courts. In the 2010's community members recall a push to implement the Special Domestic Violence Criminal Jurisdiction (SDVCJ) provision of the Violence Against Women Act (VAWA). However, a lack of communication and resources to exhibit the need to implement such a program led to a disconnect between community advocates and the tribal courts coordinator, as well as the tribal police department representatives (Laumatia 2025). Altogether, a prevalent historical hardship for the Coeur d'Alene tribe has been to inspire and communicate the motivation to become receptive to the needs of community

members to root restorative justice efforts in traditional teachings and new alternative approaches. A Coeur d'Alene Healing to Wellness Court would require educational resources and presentation preparation for the members of the tribal courts team, especially as they are the key players in the referral and sentencing process. These resources would likely need to be extended to parole officers who work directly with tribal members (none of whom are tribal).

The final roadblock characteristic of several Healing to Wellness Court action plans is a lack of ability to incentivize participation. According to Charlene Jackson, an attorney in Arizona and consultant for the Tribal Law and Policy Institute, ““if you have someone that’s in the throes of addiction and they think, ‘Do I do 30 days in jail or do I spend 18 months in this program?’ Many times they’re going to do the 30 days in jail because then it’s done and it’s over with, or they get partway through the program and they say, ‘ehh, I’ll just do my 30 days’” (2018). This issue has already presented itself in connection with previous struggles for the Coeur d'Alene tribe to enlist cooperation from the public defender. When more appealing alternatives are offered with a much shorter sentencing window, it becomes difficult to convince participants to select an alternative court over the traditional court. A necessary feature of a future Coeur d'Alene alternative court would be an understanding between parties to express the holistic benefits of a Healing to Wellness Court and appeal to participants with various opportunity-based rewards.

Therefore based off of these findings and analysis, to implement a successful Healing to Wellness Court on the Coeur d'Alene Reservation, the tribe ought to prioritize cooperation, communication, and incentive. In order to encourage incentive for participants and to keep all of the different departments on the same page, the Tribal Courts team, Tribal Police, Tribal Council, Behavioral Health, Department of Education, Wellbriety Program, and outside consultants

should all meet regularly from the beginning of the program onward. Regular meetings would allow for the same information to be distributed across all actors involved. At the outset, folks from tribal departments should create different forms of infographics and present the reasons behind Healing to Wellness Court implementation to the non tribal actors, particularly the judge, prosecutor, and public defender. These may include the Coeur d'Alene Coeur values. Regular meetings should encourage family participation. The inclusion of the Coeur d'Alene tribal council may serve as a great opportunity to showcase the need to use casino funding on the program. Finally, to encourage the cultural aspect of programming, the program requirements should ask participants to attend various events offered by cultural resources to have signed off at the end of each module.

In its entirety, a Healing to Wellness Court works to slowly untangle the traumatic tendencies of reservation communities and contribute to a healthier tribal body as a whole. While conducting this research, I found that the Coeur d'Alene Tribe's behavioral health team just launched a new Healing to Wellness Court Program in May of 2025. For previously mentioned community needs, value alignment, and existing infrastructure, an Alternative court in this community is long overdue. Though there are several potential obstacles for this initiative, the benefits and intentions far outweigh these concerns. Implementing a Healing to Wellness Court is a laborious task that requires the entire community to be on board. However, it represents the steps taken towards finding the holistic success that ancestral tribal communities practiced for thousands of years before the introduction of harmful substances. As there was a time before substance abuse in tribal communities, there shall be a time after it as well.

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