



# THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD NATION

## TRIBAL DEFENDERS OFFICE

Managing Attorney  
Ann M. Sherwood

Clinical Psychology Trainees  
Desiree Fox  
Ciara Hansen

Flathead Reservation Reentry Program  
Susette Billedeaux, Director

Arthur Helton Global Human Rights Fellowship

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Civil Division  
Justin Kalmbach, Attorney  
Claire Charlo, Advocate

Office Manager

Kate McDonald

Legal Secretary

Marcella Mahseelah

Criminal Division

James G. Gabriels, Senior Attorney

Michael Wheeler, Attorney

Advocate - Vacant

## MEDIATION SERVICES

The Tribal Defenders offer mediation to parties as an alternative to turning their dispute over to the court to decide. You may request mediation before filing a court case, or you may request mediation at any time while your case is still pending. Both parties must agree to mediation or, if you have a case pending, you may ask the court to order mediation. Mediation is conducted by the University of Montana, School of Law Mediation Clinic at the Defenders Office, free of charge. Or, a cultural mediation may be available to you, depending on your situation.

Mediation is an informal, voluntary, and confidential process by which an impartial third party intervenes and facilitates communication and settlement. There are several methods mediators use, interns at the University of Montana Mediation Clinic are trained in three general mediation approaches, then tailor the methods to the needs of the parties.<sup>1</sup>

To request mediation at the Defenders Office by the Mediation Clinic contact: Claire Charlo, Civil Advocate 675-2700 ext. 1125.

## CULTURAL MENTORING

The Tribal Defenders offer cultural mentoring to clients who are currently charged with an offense in Tribal Court or any others who are having difficulties and may benefit from this service. Mentors are volunteers in the tribal community who will counsel individuals and/or mediate conflicts among parties—usually between a person accused of an offense in tribal court and the person wronged. Sessions may range from one to several depending on the needs of the parties but the mentors will always offer to keep the door open if our clients need to come back for help. The mentoring process can result in recommending consequences that would help the community or can be simply instructional advice on traditional values and how to be a productive member of the tribal community.

To request cultural mentoring services at the Defenders Office contact:  
Susette Billedeaux, Criminal Advocate 675-2700 ext. 1125.

<sup>1</sup> U of M, School of Law website, Mediation Clinic. [www.umt.edu/law/students/clinics/inhouseclin/MediationClinic](http://www.umt.edu/law/students/clinics/inhouseclin/MediationClinic)

## **HOLISTIC DEFENSE**

A model of public defense developed by the Bronx Public Defenders and implemented by the CSKT Tribal Defenders since 2011.

### **1. Seamless access to services.**

Clients who come in contact with the justice system have issues that, if unmet, will lead them to continually cycle through the system. Clients also face collateral consequences to criminal charges that push them further into recidivism: loss of housing, employment, driver's license suspensions, etc... Accessing services is often an obstacle for clients. Holistic public defense offers seamless access to services whether in-house or in collaboration with other service providers in the community.

*Ideas for a pilot project: Identify the primary issues facing the clients in your community--Are they mental health, chemical dependency, homelessness, veterans' issues, driver's licensing? Do you know the issues or do you need to survey to find out? Identify educational and/or services agencies in your community who may be a resource to your clients – can you collaborate with: The jail diversion program, veterans' services, specialty courts, homeless shelters, reentry probation officers?*

### **2. Dynamic, interdisciplinary communication.**

Holistic public defenders practice as a team and communicate regarding the clients' needs and their progress.

*Ideas for a pilot project: Form a team in your office, start with misdemeanors. The team may include: criminal defense attorney, social work intern, clinical psychology trainee, a civil specialist to address collateral consequences (legal intern.) The composition of the team for the pilot project will depend upon the issues you address then services offered will follow. For example, your civil specialist may offer pro se assistance or assistance with driver's license restoration.*

### **3. Advocates with an interdisciplinary skill set.**

Each member of the team has an understanding of the discipline of the other members in order to know how to access services for their clients. For example, social workers would know how a sentencing hearing works and lawyers would have a basic understanding of how to screen for mental illness.

*Ideas for a pilot project: Once the team is developed, you can use team meetings, trainings for the entire staff or ongoing communication to promote a cross-disciplinary understanding. For example – your social workers could train lawyers on services available to veterans, your psychologist could train on the stages of psychological change or your social worker could shadow lawyers to court.*

### **4. A robust understanding of, and connection to, the community served.**

A public defender that has an understanding of the community is better equipped to provide effective representation, address the needs of the clients and have an impact on recidivism.

*Ideas for a pilot project: Depending on the issues you decide are most prevalent, collaborate with service agencies to offer community education regarding (for example): How to be a Good Tenant presentation at the Poverello, How to Restore Your Privilege to Drive offered at Veterans' Court, Collateral Consequences to Criminal Charges offered to Montana Legal Services. Your presence in the community will establish trust among your clients and the criminal justice system. As a result, you will become a resource for change.*

**Holistic Defense does not compromise strong advocacy, it enhances it.**

**It will not increase public defender caseloads, but provides a better method to manage them.**

**It does not have to look like the Bronx Defenders; the model can be applied to any program.**

**It results in better outcomes: The Bronx have demonstrated better legal and life outcomes, and reduced recidivism. The CSKT Tribal Defenders have the follow outcomes: mental health services resulted in less than 50% recidivism among clients served; Of 54 clients served by the cultural mentoring program, 64% have not reoffended. Over the last 3 years, driver's license assistance has resulted in 30 people per year clearing suspensions and becoming valid drivers.**

Client \_\_\_\_\_

Tribal Affiliation \_\_\_\_\_

Mailing Address \_\_\_\_\_

Enrollment # \_\_\_\_\_

\_\_\_\_\_

Work Phone \_\_\_\_\_

\_\_\_\_\_

Home Phone \_\_\_\_\_

Defender \_\_\_\_\_

Message Phone \_\_\_\_\_

Prosecutor \_\_\_\_\_

Email Address \_\_\_\_\_

Charges: \_\_\_\_\_

Employment History: \_\_\_\_\_

Tribal Criminal History: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Currently in Job Corps ? \_\_\_\_\_

If so, offer for banishment and deferred prosecution? \_\_\_\_\_

Initial Appearance Date \_\_\_\_\_

Type of Release \_\_\_\_\_

Release Order Conditions:

Obey all Laws

No Alcohol/Bars

Make all Court Appearances

No leaving reservation w/out court permission

Maintain contact with representative

Pretrial Supervision

No Contact with \_\_\_\_\_

Other \_\_\_\_\_

Release Conditions/Bond modified on \_\_\_\_\_ Changes made to bond: \_\_\_\_\_

Changes made to release conditions: \_\_\_\_\_

Collateral Issues:  Housing  Employment  Driver's License (including implied consent issues)

CD/Mental Health  Cultural  Reentry

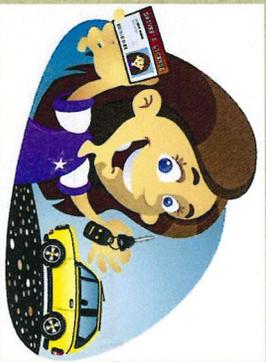
Referral Made to:  Civil Unit  Psych  Driver's License Restoration  Mentoring  Reentry

Arraignment Date \_\_\_\_\_ Pretrial Date \_\_\_\_\_ Jury Instruction Due \_\_\_\_\_

Trial Date \_\_\_\_\_ Sentencing Date \_\_\_\_\_

## Instructions for paying a Reinstatement Fee

- Send your payment (check or money order only) to:  
Records and Driver Control  
Reinstatement Section  
PO Box 201430  
Helena, MT 59620-1430
- Make the check or money order payable to the Motor Vehicle Division
- Credit cards are NOT accepted
- Include your driver's license number (if known), full name, date of birth, and current mailing address with your payment
- Customer Service Phone: (406)444-3288



## Driver's License Point System

If you receive 30 points on your driving record within a 3 year period you will be declared a habitual offender and your driver's license will be revoked for 3 years

Traffic Offense	Points
DUI	10
DWSR	6
Reckless	5
No Insurance	5
No License	2
Speeding	3
Moving violation	2
Felony with motor vehicle	12

### Contact Information

Tribal Public Defenders  
PO Box 278  
Pablo, MT 59855  
Phone: (406)675-2700 ext.1125  
Fax: (406) 675-2212  
Office hours: Mon.-Thur. 7:30-6:00

*Salsib and Kootenai  
Tribal Defenders Office*

## DRIVER'S LICENSE INFORMATION

*Suspension and  
Reinstatement*



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# Driver's License Suspension

- Your driver's license can be suspended even if you do not have or have never had a driver's license
- Suspensions in other states will suspend your privilege to drive in Montana, even if valid in Montana

## Most Common Reasons for having your license suspended:

- Court suspensions: This can be for not paying fines, not making an appearance, or failing to complete any court requirements such as an ACT class
- DUI convictions and or refusal suspensions
- Failing to complete ACT class
- Failing to complete treatment/monitoring after 2nd DUI conviction
- Failing to pay child support
- A driving while suspended conviction will add one year to driver's license suspension

## Fines

- If you are suspended for not paying fines with the court, the court will typically not lift the suspension until you have paid the fine in full
- If the fine has been sent to a collection agency for nonpayment the collection agency will add fees and interest to your total amount owed

## Suspension and Expiration

- If your driver's license is suspended and is about to expire, you can still go in to your local dmV office and pay the renewal fee, called a pre-paid receipt
- Then once you clear up the suspension you will not be required to retest\*

\*This does not apply if your license is revoked, which requires you to retest for your license



# Driver's License Reinstatement

After you cleared up the suspension issue:

- You still need to pay a reinstatement fee to the DMV in Helena
- If you were suspended for any alcohol related reason the reinstatement fee is \$200.00
- Other suspensions require a \$100.00 reinstatement fee

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## Chemical Dependency and Mental Health

If you are released on supervision from the Department of Corrections, keep in mind that your probation/parole officer must approve the treatment provider. You will also be asked to sign releases so your probation/parole officer can monitor your progress.

### Tribal Behavioral Health

Contact — Betty Steele  
(406) 675-2700 ext. 5014

### Western Montana Addiction Services

Missoula Turning Point  
1324/1325 Wyoming Street  
(406) 532-9800

Lake County Addiction Services—Polson  
802 Main Street, Suite C  
(406) 883-7310

### Pathways (Kalispell)

(406) 756-3950  
200 Heritage Way, Kalispell  
Provides acute inpatient treatment for mental health and/or substance abuse issues. Financial assistance is available

### Missoula Indian Center

(406) 829-9515  
830 West Central Ave, Missoula

Must be Native American in Missoula County. Provides chemical dependency and mental health evaluations, group/individual counseling, intensive outpatient treatment, referrals to inpatient residential treatment.

### Alcoholics Anonymous

Ronan Alliance Church, 35663 Terrace Lake  
7:00 p.m. Mondays

St. Luke's Conference Room, 107 6th Avenue SW  
7:00 p.m. Thursdays

Polson Alano Club, 8 3rd Ave. W.  
Every day 7:00 a.m. and 7:00 p.m.

## Financial Assistance

### Temporary Assistance to Needy Families (TANF)

Contact—Natalie Kennille  
(406) 675-2700 ext. 1048

Provides an assistance check for low income families and services including mentoring classes, drivers license classes, transportation assistance, case management, employment referral and work experience, child care, referrals to Sylvia's Store and GED classes.

### DHRD—Dire Need

Contact—Geraldine Linsebigler  
(406) 675-2700 ext. 1035

Provides emergency assistance, up to \$300, for CSKT tribal members on the reservation facing unforeseen financial problems.

## Education

Salish-Kootenai College — GED program  
(406) 275-4986

Orientations take place every Monday at the Adult Learning Center at 10:00 AM.

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PO Box 278

Pablo, MT 59855

Phone: (406)675-2700 ext.1125

Fax: (406) 675-2212

Office hours: Mon.-Thur. 7:30-6:00

Department of Human Resources Development, Tribal Behavioral Health and the Tribal Defenders Holistic Defense Program

## COMING HOME

Flathead Reservation  
Reentry Program

*Returning to the Reservation  
after Incarceration*



## Returning to the Reservation?

## The CSKT Flathead Reservation Reentry Program is here to help!

### CSKT Salish Kootenai Housing Authority

(406) 675-4491 Ext. 1536  
11 communities throughout the Flathead Reservation. Income qualification applies. Rent is 30% of household income.

If you are applying for Tribal Housing from prison you should have a Release/Discharge letter with terms of release from Montana DOC.

Keep in mind that your probation/parole office must approve your living situation, including those you live with. Your home is subject to search by the probation/parole officer.

### CSKT Transitional Living Center, Pablo

(406) 675-4491 Ext. 1549  
Temporary (up to 6 months) emergency shelter for families

### Ronan Housing Authority

(406) 676-5900  
111 2nd Avenue SW, Ronan  
Low Income Housing

### Cherry Hill Complex, Polson

(406) 883-3698, Lori Trogden

### Poverello Center, Missoula

(406) 728-1809  
1110 West Broadway  
Short-term, 24 hr. emergency shelter, Intake 8 a.m. to 7 p.m. Free meals/sack lunches (3 meals/day, 7 days/week). Storage space for personal belongings Access to computers, phones, mail, bus passes, showers, laundry, clothing, case management, medical clinic.

### Poverello Center, Missoula

(406) 728-1809  
1110 West Broadway  
Short-term, 24 hr. emergency shelter, Intake 8 a.m. to 7 p.m. Free meals/sack lunches (3 meals/day, 7 days/week). Storage space for personal belongings Access to computers, phones, mail, bus passes, showers, laundry, clothing, case management, medical clinic.

### Missoula Food Bank

(406) 549-0543  
Monday-Friday 10:00 a.m. - 1:00 p.m..  
Monday, Tuesday, Thursday 5:00 p.m.-7:00

## Housing

## Employment

### CSKT-DHRD WIA Program

Contact Joan Colman at  
(406) 675-2700 ext. 1324  
Provides temporary work experience for low income individuals - must be enrolled or 1st generation descendants of a federally recognized tribe.

### CSKT Vocational Rehab

Contact Shaunda Albert at  
(406) 644-2217 ext. 1285  
Provides training and work experience to tribal members with disabilities. The goal is permanent employment, full- or part-time, for those who want to work.

## Culture

### CSKT Tribal Defenders Cultural Mentoring Program

For information contact Susette Billedeaux at  
(406) 675-2700 ext. 1125

### People's Center, Pablo

Arts and crafts group meets every Thursday from 10 am-2 pm

## Transportation

### DHRD Transportation

(406) 675-2700 x1030  
Call 24 hours in advance  
Reservation-wide transport for \$2.00 per ride.

### Driver's License Reinstatement

(406) 444-3288  
Call for driver's license status and requirements for reinstatement.

### Contact Susette Billedeaux at

(406) 675-2700 ext. 1125